SPHERE OF INFLUENCE UPDATE

MUNICIPAL SERVICE REVIEW

NIPOMO COMMUNITY SERVICES DISTRICT

FINAL ENVIRONMENTAL IMPACT REPORT

SAN LUIS OBISPO

LOCAL AGENCY FORMATION COMMISSION

May 20, 2004

SAN LUIS OBISPO

LOCAL AGENCY FORMATION COMMISSION

Commissioners

Chair: Shirley Bianchi, County Member

Vice Chair: Barbara Mann, Special District Member

Katcho Achadjian, County Member

Carolyn Moffatt, Special District Member

Richard Roberts, Public Member

Duane Picanco, City Member

Wendy Scalise, City Member

Alternates

Michael P. Ryan, County Member

Allen Settle, City Member

Tom Murray, Public Member

Stan Gustafson, Special District Member

Staff

Paul L. Hood, Executive Officer

Ray Biering, Legal Counsel

David Church, LAFCO Analyst

Donna J. Bloyd, Commission Clerk

TABLE OF CONTENTS

FIGURES

TABLES

CHAPTER 1
INTRODUCTION AND PURPOSE

This document is a Final Environmental Impact Report (EIR) prepared to assess the environmental effects associated with the implementation of the Sphere of Influence Update and Municipal Service Review (SOI/MSR) prepared for the Nipomo Community Services District (NCSD) by the San Luis Obispo Local Agency Formation Commission (LAFCO) pursuant to Government Code 56000 et al. The environmental analysis focuses on the potential environmental effects of the expanding the NCSD's Sphere of Influence in the eight Study Areas shown in Figure 1-1, pages 1-6. Several alternatives to the eight Study Areas are also evaluated in Chapter 7 of this Program EIR.

This Final EIR is a "Program" EIR pursuant to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines. The use of a EIR allows LAFCO to evaluate impacts of the SOI Update and MSR at a comprehensive level of detail, focusing on area-wide impacts and programmatic mitigation measures. While the area-wide impacts of expanding the SOI are evaluated in this report, any potential impacts caused by specific development projects would be subject to additional project-specific environmental review.

As stated in 15168 of the CEQA Guidelines, a Program EIR may be prepared for a series of agency actions that may be considered one large project and are either related in any of the following ways: 1) geographically, 2) as logical parts in a chain of contemplated actions, 3) connected with the issuance of rules, plans, or other general criteria to govern the conduct of a continuing program; and/or 4) as individual activities carried out under the same authorizing statue or regulatory authority and having generally similar environmental impacts that can be mitigated in similar ways. The Nipomo Community Services District Sphere of Influence Update and Municipal Service Review meets the criteria for a Program EIR on several points stated in CEQA guideline 15168:

1. The Sphere of Influence update is geographically related to the District by its nature and will affect the areas in and around the District and the communities the District may serve.
2. The Sphere of Influence update is a logical part of a chain of contemplated actions because it identifies areas where future annexations may take place.
3. The Cortese-Knox-Hertzberg of 2000 defines a Sphere of Influence as a plan for the probable physical boundaries of the District.
4. The Sphere of Influence update is part of a group of activities mandated under the Cortese/Knox/Hertzberg Act, government code 56000 et al.

In preparing the SOI Update and Municipal Service Review for the NCSD, it became evident that expanding the Sphere of Influence could have potentially significant impacts on the environment and completion of a Program Environmental Impact Report was recommended. A Program EIR usually provides a more general discussion of information related to the environmental setting, impacts, alternatives, and mitigation measures. It is characterized as a useful CEQA tool for evaluating community-wide and regional impacts regarding a program or series of actions.

This Final EIR has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA) as amended (Public Resources Code Section 21000, et. seq.). An Initial Study for the project has been prepared by LAFCO and a Notice of Preparation (NOP) for the EIR was distributed to local responsible and trustee agencies, the State Clearinghouse, and other interested parties between July 1, 2003 and August 1, 2003. The objective of distributing the NOP was to identify and determine the full range and scope of environmental issues of concern so that these issues may be fully examined in the EIR. Comments received during the NOP distribution process regarding potentially significant environmental impacts have been addressed in Chapter 5, Environmental Analysis of this DEIR. The Initial Study, Notice of Preparation, and comments resulting from their distribution are contained within Appendix A to this EIR.

This EIR begins with Chapter 1, Introduction and Purpose, which provides an introductory discussion of the purpose and scope of the document. Chapter 2 summarizes the project impacts and mitigation measures, as subsequently described in greater detail in Chapter 5. Chapter 2 also contains the state-mandated Mitigation Monitoring Program (pursuant to AB 3180). Chapter 3, the Project Description, provides a description of the pertinent aspects of the proposed project and related permits and approvals. Chapter 4, Environmental Setting, provides an overview description of existing environmental conditions in the vicinity of the proposed project.

