

TO: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

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

DATE: JUNE 5, 2013

AGENDA ITEM
E-6
JUNE 12, 2013

**SERVICE REQUEST – 545 GRANDE AVENUE
18 LOT RESIDENTIAL DEVELOPMENT**

ITEM

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for an 18 lot residential development on Grande Avenue at Avenida de Amigos, pursuant to District's current water allocation ordinance [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE, DENY OR CONTINUE].

BACKGROUND

The District received an application for water, sewer and solid waste service for 545 Grande Avenue, APN 092-142-034, on March 14, 2013. The Applicant, Grande Nipomo, LLC, represented by Jennifer Martin of Elements Architecture, is requesting water and sewer and solid waste service for an 18 lot residential subdivision (based on the District's definition). The project will consist of 17 single family parcels, and 1 common area parcel. The existing 1.18 acre parcel is zoned Residential Multi-Family and the District does not currently provide water, sewer or garbage service for the parcel. A Water Demand Certification for the new residential units of the project is included with the application.

All parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will not be utilized to provide domestic water service to any part of the project.

The project is subject to the District's current annual water-year allocation limits (32.5 acre-feet) per District Ordinance Section 3.05.040. Pursuant to current Ordinance, the requested residential water allocation for the project is 8.2 acre-feet per year (17 x 0.48) per Section 3.05.060. Attached is the current Water Allocation Accounting Summary for Water Year 2012-2013. To date, 6.6 acre-feet of water has been allocated for Water Year 2012-2013, which commenced on October 1, 2012.

Both the phasing and the calculation of the projected residential water demand are determined by the District's current allocation ordinance. According to Section 3.05.060 of the allocation ordinance, the projected total demand shall be established as 0.48 AFY per single family unit on a parcel less than 12,768 square feet in size. According to Section 3.05.040.A.1, a total of 20.8 AFY is reserved for single-family and duplex dwelling units in any one allocation year. According to Section 3.05.110.A, the District will not allocate more than twenty percent (20%) of the use type allocation to any one project during any one allocation year. Thus, the allocation policy requires that no more than 4.2 AFY (0.2 times 20.8) be allocated in the single-family and duplex category to any one project in any allocation year.

Given the total residential water allocation required for the project is 8.2 AFY and no more than 4.2 AFY can be allocated in the single-family and duplex category to any one project in any allocation year, the required water allocation for the project will be phased over a 2 year period with 4.2 AFY (8 units) in Water Year 2012-2013 and 4.0 AFY in Water Year 2013-2014.

Pursuant to District Code Section 3.05.110(D) the District Board may, during the 4th quarter, adjust the twenty percent (20%) limitation referenced in this staff report upon the finding that there is an unused allocation in a designated category. The priorities for distributing the adjusted allotment are as follows:

1. Projects on the waiting list;
2. Projects with existing phased Intent-to-Serve letters;
3. New projects.

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic meter size and irrigation meter size requested for the final County approved project as well as CAL FIRE's fire service requirements. Assuming a total of seventeen (17) 1 inch water meters for combined fire sprinkler/indoor use water service, one (1) 1 inch irrigation water meter, and seventeen (17) sewer connections, the estimated fee deposit for the project is \$473,775 less a credit of \$94,670 paid by the previous owner for a net amount of \$379,105 based on the current District fee schedule.

RECOMMENDATION

Staff requests the Board provide staff with direction to approve, deny or continue the application. Staff recommends the following conditions if the Board desires to approve the Applicant's request for an Intent-to-Serve letter:

- Project shall obtain solid waste, sewer and water service for all parcels.
- Will-Serve letters for the project will be issued in "phases" as follows:
 - No more than 8 units (4.2 acre-feet) prior to September 30, 2013;
 - No more than 17 units (8.2 acre-feet), cumulative, prior to September 30, 2014;
- Each new parcel shall be served by a single one (1) inch meter and backflow assembly for indoor use and fire sprinkler service, if approved by CAL FIRE of SLO County.
- A separate one (1) irrigation meter shall be provided for the new common lot parcel. Irrigation meter capacity charges are applicable.
- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service laterals are required.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.

- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (AutoCAD) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - Summary of all water and sewer improvement costs
 - Copy of recorded Covenants, Conditions, and Restrictions (CC&R's), acceptable to the District, that include provisions for maintenance of common areas and formation of property owners' association that is responsible for payment of all costs related to common parcel irrigation meters and common parcel sewer line.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than residential use as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - Three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this "Intent-to-Serve letter at any time.

- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

ATTACHMENTS

- A. Application
- B. Proposed Site Plan
- C. Water Year 2012-2013 Allocation Summary
- D. Water Year 2013-2014 Allocation Summary

JUNE 12, 2013

ITEM E-6

ATTACHMENT A



NIPOMO COMMUNITY SERVICES DISTRICT

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

Office use only:
Date and Time
Complete
Application, and
Fees Received
RECEIVED
MAR 14 2013

NIPOMO COMMUNITY
SERVICES DISTRICT

INTENT-TO-SERVE APPLICATION

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: SUB 2006-00205
- Attach a copy of SLO County application.

Note: District Intent-to-Serve letters expire eight (8) months from date of issue, **unless** the project's County application is deemed complete.

- Project location: 545 Grande Street, Nipomo
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-142-034
- Owner Name: Grande Nipomo LLC
- Mailing Address: 645 Clarion Court, SLO CA 93401
- Email: rbachmann@specialtyconstruction.com
- Phone: 805-543-1706 FAX: 805-543-1712
- Agent's Information (Architect or Engineer):
Name: Jennifer Martin / Elements Architecture
Address: Arroyo Grande, CA
Email: Jennifer@eadarchitecture.com
Phone: 481-2631 FAX: _____
- Type of Project: (check box) (see Page 3 for definitions)

<input checked="" type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

- Total Number of Dwelling Units 17 Number of Low Income Units TBD
- Does this project require a sub-division? Yes No
If yes, number of new lots created 18
- Site Plan:

For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential portion of mixed-use projects.

16. **Commercial Projects Service Demand Estimates:**

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. **Please note:** All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **Agreement:**

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule

Date 3/14/13

Signed

R. C. Bachmann
(Must be signed by owner or owner's agent)

Print Name

Rudy C. Bachmann

Demand Calculation (for new dwelling units only)

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	_____	X	0.28	=	_____
Number of Duplexes/Secondary Units	_____	X	0.28	=	_____
Number of Single Family Units with:					
Parcel less than 12,768 sq. ft.	<u>17</u>	X	0.40	=	<u>6.8</u>
Parcel between 12,769 and 25,536 sq. ft.	_____	X	0.68	=	_____
Parcel greater than 25,536 sq. ft.	_____	X	0.82	=	_____
Total demand all dwelling units including irrigation				=	_____

Certification

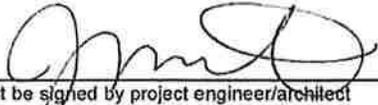
I the undersigned do here by certify:

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

- 0.28 AFY per Multi-Family Dwelling Unit;
- 0.28 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.40 AFY per Single Family Dwelling Unit located on a parcel size of twelve thousand seven hundred sixty-eight (12,768) square feet or less;
- 0.68 AFY per Single Family Dwelling Unit located on a parcel size between twelve thousand seven hundred sixty-nine (12,769) and twenty-five thousand five hundred thirty-six (25,536) square feet.
- 0.82 AFY per Single Family Dwelling Unit located on a parcel size that exceeds twenty-five thousand five hundred thirty-six (25,536) square feet.
- Secondary Units – Total water demand for primary and secondary unit shall not exceed 110% of the limitations established for the primary unit.

