




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

**TO: MEMBERS, FORMATION COMMISSION**

**FROM: DAVID CHURCH, AICP, EXECUTIVE OFFICER** 

**DATE: FEBRUARY 18, 2010**

**SUBJECT: STUDY SESSION NIPOMO COMMUNITY SERVICES DISTRICT-  
SPHERE OF INFLUENCE UPDATE-MUNICIPAL SERVICE  
REVIEW**

**COMMISSIONERS**  
DUANE PICANCO  
Chair, City Member

RICHARD ROBERTS  
Vice Chair,  
Public Member

KATCHO ACHADJIAN  
County Member

DAVID BROOKS  
Special District  
Member

BRUCE GIBSON  
County Member

ALLEN SETTLE  
City Member

VACANT  
Special District  
Member

**ALTERNATES**  
ED EBY  
Special District  
Member

TOM MURRAY  
Public Member

JAMES R. PATTERSON  
County Member

KRIS VARDAS  
City Member

**STAFF**  
DAVID CHURCH  
Executive Officer

RAYMOND A. BIERING  
Legal Counsel

DONNA J. BLOYD  
Commission Clerk

**Recommendation:** This item is informational only and does not require action by the Commission.

**Summary:** This Study Session is to present the Public Review Draft of the Sphere of Influence Update and Municipal Service Review (SOI/MSR) prepared for the Nipomo Community Services District. The Public Review Draft was released on February 3, 2010 for a 45-day review period that will end on March 22, 2010. The draft document was sent on CD to interested public and agencies. The CD also includes the 2004 Sphere Studies and associated Environmental Impact Report. Notices were also sent indicating that the document was available on-line at [www.slolafco.com](http://www.slolafco.com), the Nipomo CSD, and the County Planning Department.

**Sphere of Influence-Municipal Service Review Update:** LAFCO is required by the Cortese-Knox-Hertzberg Act to update the Sphere of Influence for a jurisdiction every five years. The District has responded to LAFCO's information request and has submitted a variety of information that has been used in updating the Sphere of Influence (SOI) and the Municipal Service Review (MSR). The law also calls for a Municipal Service Review to be prepared to assist LAFCO in making decisions about the SOI. A Sphere of Influence is defined by Government Code 56425 as "...a plan for the probable physical boundary and service area of a local agency or municipality...". The previous SOI Update and Municipal Service Review was approved by LAFCO in May 2004 along with a Program Environmental Impact Report. The 2010 document is an update of the May 2004 Sphere of Influence Update and Municipal Service Review based on information provided by the Nipomo Community Services District and other sources.

**Study Areas.** In the 2004 update, eight study areas were evaluated for possible inclusion into the SOI. Also, a program Environmental Impact Report was prepared and an approximately 5,000 acre Sphere of Influence was conditionally approved by LAFCO. Seven of the eight study areas were included in the SOI with the Woodlands (Study Area 6) being left out.

**Study Area Four.** This area is located to the south of the current District boundary and includes lands along Orchard Road. The area to the south of Southland Street is zoned Rural Lands and a large portion of it is currently used for growing strawberries. The area zoned rural lands is approximately 1,200 acres with an estimated 850 acres of it being used for strawberries. The production of strawberries qualifies this area as prime agricultural land under the LAFCO definition. The South County Area Plan calls for development on a property/site just south and adjacent to Southland Street. The NCSD and a private property owner are discussing the potential for expansion of the sewer facility in that area as well. The SCAP does not call for development in this area. As currently zoned, the area would not likely need the services of the District, with the exception of the Maria Vista development area. The District does have infrastructure in the area if the zoning were to change. The SOI update recommends that this area be reduced in size, but continue to include the Specific Plan Area and the potential sewer expansion site.

**Water-District Actions.** Since the 2004 update the NCSD has taken numerous actions with regard to the water supply situation. These actions include:

- Updating the Urban Water Management Plan in 2005. It is now in the process of being updated again and it is scheduled to be approved in late 2010 or 2011.
- Water and Sewer Master Plan Update – December 2007
- Adoption of a Comprehensive Water Conservation Program – March 2008
- Approval of a Strategic Plan in July 2009 which identifies goals for the provision of water service and future water supplies
- Approval of the Environmental Impact Report for the Water Intertie Project in March 2009. If funded, this project would bring water from the City of Santa Maria to serve existing NCSD customers.

**Conditions of Approval.** The conditions of approval placed on the Sphere of Influence in 2004 are reviewed in the SOI Update and MSR. Modification and deletion of the conditions are recommended based on current circumstances. The District continues to work on compliance with the Conditions of Approval. A review of the conditions is found on page 2-9 and for the conditions related to water on page 3-13.

**Summary.** The District has completed numerous studies, reports and plans over the last five years. The NCSD approaches their issues in a thoughtful and professional manner that involves public meetings and outreach to residents. The challenge of completing the waterline intertie project remains a high priority for the District as does managing its water resource situation.