Issues identified in the Initial Study and NOP review process are discussed in Chapter 5, Environmental Analysis. The environmental factors which require a more comprehensive evaluation because of potentially significant impacts identified through the Initial Study and NOP process, include:

- *Land Use and Planning*
- *Population and Housing*
- *Water*
- *Air Quality*
- *Transportation/Circulation*
- *Utilities and Service Systems*
- *Public Services*

The environmental factors that did not have potentially significant impacts identified through the Initial Study and NOP process include the following:

- *Biological*
- *Energy and Mineral Resources*
- *Hazards*
- *Noise*
- *Aesthetics*
- *Cultural Resources*
- *Recreation*

These environmental issue areas are more appropriately addressed when a specific project is proposed and the development and review process is implemented. The EIR addresses these issues in a more general manner than the other issue areas where a potentially significant impact has been identified.

The discussion of each issue within Chapter 5 begins with a description of the existing environmental conditions followed by an identification of any pertinent thresholds of environmental significance. At that point, the nature and extent of project-related impacts, as well as any regional or cumulative implications of the proposed project will be identified. For environmental impacts found to be significant, mitigation measures are provided to reduce potential environmental impacts to a level of insignificance. The final aspect of this analysis is the identification of those residual impacts that remain after the proposed mitigation measures.

The significant adverse impacts which remain after implementation of proposed mitigation measures are summarized in Chapter 6, Unavoidable Adverse Impacts. Chapter 7, Alternatives to the Proposed Project, provides a discussion of potential project alternatives which may be capable of reducing or eliminating any of these adverse impacts. Chapter 7 additionally provides a total of five alternatives to various proposed Sphere of Influence configurations. Chapter 8, Growth Inducing Impacts of the Proposed Action, discusses if and to what extent the proposed project will facilitate development within the adjacent areas.

This EIR provides a full and fair discussion of the environmental impacts of the proposed Sphere of Influence Update and Municipal Service Review and alternatives. In preparing this EIR, the LAFCO decision-makers, staff and members of the public will be fully informed as to the impacts, mitigation measures and reasonable alternatives associated with the proposed Sphere of Influence Update and Municipal Service Review.

Pursuant to Section 15021 of the State CEQA Guidelines, this EIR is intended to enable LAFCO, as Lead Agency, to evaluate environmental impacts, mitigation measures and project alternatives in determining the ultimate Sphere of Influence for the Nipomo Community Services District.

Pursuant to California Public Resources Code 21082.1, LAFCO has independently reviewed and analyzed the information contained in this report prior to its distribution

as an Environmental Impact Report. The conclusions and discussions contained herein reflect the independent judgment of LAFCO as to those issues at the time of publication.