Note: "AFY" = acre-foot per year
 Parcel size is net area

Signed  Date 10/4/12
Must be signed by project engineer/architect

Title Architect License Number C29802

Project 092-142-034 (e.g. Tract Number, Parcel Map #, APN)

JUNE 12, 2013

ITEM E-6

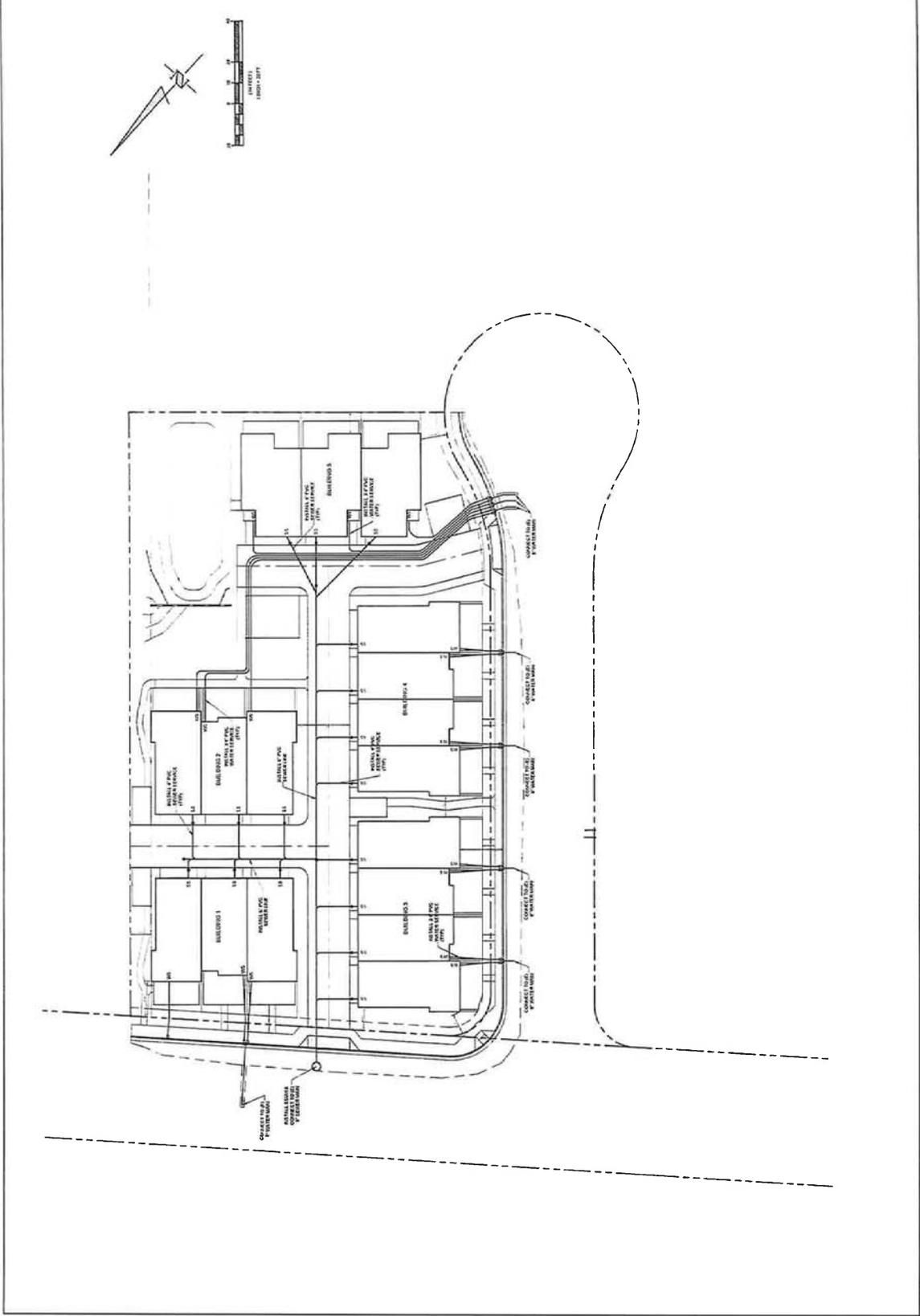
ATTACHMENT B



GRANDE AVENUE PROJECT
 PRELIMINARY UTILITY PLAN

DATE	
REVISION	
BY	
CHECKED	
DESIGNED	
PROJECT	

C-2
 DATE: 08/01/2017



JUNE 12, 2013

ITEM E-6

ATTACHMENT C

JUNE 12, 2013

ITEM E-6

ATTACHMENT D

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *ML*
GENERAL MANAGER
DATE: JUNE 6, 2013



CONSIDER DISTRICT ROLE IN THE DEVELOPMENT OF JIM O. MILLER PARK

ITEM

Review the District's recent and future role in the development of the proposed Jim O. Miller Park [RECOMMEND DISCUSS AND DIRECT STAFF]

BACKGROUND

In March 2009, your Board entered a Memorandum of Understanding with San Luis Obispo County to identify the responsibilities of the parties in developing Jim Miller Park (Memorandum attached). The Memorandum outlined County transfer of the property for the park to the District in exchange for District construction and maintenance of a public park at the site. The Memorandum also outlined the process by which the District would apply to the Local Area Formation Commission for activation of park powers to facilitate the District's commitment to operate the park.

All requirements of the MOU concerning easement corrections and perfections associated with lift station and well sites on the County parcel south of West Tefft (APN 090-142-007) have been completed. The MOU does not have a specified termination date.

The District's funding plan for the project included the formation of a property tax assessment district to fund a portion of estimated park maintenance costs. In the fall of 2009, the District conducted a property tax assessment ballot asking nearby residents to increase their property tax by either \$35 or \$12 per year depending on their property's proximity to the proposed park. The assessment district formation measure failed.

The District supported the park development effort with staff (General Manager) and consulting resources expending countless staff hours and over \$100,000 for consulting services (survey of customers, legal, environmental, assessment district formation, engineering).

In January 2010, Phase I environmental surveys of the property commissioned by the District indicated elevated levels of heavy metals in near surface soils and petroleum hydrocarbon contaminants in buried soils and groundwater beneath the site. County Property Services was provided the Phase I results and have continued the investigation of property conditions at the direction of the County Environmental Health Department. Recent (May 2013) correspondence from County Health Department to the property owner (County Property Services) and Chevron Environmental Services are attached.

The park capital funding plan included the commitment of \$500,000 in District property tax reserves and a portion of the District's annual property tax revenue was committed to cover part of ongoing operations and maintenance. This funding is no longer available to the project. The property tax reserves and annual tax revenue stream are now being considered as part of the District's funding plan for a \$17.5M supplemental water pipeline project. E-1 on today's agenda

is your Board's consideration to irrevocably dedicate annual property tax revenues to debt service on the water project.

Over the past three years, the Olde Towne Nipomo Association (OTNA) has been working with County Planning and County Property Service to advance the Park plan. OTNA is seeking a Minor Use Permit from the County to continue the Park development process.

An Intent To Serve letter is needed from the District prior to the County granting a Minor Use Permit. Your Board is scheduled to consider a service request (and Intent To Serve letter) for the Park in a separate item on today's agenda.

As the Owner of the property, County Property Services is willing to recognize OTNA as an Agent of the District, working under the 2009 MOU. As such, the Owner is allowing OTNA to make application to the District for water and sewer service and will process a Minor Use Permit application made by OTNA, should a service letter for the project be approved by the District and the District otherwise agree to the OTNA acting as its Agent.

The 2009 MOU is silent to OTNA's role in the project. There exists no formal agreement between the OTNA and the District regarding its role in park development.

STRATEGIC PLAN

Strategic Plan Goal 7D.1 – Plan for Parks and Open Space

RECOMMENDATION

Staff recommends your Board consider District continuing role under the 2009 MOU. Should your Board desire to have OTNA act as an Agent of the District, a formalization of this role is strongly recommended. Should your Board desire to reestablish its lead role in park development, staff and funding resources for the effort need to be identified.

Staff looks to your Board for direction as to the District's role in advancing the development of Jim O. Miller Park.

ATTACHMENTS

- A. March 2009 MOU
- B. May 8, 2013 County Health Department Letter
- C. May 24, 2013 County Health Department Letter

JUNE 12, 2013

ITEM E-7

ATTACHMENT A

MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF SAN LUIS OBISPO AND
THE NIPOMO COMMUNITY SERVICES DISTRICT
REGARDING THE TRANSFER OF OWNERSHIP IN
COUNTY-OWNED REAL PROPERTY

This Memorandum of Understanding (“MOU”) is entered by and between the County of San Luis Obispo (hereinafter “County”) and the Nipomo Community Services District (hereinafter “District”) with reference to the following Recitals:

RECITALS

- A. The District is a Community Services District formed and operated pursuant to California Government Code, Sections 61000 et seq. Pursuant to said code, the District is authorized to acquire, construct, improve, maintain, and operate recreational facilities, including, but not limited to, parks and open space; and
- B. The District is considering the activation of Park Powers pursuant to the Cortese-Knox-Hertzberg Act and the rules and regulations of the Local Agency Formation Commission (hereinafter “LAFCO”); and
- C. The County is the owner of certain real property consisting of approximately one (1) acre located at the northeast corner of West Tefft and Carrillo Street (APN 090-141-006) along with the adjacent 60-foot-wide strip of land to the west of this parcel, formerly a railroad right-of-way (a portion of APN 090-151-008), hereinafter referred to as “Property”, as depicted in Exhibit “A”; and
- D. The District has requested the County to transfer ownership of the Property to the District, without compensation, for the purpose of constructing and operating a park; and
- E. The District has a 75’ by 75’ easement for water well purposes on County land across the street from said Property on APN 090-142-007, recorded on May 29, 1984 as Document No. 27332; and
- F. The District has not developed this site for water well purposes and no longer requires the easement; and
- G. The District requires an easement for a sewer lift station and sewer lines installed in the early 1980’s on County-owned land, APN 090-142-007; and
- H. District requests a grant of easement from County for the sewer lift station and sewer lines and offers, in lieu of monetary compensation, to quitclaim the 75’ x 75’ water well easement currently held by District, described in Paragraph E above; and

- I. Pursuant to Government Code, Section 56824.14, in order to maintain a public park, the District's exercise of Park Powers must be approved by LAFCO; and
- J. Pursuant to Government Code, Section 25365, the Board of Supervisors may, upon determination that said Property is not required for County use and with a four-fifths vote of the Board, transfer fee title of said Property to District; and
- K. It is the purpose of this MOU to identify the responsibilities of the parties in developing the Property for use as a park and the transfer of the property to the District as well as the trading of easements.
- L. County wishes to cooperate with District's request to transfer the property to the District in order to provide a park to the community of Nipomo.

NOW, THEREFORE, the parties agree as follows:

1. County hereby determines that subject Property is not required for County use.
2. In lieu of monetary compensation and in consideration of District's offer to construct and maintain a public park on the Property, County intends to transfer ownership of the Property to District free of charge following completion of the steps outlined below. Nothing contained in this MOU shall be interpreted to predetermine the transfer of the property or to restrict County's full review and implementation of environmental review related to the transfer of this Property pursuant to CEQA. Said transfer shall require a future public hearing before the Board of Supervisors pursuant to Government Code Section 25365 after the environmental determination and General Plan Conformity Report are completed.
3. District will develop a plan identifying park features and improvements for approval by County Planning and Building Department.
4. District will provide County an analysis of the costs and the funding sources for construction of park improvements and for ongoing operation and maintenance. If such funding shall require the formation of an assessment district, transfer of ownership of the Property shall not occur prior to approval of the assessment district by the affected property owners.
5. Transfer of the property shall not occur prior to LAFCO activation of the District's Park Powers.
6. If required, District shall apply for a public lot split with County Planning and Building Department and provide all documentation necessary to obtain approval of the County Subdivision Review Board prior to recordation of the Quitclaim Deed. District shall provide, at District's expense, a legal description of the property to be transferred, which shall be an original exhibit to the Quitclaim

Deed. District agrees to submit a Voluntary Merger or Certificate of Compliance Application and processing fees, if required, to County Planning and Building Department.

7. County shall process a General Plan Conformity Report and Environmental Determination for the transfer of the Property. Transfer of the property shall not occur prior to filing of the General Plan Conformity Report and Environmental Determination with the County Planning Commission or, if appealed, approval by the County Board of Supervisors.
8. The Property shall be improved in substantial conformity to development plans as submitted to County and shall be open to the public within three years following date of recordation of the Quitclaim Deed.
9. The Property must be used for public park purposes. The property may not be used to provide a parking in-lieu program for nearby commercial development.
10. The Quitclaim Deed shall contain a reversionary clause giving County the right to require the Property to be transferred back from District to the County if the requirements of paragraphs 7 and 8 are not fulfilled.
11. District shall, at District's sole cost and expense, prepare an Easement Deed with original stamped legal description attached describing easement to be granted by County to District for sewer lift station area and sewer lines.
12. District shall, at District's sole cost and expense, provide an Environmental Determination for said sewer lift station and sewer line easement for review and approval by County Environmental Coordinator. Said Environmental Determination must be reviewed by the County Board of Supervisors prior to granting of the easement.
13. District shall, at District's sole cost and expense, prepare an Easement Quitclaim Deed to release the 75' x 75' water well easement on APN 090-142-007, recorded on May 29, 1984 as Document No. 27332.
14. Easement Quitclaim Deed for water well shall be signed by District in a timely manner and delivered to County along with a signed Certificate of Acceptance for the Easement Deed for sewer lift station and sewer lines. This action shall proceed independently of actions related to transfer of Property for park purposes. County staff shall present the Easement Quitclaim Deed to the County Board of Supervisors concurrently with the Easement Deed for sewer lift station and sewer lines in District's name. Subject to approval by the County Board of Supervisors, both documents shall be recorded concurrently. In the event that County Board of Supervisors does not approve the Easement Deed, Easement Quitclaim deed shall be returned by County to District

15. District does not object to County's intention to develop their vacant land across the street from the Property (APN 090-142-007 and adjacent 60-foot-wide strip of land to the west of this parcel, formerly a railroad right-of-way, portion of APN 090-151-008) for future County facilities, so long as said development is consistent with the County's existing General Plan, General Plan policies, and zoning regulations.
16. Good Faith and Fair Dealing: Where the terms of this Agreement provide for action to be based upon opinion, judgment, approval, review or determination of either party hereto, such terms are not intended to and shall never be construed to permit such opinion, judgment, approval, review or determination to be arbitrary, capricious or unreasonable. The County and the District shall each act in good faith in performing their respective obligations as set forth in this Agreement.

/////////////////////////////////NOTHING FURTHER PAST THIS POINT EXCEPT SIGNATURES/////////////////////////////////

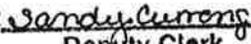
COUNTY OF SAN LUIS OBISPO:

By: 
 Chairman of the Board of Supervisors

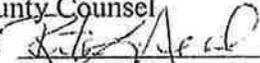
Approved by the Board of Supervisors this
24th day of MARCH, 2009.

ATTEST:
JULIE L. RODEWALD

 Clerk of the Board of Supervisors

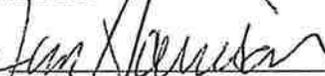
By: 
 Deputy Clerk

**APPROVED AS TO FORM AND
 LEGAL EFFECT:**

WARREN R. JENSEN
 County Counsel
 By: 
 Assistant County Counsel

Date: 1/13/09

**NIPOMO COMMUNITY SERVICES
 DISTRICT:**

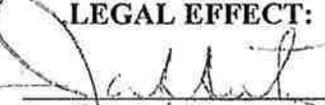
By: 
 Jim Harrison, President

Dated: _____

ATTEST:

 District Secretary

**APPROVED AS TO FORM AND
 LEGAL EFFECT:**


 Jon S. Seitz, District Legal Counsel
 Nipomo Community Services District

Dated: 1-22-09

JUNE 12, 2013

ITEM E-7

ATTACHMENT B



SAN LUIS OBISPO COUNTY HEALTH AGENCY

Public Health Department

2191 Johnson Avenue
San Luis Obispo, California 93401
805-781-5500 • FAX 805-781-5543

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer

County of San Luis Obispo General Services Agency
Attn: Linda Van Fleet
1087 Santa Rosa Street
San Luis Obispo, CA 93408

RE: Environmental Site Assessment for County owned property located at Tefft and Carrillo Streets, Nipomo, APN #090-141-006 and #090-151-008.

Our Agency has reviewed the following document:

- Results of Supplemental Site Assessment Proposed Jim Miller Park NEC Tefft and Carrillo Streets, Nipomo, California from Earth Systems Pacific.

It is our understanding that the referenced parcels will ultimately be redeveloped into a community park and a parking lot for the park. The following directions are based on these proposed land uses. If the proposed land uses change in the future, this Agency's direction may change and include additional assessment and mitigation. Please refer to our previous direction letter date March 17, 2011, for a summary of events from 2009 to 2011.

Summary 2011 to 2013:

- On March 15, 2011 ("effective date"), our office received correspondence from ConocoPhillips stating that effective April 1, 2011; ConocoPhillips Company transferred control of Project No. 05237 to Union Oil Company of California ("Union Oil"). From the effective date forward, Union Oil (or its designees or representatives, including Chevron Environmental Management Company (CEMC)) will manage the day-to-day corrective action/remediation obligations related to referenced project.
- Work plans were approved for CEMC and SLO County General Services Agency (GSA). CEMC was approved to conduct further soil site assessment to determine lateral/vertical extent of petroleum contamination and possible groundwater contamination. SLO County GSA was approved to conduct further soil site assessment to determine lateral/vertical extent of PAH and metal contamination throughout the parcel; determine existence of agricultural pesticides; and determine if soluble lead concentrations exceed action levels as a hazardous waste.