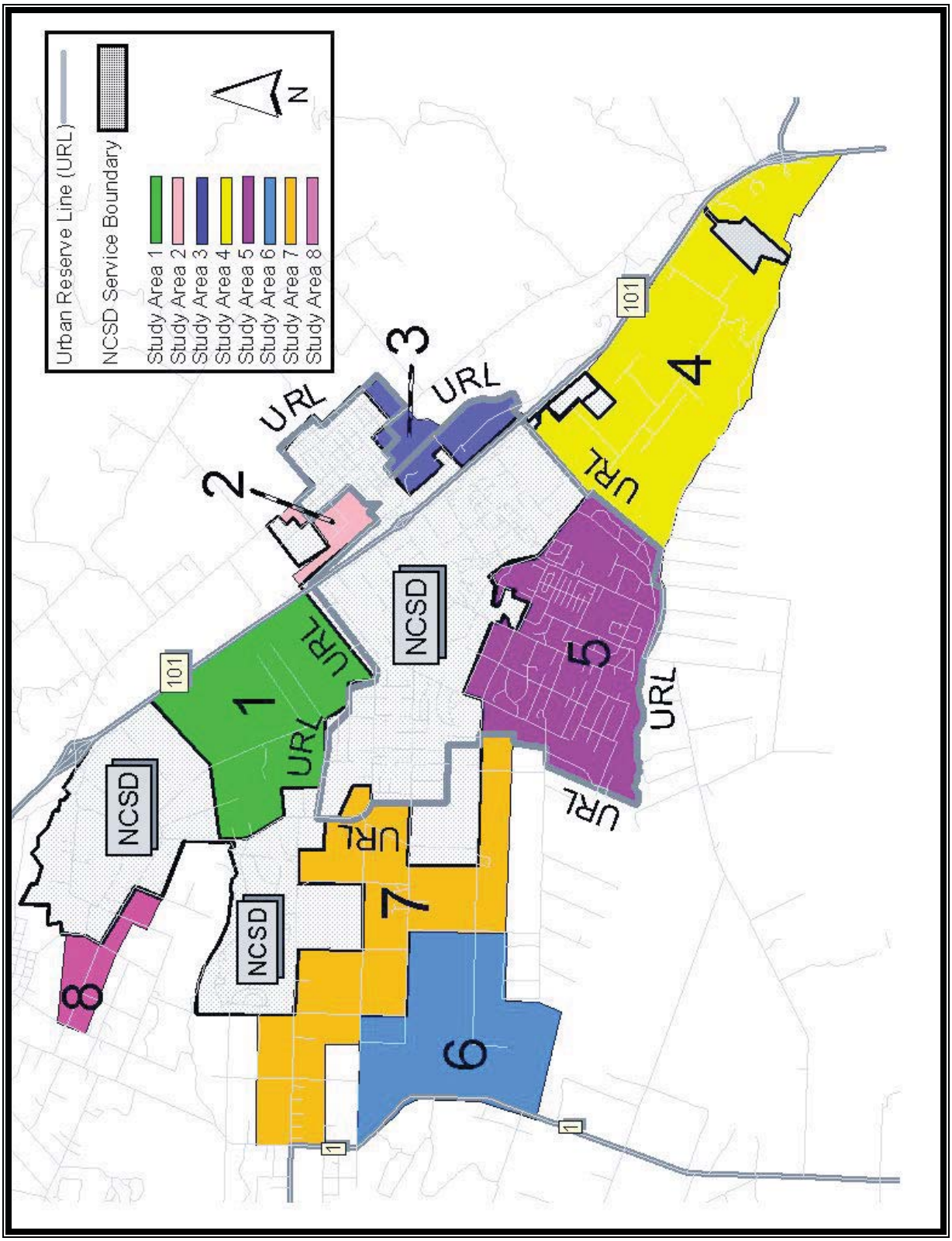


Figure 1-1: Eight Study Areas

CHAPTER 2

EIR SUMMARY/MITIGATION MONITORING PROGRAM

A. Environmental Impact Report (EIR) Summary

The Sphere of Influence (SOI)/Municipal Service Review (MSR) prepared for the Nipomo Community Services District (NCSD) is an important tool utilized in implementing the Cortese-Knox-Hertzberg Act (CKH Act). An SOI is defined by Government Code 56425 as "…a plan for the probable physical boundary and service area of a local agency or municipality…" The SOI represents an area adjacent to the service area of a jurisdiction where services might be provided by a jurisdiction over the next 20 years. The SOI does not define or identify specific development projects, change nor modify zoning, nor grant land use entitlements. In order for a property to be annexed into a jurisdiction, the property is required to be within the SOI.

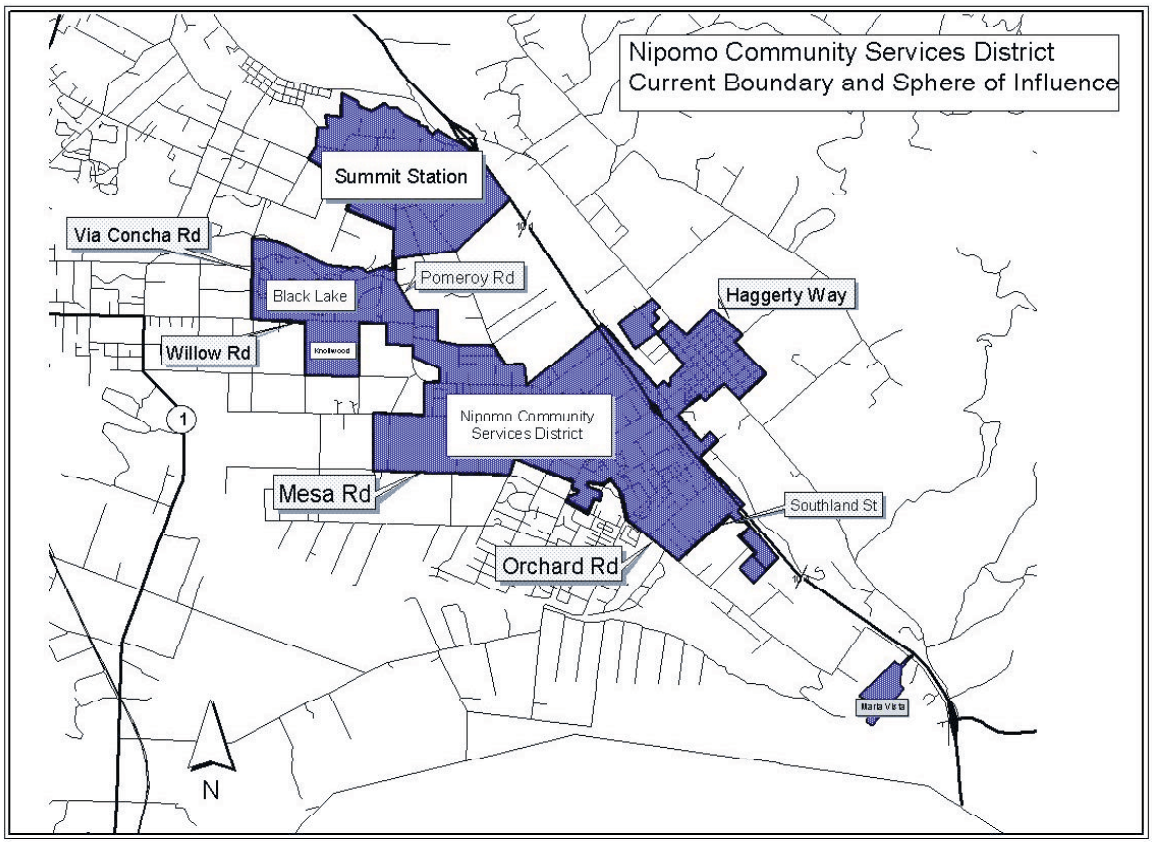
The CKH Act further requires that a Municipal Service Review (MSR) be conducted prior to or in conjunction with the update of a Sphere of Influence. The CKH Act requires LAFCO to update the Spheres of Influence for all applicable jurisdictions within the County within five years or by January 1, 2006.