- CEMC executed the work plan to investigate the lateral/vertical extent of soil contamination and the possibility of groundwater contamination associated with the pipeline on the subject property.
- Our Agency approved the work plan submitted by Earth Systems Pacific to perform soil investigation on October 11, 2012.
- Soil samples were obtained on October 20, 2012, to determine the extent of lead and heavy metal, PAH, and pesticide contamination around previous sample sites and throughout the parcel.
- The investigation consisted of 16 soil-boring locations. Samples were collected from each boring at depths of 0-6 inches, 12-18, and 24-30 inches below ground surface. Eight of the borings were used to collect samples to evaluate PAH, metals, and pesticide concentrations. Nine borings were drilled along the former PCR right-of-way, where elevated concentrations of lead were detected during prior assessments.
- Eight soil samples were analyzed for PAH and CAM Metals. Six soil samples were analyzed for organochlorine pesticides. Four 0-6" soil samples were analyzed for total lead and soluble lead, and Four 0-6" soil samples were analyzed for total cadmium.

Based on the referenced document, this Agency has concluded the following:

- Organochlorine pesticides were not detected (above the detection limits used) in any of the 6 samples.
- The sample results for CAM 17 metals indicate levels exceeding the California Human Health Screening Level (CHHSL) for Cadmium in 9 samples; B-14/0.5, B-16/0.5, B-19/0.5, B-21/0.5, B-23/0.5, B-24/0.5, B-25/0.5, B-27/0.5, and B-28/0.5; Arsenic in 1 sample; B-13/0.5 (other samples considered background); and Lead in 3 samples; B-17/0.5, B-22/0.5, and B-23/0.5. Soluble Lead concentrations in B-22 exceeded the Soluble Limit Threshold Concentration (STLC) of 5.0 mg/l, which would require disposal as a California hazardous waste if excavated. It appears the sample from B-23 may also exceed the STLC if analyzed for Soluble Lead.
- The sample results for Polycyclic Aromatic Hydrocarbons (PAHs) indicate levels exceeding the Environmental Screening Level (ESL) for Benzo(a)pyrene in 1 sample; B-23/0.5.
- Based on the analysis of all soil samples provided for current and previous assessments, the cumulative cancer risk at the site is 1.2×10^{-3} . EPA considers a one in a million cancer risk within the acceptable range. Although 11 carcinogens detected on site (B-9/2, B-13/0.5, B-12/2, B-23/0.5, B-24/0.5, B-12/2, B-23/0.5) were used for the cumulative cancer risk calculation, the risk is mostly attributed to Arsenic (B-13/0.5), Cadmium (B-12/2 and B-24/0.5), and Benzo(a)pyrene (B-23/0.5).

- Based on the analysis of all soil samples provided for current and previous assessments, the cumulative non-cancer risk calculation is 6.13, which is 6 times greater than the Cal-EPA established Hazard Index (HI). EPA considers an HI factor of 1 to be within the acceptable range. Although 12 hazardous materials detected on site (B-25/0.5, B-24/0.5, B-15/0.5, B-22/0.5, B-27/0.5, B-23/0.5, and B-9/2) were used for this calculation, the risk is mostly attributed to Lead (B-22/0.5 and B-23/0.5).
- The route of exposure to these materials (metals, PAHs) would be ingestion of soil or inhalation of soil particulate.

Based on the assessments received to date, mitigation is required for redevelopment to abate the cumulative cancer risk, due to B-12/2, B-13/0.5, B-23/0.5, and B-24/0.5, to less than one in a million and cumulative non-cancer risk HI factor, due to B-22/0.5 and B-23/0.5, to less than one. **Please submit a Mitigation Workplan to our office.**

If you have questions concerning this letter, please call me at (805) 781-4116.

Sincerely,



Kalub Emmons
Hazardous Materials Section

- C:
1. Michael LeBrun, Manager Nipomo Community Services District
 2. Paul Teixeira, SLO County 4th District Supervisor

JUNE 12, 2013

ITEM E-7

ATTACHMENT C



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

Public Health Department

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer



Public Health
Prevent. Promote. Protect.

May 24, 2013

JOM

Chevron Environmental Management Co.
Attn: Ben Terry
Marketing Business Unit
6101 Bolinger Canyon Road, BR1X 5222
San Ramon, CA 94583

RE: West Tefft and Carrillo Streets Pipeline Site, Chevron Site #359068, Nipomo, CA, Geotracker No. T1000002415

Our Agency has reviewed the following reports:

1. Results of Additional Soil Assessment; West Tefft and Carrillo Streets Pipeline Site; Chevron Site #359068; Nipomo, CA; Geotracker No. T1000002415; dated April 19, 2013.
2. Results of Additional Site Assessment; West Tefft and Carrillo Streets Pipeline Site; Nipomo, CA; Geotracker No. T1000002415; dated February 24, 2012.
3. Chevron First, Second, Third, and Fourth Quarter 2012 and First Quarter 2013 Groundwater Monitoring Reports; West Tefft and Carrillo Streets Pipeline Site; Chevron Facility #359068.

It is our understanding that the referenced site will ultimately be redeveloped into a community park and a parking lot for the park. Our Agency's directions in this letter are based on these proposed land uses. If the proposed land uses change in the future, this Agency's direction may change and include additional assessment and mitigation.

Summary 2009 to 2010:

- A limited soil investigation was performed by Earth Systems Pacific around the former railroad line (located on APN 090-151-008) and the former railroad warehouse (located on APN 090-141-006).
- Total Petroleum Hydrocarbons-Crude Oil Range (TPH-o) was detected in one (B3, 2009) of seven sample locations in 2009 that was above action level. This is the location of a historic pipeline spill that Conoco-Phillips is investigated. Conoco-Phillips has confirmed the pipeline is not actively leaking.
- This Agency approved two pipeline spill investigation workplans provided by Conoco-Phillips to determine the extent of contamination.

Summary 2011 to 2013:

- On March 15, 2011 ("effective date"), our office received correspondence from ConocoPhillips stating that effective April 1, 2011; ConocoPhillips Company transferred control of Project No. 05237 to Union Oil Company of California ("Union Oil"). From the effective date forward, Union Oil (or its designees or representatives, including Chevron Environmental Management Company (CEMC)) will manage the day-to-day corrective action/remediation obligations related to referenced project.
- This Agency approved a workplan provided by CEMC to continue investigating the extent of contamination.
- Conoco-Phillips is in the process of executing the work plans to investigate the lateral and vertical extent of soil contamination and the possibility of groundwater contamination associated with the pipeline on the subject property.

The Agency has concluded the following:

- Analytical results from groundwater samples confirm that groundwater has been impacted, but dissolved hydrocarbon concentrations are either below laboratory reporting limits, or below Regional Water Quality Control Board action levels.
- Analytical results from soil samples indicate hydrocarbon impacted soil, which is limited to a maximum depth of 20 feet below ground surface; however, field evidence of hydrocarbon odors at depths of 1' to 5' were observed and documented for 3 borings; SB-1 @ 5', SB-3 @ 1', and MW-3 @ 1-5'. Although boring logs were not received from Earth Systems Pacific for boring B-3, the concentration for TPHo at 5' was 530mg/kg. Maximum concentrations of Total Petroleum Hydrocarbons (TPH) above 1,000mg/kg were detected in 3 locations; MW-3 (1,934 @ 6' and 1,625 @ 15'), SB-1(1,112 @ 8'), and SB-3 (1,094 @ 8'). These concentrations are above the action limit of 100mg/kg; however, site redevelopment may require petroleum impacted soil removal if encountered during site grading activities. Site workers are recommended to use appropriate PPE to prevent direct soil exposure.
- Environmental Screening Levels (ESLs) for soil vapor concentrations near the shopping center are either below laboratory reporting limits, or below Regional Water Quality Control Board action levels.
- The plan for the property at this point is to be redeveloped into a park-n-ride and a community park. The area where the contaminated soil exists may be excavated to install a new parking lot and may be subject to a subsurface storm water absorption field required by the Regional Water Quality Control Board (RWQCB) according to County Public Works personnel. Our Agency would not support the installation of the described absorption field with the existing contaminated soil.

- In reference to the First Quarter 2013 Groundwater Monitoring Report, our Agency agrees that groundwater monitoring activities at this site can be discontinued.

The following items are required:

- **Provide a work plan within 45 days to address the contaminated soil and planned redevelopment to the satisfaction of all affected property owners.** According to the reports submitted by Stantec the contamination appears to be limited to 3 properties. The majority of the impacted soil is within the property owned by San Luis Obispo County General Services and the Jim Miller Family Trust and minimal impacted soil near the property line for the property owned by the Land Conservancy. Reference maps are attached.
- Submit Well Destruction Permit Applications to our office. Monitoring wells shall be destroyed in compliance with California Well Standards.

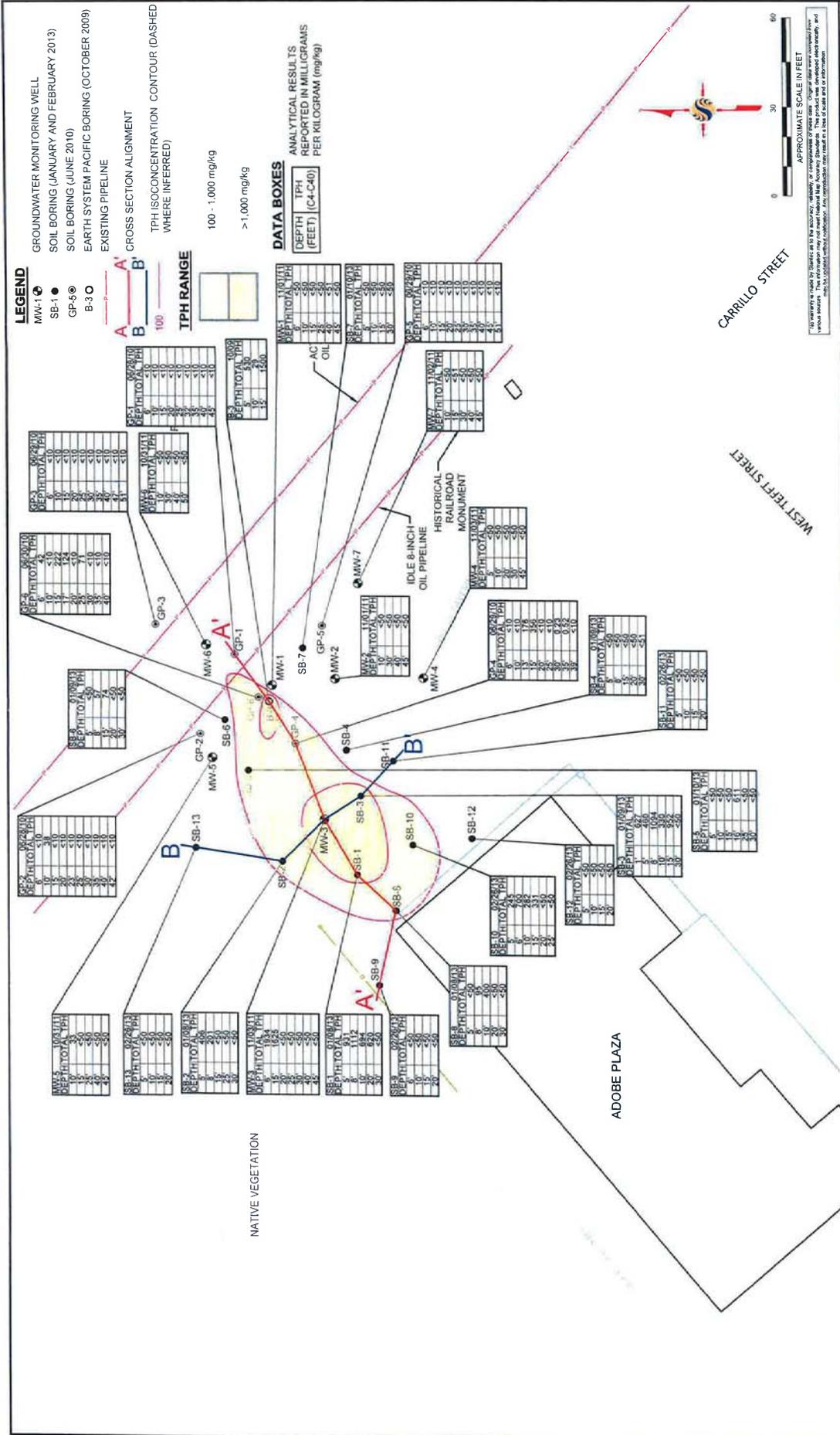
If you have questions concerning this letter, please call me at (805) 781-4116.

Sincerely,

A handwritten signature in cursive script that reads "Kalub Emmons" followed by a stylized flourish.

Kalub Emmons, REHS
Hazardous Materials Section

C: Linda Van Fleet County General Services
Peg Miller, Jim Miller Family Trust
Land Conservancy
Dan Fischman, ConocoPhillips
Todd Porter, Stantec
Michael Britton, County Public Works
Paul Teixeira, SLO County 4th District Supervisor
Michael LeBrun, Manager Nipomo Community Services District



FOR

CHEVRON SITE #39868
WEST TEFFT AND CARRILLO STREETS
NIPOMO, CALIFORNIA

FOR NUMBER 211802381

DRAWN BY JBL

CHECKED BY SL

APPROVED BY TP

DATE 04/08/13

FIGURE 4

ESTIMATED EXTENT OF HYDROCARBONS IN SOIL

Stantec

3437 EMPRESA DR. SUITE A
NIPOMO, CA 93450
PHONE: (805) 546-9465 FAX: (805) 546-6889

FILE PATH: P:\csm\2009\chevron\39868 Nipomo Creek\39868\Site Plan 11x17 Acadia\stamap17_2013 at 12 08L.mxd, F4

TO: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

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

DATE: JUNE 6, 2013

AGENDA ITEM
E-8
JUNE 12, 2013

SERVICE REQUEST
JIM O. MILLER PARK

ITEM

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for Jim O. Miller Park, a proposed park on Carrillo Street and Tefft Street [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE, DENY OR CONTINUE].

BACKGROUND

The District received an application for water, sewer and solid waste service for APN 092-142-034, located on Carrillo Street and Tefft Street, on March 14, 2013. The Applicant, San Luis Obispo County, represented by Kathy Kubiak of Olde Towne Nipomo Association, is requesting water, sewer and solid waste service for a proposed park. The parcel is not currently served with District water, sewer and solid waste service.

The project will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will not be utilized to provide domestic water service to any part of the project.

Water demand for the project is estimated by the applicant's landscape architect to be 2.34 acre-feet per year and sewer demand is estimated at 20 gallons per day. Commercial projects that submit a landscape plan consistent with best management practices are exempt from District Code Chapter 3.05, Water Service Limitations (annual allocation limits). The District accounts for increased water demand resulting from commercial growth by reducing the water allocation reservation for residential projects by 5%. The applicant will be required to submit an irrigation plan, a plant material layout plan, a plant material list, and a hardscape plan, if there are any water features (such as fountains and swimming pools) included in the project, to the District for review and approval prior to issuance of the Will-Serve letter for the project.

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic meter size and irrigation meter size as shown on the District approved improvement plans for the final County approved project as well as CAL FIRE's fire service requirements. Assuming one (1) 1-inch domestic meter, one (1) 1-inch irrigation meter, and one (1) 1.5-inch fire connection, as well as one (1) sewer connection based on the domestic water meter size, the estimated fee deposit for the project is \$52,355 based on the current District fee schedule. In addition, pursuant to an agreement between the County of San Luis Obispo and the District, as part of the County's Tefft Street Enhancement Project, the District installed a sewer lateral for the property. Pursuant to District

Resolution 2004-918 and the Agreement, the cost of construction and installation of the lateral in the amount of \$3657.55 is due when the property connects to the District's system.

RECOMMENDATION

Staff requests the Board provide staff with direction to approve, deny or continue the application. If the Board desires to approve the project, then staff should be directed to issue an Intent-to-Serve letter for the project with the following conditions:

- The Project shall obtain solid waste, sewer and water service.
- The project shall be served by a single one (1) inch meter and backflow assembly for indoor use.
- A separate one (1) irrigation meter and backflow assembly shall be provided for the project. Irrigation meter capacity charges are applicable.
- The project shall be served by a single appropriately sized fire service and backflow assembly as required by CAL FIRE of SLO County. CAL FIRE of SLO County must approve the development plans prior to District approval. Fire service capacity charges will be applicable.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name prior to issuance of Will-Serve letter.
- An irrigation plan, a plant material layout plan, a plant material list (if not included in the plant material layout plan), and a hardscape plan, if there are any water features (such as fountains and swimming pools) included in the project, shall be submitted for review and approval prior to issuance of Will-Serve letter.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:

- Reproducible "As Builts" - A mylar copy and digital format disk (AutoCAD) which includes engineer, developer, tract number and water and sewer improvements
- Offer of Dedication
- Engineer's Certification
- Summary of all water and sewer improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than commercial use as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - Three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this "Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

ATTACHMENTS

- A. Application
- B. Proposed Site Plan

JUNE 12, 2013

ITEM E-8

ATTACHMENT A



NIPOMO COMMUNITY SERVICES DISTRICT

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

Office use only:
Date and Time
Complete
Application and
fees received:
RECEIVED
JAN 1 2013

RECEIVED

APR 1 2013

INTENT-TO-SERVE APPLICATION

NIPOMO COMMUNITY SERVICES DISTRICT

NO FEES TAKEN,
ACCEPTED AS IS

w/ Fee Accepted for processing

M. J. Brown

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: N/A
- Attach a copy of SLO County application.

Note: District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

- Project location: CARRILLO & TEFFT
- Assessor's Parcel Number (APN) of lot(s) to be served: 90-141-006
- Owner Name: SAN LUIS OBISPO COUNTY
- Mailing Address: _____
- Email: _____
- Phone: _____ FAX: _____
- Agent's Information (Architect or Engineer):
Name: OLDE TOWNE NIPOMO ASSOCIATION
Address: 330-H W. TEFFT ST. NIPOMO CA. 93444
Email: KKUBIAK@AOL.COM
Phone: 929-1241 FAX: 929-3267

11. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

12. Total Number of Dwelling Units 0 Number of Low Income Units _____

13. Does this project require a sub-division? Yes No
If yes, number of new lots created _____

14. Site Plan:

For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. Water Demand Certification:

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential portion of mixed-use projects.

16. Commercial Projects Service Demand Estimates:

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. **Please note:** All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. Agreement:

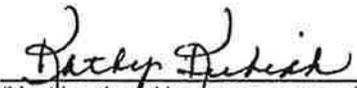
The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule

Date 1-10-2013

Signed


(Must be signed by owner or owner's agent)

Print Name

KATHY KUBIAK

WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Commercial Projects

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

- - - Go to next page for demand calculation and certification - - -

Demand Calculation (for new dwelling units only)

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	_____ X	0.28	=	_____
Number of Duplexes/Secondary Units	_____ X	0.28	=	_____
Number of Single Family Units with:				
Parcel less than 12,768 sq. ft.	_____ X	0.40	=	_____
Parcel between 12,769 and 25,536 sq. ft.	_____ X	0.68	=	_____
Parcel greater than 25,536 sq. ft.	_____ X	0.82	=	_____
Total demand all dwelling units including irrigation			=	_____

Park site: Total size of site: 74,817 s.f. (1.72 acres) Annual water demand: 2.32 acre feet/year

Certification

I the undersigned do here by certify:

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

- 0.28 AFY per Multi-Family Dwelling Unit;
- 0.28 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.40 AFY per Single Family Dwelling Unit located on a parcel size of twelve thousand seven hundred sixty-eight (12,768) square feet or less;
- 0.68 AFY per Single Family Dwelling Unit located on a parcel size between twelve thousand seven hundred sixty-nine (12,769) and twenty-five thousand five hundred thirty-six (25,536) square feet.
- 0.82 AFY per Single Family Dwelling Unit located on a parcel size that exceeds twenty-five thousand five hundred thirty-six (25,536) square feet.
- Secondary Units -- Total water demand for primary and secondary unit shall not exceed 110% of the limitations established for the primary unit.

Note: "AFY" = acre-foot per year
Parcel size is net area

Signed  Date January 11, 2013
Must be signed by project engineer/architect

Title Landscape Architect License Number CLA #2737

Project APN# 090-141-006 (e.g. Tract Number, Parcel Map #, APN)

APPLICATION FEES AND CHARGES
Effective July 1, 2012

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE**	NON-REFUNDABLE AMOUNT DUE AT TIME OF SUBMITTING APPLICATION PURSUANT TO A & B(1) BELOW	BALANCE DUE PURSUANT TO B(2) BELOW
Residential <3 units	\$1,038.89	\$1,038.89	\$0.00
Residential 4-20 units	\$1,427.02	\$356.76	\$1,070.26
Residential > 20 units	\$1,680.12	\$420.03	\$1,260.09
Commercial <1 acre	\$1,427.02	\$356.76	\$1,070.26
Commercial 1-3 acres	\$1,680.41	\$420.03	\$1,260.09
Commercial > 3 acres	\$2,321.35	\$580.34	\$1,741.01
Mixed Use with less than 3 Dwelling Units	\$1,680.12	\$420.03	\$1,260.09
Mixed Use with four or more Dwelling Units	\$2,321.35	\$580.34	\$1,741.01
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.			

Timing of Fee

A. For residential projects with less than three (3) units the Application Fee is due and payable with the application for service.

B. For residential units that exceed three (3) units and all commercial projects and mixed use projects, the Application fee is due and payable as follows:

1. Twenty-five percent (25%) as a non-refundable deposit with the application for service.
2. The remainder of the Application Fee, plus charges for District consultants in processing the application, is due and payable prior to the District issuing a "Will-Serve Letter" or entering into a Plan Check and Inspection Agreement, whichever occurs first.

**Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.



MEMORANDUM

TO: Peter Sevcik – Nipomo Community Services District
FROM: Karyl Vierra
DATE: 5/23/13
RE: Projected Water Use-Jim Miller Park, Nipomo

Park site elements are a gazebo, covered 'train depot', caboose, veteran's memorial, group picnic area with BBQ, lawn with picnic tables and parking.

Estimate each toilet/urinal flush and sink use combined will use 1.1 gallons of water

Estimated Park Restroom Use:

Group picnic/BBQ: 70 people with one use each, 10 days/year = 770 gallons

Special Events: 200 people with .33 use, 26 days/year = 1,887 gallons

Weekday Use: 8 people with .33 use, 265 days/year = 769 gallons

Week end Use: 50 people with .50 use, 100 days/year = 2,750 gallons

Restroom Total of 6,176 gallons = 0.02 AFY

Landscape Water Use: WELO ETWU = 755,468 gallons = 2.32 AFY (see attached)

Firma Consultants Incorporated
David W. Foote ASLA
187 Tank Farm Road Suite 23C
San Luis Obispo, CA 93401
(805)781-9800 • fax (805)781-9803

Jim Miller Park

Table 1: annual (Nipomo, CA)

To Calculate MAWA- Maximum Applied Water Allowance	
ETo (annual)	52.1
LA	39,805
SLA	0
MAWA (gallons/year)	900,047
MAWA (inches per sq. ft.)	36.27
MAWA (inches per DAY)	0.10

ETo is not adjusted for seasonal rainfall
 $MAWA = (Eto)(0.62)[(0.7 \times LA) + (0.3 \times SLA)]$

Table 2a: annual (Nipomo, CA)

To Calculate ETWU- Estimated Total Water Use	
Eto (annual)	52.1
PFxHA (see table 2b)	18,944
HA (see table 2b)	39,805
IE (see Table 3)	0.81
SLA	0
ETWU (gallons/season)	755,468
ETWU (inches per sq. ft.)	30.45
ETWU (per DAY)	0.08

2.32 acre feet / year

ETo is not adjusted for seasonal rainfall
 $ETWU = (Eto)(0.62)[(PF \times HA) / IE] + SLA$

Table 2b

To Determine Plant Factor with Mutiple Hydro Zones				
H.Z	Water Use Type	P.F.**	H.A (s.f.)	Weighted P.F.
1	High (Turf)	0.7	17,505	12,254
2	Low (Grndcvr)	0.3	22300	6690
3				0
4				0
5				0
6				0
Totals			39,805	18,944

**Plant Factor from WUCOLS, August 2000

Note to preparer: Water Use type can be LOW(0-3), MEDIUM(.4-.6), HIGH(.7-.9).
 SLA weighted PF to be separate sum from all other hydrozones (see Table 2b SLA).

ETWU IS LESS THAN MAWA

Note to Preparer: select < or > after doing calculations. If ETWU>MAWA, redesign system

JUNE 12, 2013

ITEM E-8

ATTACHMENT B

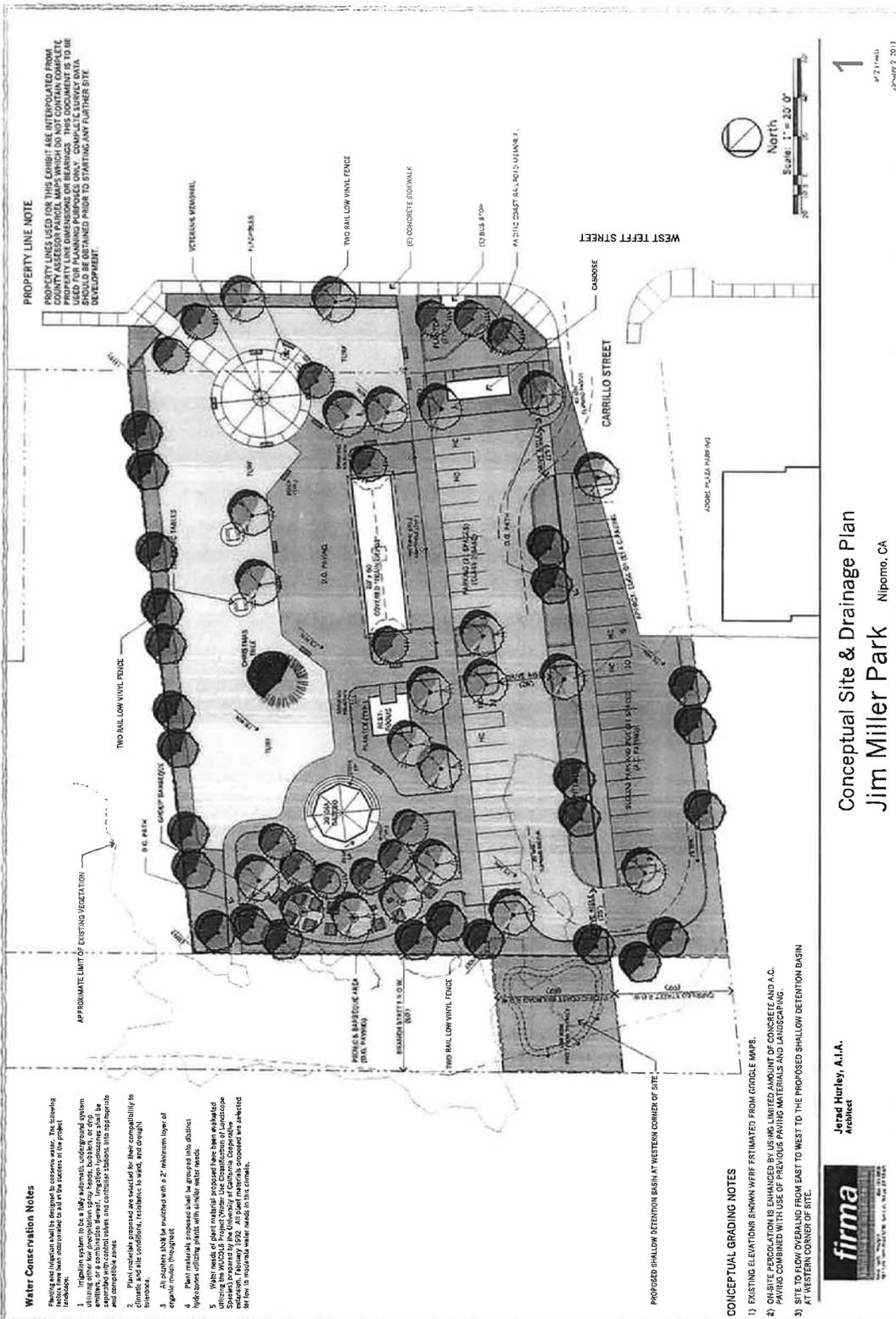
Water Conservation Notes

Plants and materials used in landscape design should be selected based on the following criteria:

1. Irrigation system to be a drip automatic underground system with a rain sensor. All plants should be selected based on their ability to survive in a combination of sun, wind, and drought conditions. Plants should be selected based on their ability to survive in a combination of sun, wind, and drought conditions.
2. Plant materials should be selected for their ability to survive in a combination of sun, wind, and drought conditions. Plants should be selected based on their ability to survive in a combination of sun, wind, and drought conditions.
3. All plants should be mulched with a 2" minimum layer of organic mulch throughout.
4. Plant materials proposed shall be grouped into distinct beds.
5. Water conservation shall be a primary design goal. Plants should be selected based on their ability to survive in a combination of sun, wind, and drought conditions.

PROPERTY LINE NOTE

PROPERTY LINES SHOWN FOR THIS CONCEPT ARE INTERPOLATED FROM COUNTY ASSESSOR PARCEL MAPS WHICH DO NOT CONTAIN COMPLETE PROPERTY LINE DIMENSIONS OR BEARINGS. THIS DOCUMENT IS TO BE USED FOR CONCEPTUAL DESIGN ONLY. PROPERTY LINE DIMENSIONS SHOULD BE OBTAINED PRIOR TO STARTING ANY FURTHER SITE DEVELOPMENT.



CONCEPTUAL GRADING NOTES

- 1) EXISTING ELEVATIONS SHOWN WERE OBTAINED FROM GOOGLE MAPS.
- 2) ON-SITE PERCOLATION IS ENHANCED BY USING LIMITED AMOUNT OF CONCRETE AND A.C. PAVING COMBINED WITH USE OF PERVIOUS PAVING MATERIALS AND LANDSCAPING.
- 3) SITE TO FLOW OVERLAND FROM EAST TO WEST TO THE PROPOSED SHALLOW DETENTION BASIN AT WESTERN CORNER OF SITE.



Jerad Hunley, A.I.A.
Architect

Conceptual Site & Drainage Plan
Jim Miller Park Nipomo, CA

TO: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

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

DATE: JUNE 6, 2013



SERVICE REQUEST
NIPOMO OAKS ASSISTED LIVING AND MEMORY CARE FACILITY
2 LOT COMMERCIAL DEVELOPMENT

ITEM

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for Nipomo Oaks Assisted Living and Memory Care Facility, a commercial development on the southeast corner of Mary Avenue and Juniper Street [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE, DENY OR CONTINUE].

BACKGROUND

The District received an application for water, sewer and solid waste service for two (2) commercial parcels (APNs 092-572-016 and 092-572-017) on May 15, 2013. The application lists two owners – Valerie Williams and Gary Bowers, Private Capital Investments. The application was submitted by Todd Smith, Cannon, the applicant's planner. The application is for a commercial business (assisted living facility) on the two referenced parcels. The parcels are not currently served with District water, sewer or solid waste services.

All parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will not be utilized to provide domestic water service to any part of the project.

Water demand for the project was estimated by the applicant's engineer to be 26.9 acre-feet per year and sewer demand is estimated at 19,800 gallons per day. Commercial projects that submit a landscape plan consistent with best management practices are exempt from District Code Chapter 3.05, Water Service Limitations (annual allocation limits). The District accounts for increased water demand resulting from commercial growth by reducing the water allocation reservation for residential projects by 5%. The applicant will be required to submit an irrigation plan, a plant material layout plan, a plant material list, and a hardscape plan, if there are any water features (such as fountains and swimming pools) included in the project, to the District for review and approval prior to issuance of the Will-Serve letter for the project.

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic meter size and irrigation meter size as shown on the District approved improvement plans for the final County approved project as well as CAL FIRE's fire service requirements. Assuming one (1) 2-inch domestic meter, one (1) 1.5-inch domestic meter, two (2) 1-inch irrigation meters, and two (2) 4-inch fire connections, as well as two (2) sewer connections based on the domestic water meters sizes, the estimated fee deposit for the project is \$314,144.26 based on the current District fee schedule.

RECOMMENDATION

Staff requests the Board provide staff with direction to approve, deny or continue the application. If the Board desires to approve the project, then staff should be directed to issue an Intent-to-Serve letter for the project with the following conditions:

- The Project shall obtain solid waste, sewer and water service for all parcels.
- Each parcel shall be served by a single appropriately sized meter and backflow assembly for indoor use. Water meter capacity charges will be applicable.
- Each parcel shall be served by a single 1 inch meter and backflow assembly for outdoor use. Irrigation meter capacity charges will be applicable.
- Each new parcel shall be served by a single appropriately sized fire service and backflow assembly as required by CAL FIRE of SLO County. CAL FIRE of SLO County must approve the development plans prior to District approval. Fire service capacity charges will be applicable.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- A sewer and water master plan review of project impacts will be required. At a minimum, the applicant shall install a replacement sewer collection line in Juniper from the east side of Mary to the junction of Juniper with Frontage Road.
- Discharge of fats, oils and grease to the sanitary sewer system shall be prohibited. Applicant shall provide plans for grease removal measures to be installed.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name prior to issuance of Will-Serve letter.
- An irrigation plan, a plant material layout plan, a plant material list (if not included in the plant material layout plan), and a hardscape plan, if there are any water features (such as fountains and swimming pools) included in the project, shall be submitted for review and approval prior to issuance of Will-Serve letter.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.

- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (AutoCAD) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - Summary of all water and sewer improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than commercial use as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - Three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this "Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

ATTACHMENTS

- A. Application
- B. Proposed Site Plan

JUNE 12, 2013

ITEM E-9

ATTACHMENT A

JUNE 12, 2013

ITEM E-9

ATTACHMENT B



NIPOMO COMMUNITY SERVICES DISTRICT

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

Office use only:
Date and Time
Complete
Application and
fees received:

RECEIVED

MAY 15 2013

NIPOMO COMMUNITY SERVICES DISTRICT

INTENT-TO-SERVE APPLICATION

1. This is an application for: X Sewer and Water Service Water Service Only

2. SLO County Planning Department/Tract or Development No.: TRACT 2652-SUB 2006-006

3. Attach a copy of SLO County application. (New or Amended CUP with SLO)

Note: District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

4. Project location: SE corner of Mary Ave and Juniper St.

5. Assessor's Parcel Number (APN) of lot(s) to be served: 092-572-16+17

6. Owner Name: Valerie Williams; co / Gary Bowers Private Capital Investments

7. Mailing Address: 3201 Danville Blvd, #170 Alamo, CA 94507

8. Email: GARY@PRIVATECAP.NET

9. Phone: 925-837-1314 FAX: 925-855-1212

10. Agent's Information (Architect or Engineer):

Name: Todd Smith, Cannon

Address: 1050 Southwood Dr, SLO, CA 93401

Email: TODDS@CANNONCORP.US

Phone: 805.544.7407 FAX: 805.544.3863

11. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input checked="" type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

12. Total Number of Dwelling Units 132 Number of Low Income Units

13. Does this project require a sub-division? Yes No
If yes, number of new lots created

14. Site Plan:

For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential portion of mixed-use projects.

16. **Commercial Projects Service Demand Estimates:**

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. **Please note:** All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **Agreement:**

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule

Date 5/06/2013 Signed 
(Must be signed by owner or owner's agent)
Print Name Todd M Smith

WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Commercial Projects ✓

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

- - - Go to next page for demand calculation and certification - - -

Demand Calculation (for new dwelling units only)

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	<u> </u>	X	0.28	=	<u> </u>
Number of Duplexes/Secondary Units	<u> </u>	X	0.28	=	<u> </u>
Number of Single Family Units with:					
Parcel less than 12,768 sq. ft.	<u> </u>	X	0.40	=	<u> </u>
Parcel between 12,769 and 25,536 sq. ft.	<u> </u>	X	0.68	=	<u> </u>
Parcel greater than 25,536 sq. ft.	<u> </u>	X	0.82	=	<u> </u>
Total demand all dwelling units including irrigation				=	<u> </u>

Certification

I the undersigned do here by certify:

REFER TO ATTACHED MEMO FOR DEMAND CALCULATIONS

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

- 0.28 AFY per Multi-Family Dwelling Unit;
- 0.28 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.40 AFY per Single Family Dwelling Unit located on a parcel size of twelve thousand seven hundred sixty-eight (12,768) square feet or less;
- 0.68 AFY per Single Family Dwelling Unit located on a parcel size between twelve thousand seven hundred sixty-nine (12,769) and twenty-five thousand five hundred thirty-six (25,536) square feet.
- 0.82 AFY per Single Family Dwelling Unit located on a parcel size that exceeds twenty-five thousand five hundred thirty-six (25,536) square feet.
- Secondary Units – Total water demand for primary and secondary unit shall not exceed 110% of the limitations established for the primary unit.

Note: "AFY" = acre-foot per year
Parcel size is net area

Rob Morrow

Signed *[Signature]* Date 5/14/13
Must be signed by project engineer/architect

Title Civil Engineer License Number C 68916

Project APN 092-572-16 + 17 (e.g. Tract Number, Parcel Map #, APN)

APPLICATION FEES AND CHARGES
Effective July 1, 2012

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE**	NON-REFUNDABLE AMOUNT DUE AT TIME OF SUBMITTING APPLICATION PURSUANT TO A & B(1) BELOW	BALANCE DUE PURSUANT TO B(2) BELOW
Residential <3 units	\$1,038.89	\$1,038.89	\$0.00
Residential 4-20 units	\$1,427.02	\$356.76	\$1,070.26
Residential > 20 units	\$1,680.12	\$420.03	\$1,260.09
Commercial <1 acre	\$1,427.02	\$356.76	\$1,070.26
Commercial 1-3 acres	\$1,680.41	\$420.03	\$1,260.09
Commercial > 3 acres	\$2,321.35	\$580.34	\$1,741.01
Mixed Use with less than 3 Dwelling Units	\$1,680.12	\$420.03	\$1,260.09
Mixed Use with four or more Dwelling Units	\$2,321.35	\$580.34	\$1,741.01
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.			

Timing of Fee

A. For residential projects with less than three (3) units the Application Fee is due and payable with the application for service.

B. For residential units that exceed three (3) units and all commercial projects and mixed use projects, the Application fee is due and payable as follows:

1. Twenty-five percent (25%) as a non-refundable deposit with the application for service.
2. The remainder of the Application Fee, plus charges for District consultants in processing the application, is due and payable prior to the District issuing a "Will-Serve Letter" or entering into a Plan Check and Inspection Agreement, whichever occurs first.

**Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.



DATE: May 13, 2013

TO: Todd Smith, Cannon, Owner's Agent

CC:

FROM: Rob Morrow, Cannon

SUBJECT: **Project Water and Sewer Demand Estimates for Nipomo Oaks Assisted Living and Memory Care Center**

The Nipomo Oaks Assisted Living and Memory Care Center includes 96 assisted living units, 36 independent living units, various common areas, and landscaped areas that will consume water. The dwelling units cover approximately 100,000 square feet over two stories, common areas cover approximately 50,000 square feet, and landscaped area is approximately 50,000 square feet.

Indoor Use

Currently, all dwelling units are single bed except for 8 assisted living units with two beds. Each dwelling unit includes a full bathroom (toilet, sink, and shower) and approximately 70 assisted living units include a kitchenette. The common areas include kitchen, dining, staff, resident activity, administration, laundry, restrooms, and building operations (mechanical, electrical, plumbing, and circulation). Water fixtures in the common areas include laundry, cooling unit, public toilets, public sinks, and kitchen sinks.

Based on 150 gallons per day per unit¹, the facility is estimated to consume approximately 19,800 gallons per day on average for indoor uses. This is equivalent to 7.3 million gallons per year or 22.2 acre feet per year or 0.17 acre-feet per year per unit.

Outdoor Use

The California Urban Water Conservation Council's Best Management Practice for water budget for landscape² is 70% of the local reference evapotranspiration (ET₀), which can be obtained from the Department of Water Resources California Irrigation Management Information System (CIMIS). The ET₀ for the project area is 44 inches per year based on data from CIMIS Station #222, located in Nipomo, from May 2012 to April 2013. This is equivalent to 3.7 AFY per acre. Based on this information, the estimated outdoor water use is 1.54 million gallons per year or 4.7 AFY. Note that a landscape plan has not been developed yet and the landscape will incorporate low water use landscape and landscape irrigation systems.

Total Use

Combining indoor and outdoor water use results in an estimated total annual average water use of 26.9 AFY, which is equivalent to 0.20 AFY per unit. For comparison, this is less than the District's multi-family use of 0.28 AFY/unit. Wastewater production is based on indoor water use of approximately 19,800 gallons per day or 7.3 million gallons per year. Note that both indoor and outdoor water use estimates will be refined as the project details are defined.

¹ Based on the Los Angeles Department of Water and Power's *Water Supply Assessment for the Village at Playa Vista Project* (July 2003), Table 1 (Projected Water Use) for Assisted Living Use. For comparison, the average benchmark indoor water use for hotels and motels is 207 gpd/unit with water use by cooling causing the largest variance based on the *Commercial and Institutional End Uses of Water* (for American Water Works Association Research Foundation; by Dziegielewski, et al. 2000) Table 6.12.

² California Urban Water Conservation Council's *Landscape BMP Implementation Guidebook*, Chapter 2: Water Use Budgets