The Sphere of Influence Update is based upon the Municipal Service Review completed for Nipomo Community Services District by the Local Agency Formation Commission. The Municipal Service Review analyzes the jurisdiction's capability to provide public services to existing and future residents. The SOI update and MSR were prepared to meet the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code 56000 et al. In order to evaluate the areas that might be included in the SOI, eight study areas were identified based upon a draft SOI map submitted by the NCSD.

Much of the area being studied is often referred to as the Nipomo Mesa with portions of the Study Areas in the Nipomo Valley on the east side of Highway 101. The Nipomo Community Services District is located along Highway 101 in the southern portion of San Luis Obispo County, California. The Figure 2-1 shows the existing

service area boundary and Sphere of Influence for the NCSD. These boundaries are currently coterminous (identical). The total area of the NCSD is an estimated six square miles. The District is responsible for providing public services to these communities except for County-provided services related to land use development, roads, streets, emergency response police/sheriff, and fire protection.

Figure 2-1: NCSD Current Boundary and Sphere of Influence



The Environmental Impact Report addresses the following alternatives:

Alternative #1. Inclusion of all eight Study Areas assuming no changes in the land use zoning to increase density.

Alternative #2. Inclusion of all eight Study Areas assuming changes to zoning to increase density in Areas #1, #2, and #4.

Alternative #3. Reduce the Study Areas in #1, #3, #4, #6, and #7 and assumes increased density in areas #1 and #5.

Alternative #4. Reduce Study Area #1, #3, #4, #6, #8 and assumes existing zoning.

Alternative #5. No additional study areas added to the current SOI. (No Project Alternative)

These alternatives are described in more detail in Chapter 7, Alternatives, of this document.

The following is a summary of potential project impacts and proposed mitigation measures pursuant to the potentially significant impacts identified in the Initial Study and NOP, and discussed in Chapter Five, Environmental Analysis, of this DEIR. Because this is a Draft EIR, issues that did not have potentially significant impacts identified during the Initial Study and NOP are also addressed. This summary also identifies the residual impacts that remain significant after implementation of the proposed project mitigation measures. These residual impacts are classified according to the following criteria:

Class I Impacts: Significant and unavoidable adverse impacts that cannot be mitigated to a level of insignificance. Although mitigation measures may be proposed, these measures are not sufficient to reduce project impacts to a level of insignificance.

Class II Impacts: Potentially significant adverse impacts, which can be reduced to a level of insignificance or avoided entirely with the implementation of proposed mitigation measures.

Class III Impacts: Adverse impacts, which are found not to be significant for which mitigation measures may be applied but are not required.

Class IV Impacts: No project impacts or those which are considered to be positive or of benefit to the site or the adjacent environment.

These residual impacts are also summarized by environmental topic in the table titled "Summary of Residual Impacts After Mitigation" on the following page.

Table 2-1: Summary of Residual Impacts after Mitigation/Analysis

Issue Area	Class 1	Class 2	Class 3	Class 4
Land Use and Planning		X		
Population and Housing		X		
Geology			X	
Water	X			
Air Quality		X		
Transportation-Circulation		X		
Biology			X	
Energy and Mineral Resources			X	
Hazards			X	
Noise			X	
Public Services			X	
Utilities and Service Systems		X		
Aesthetics			X	
Cultural Resources			X	
Recreation			X	

Table 2-2: Summary of Impacts and Mitigation Measures

Impact	Mitigation Measure	Residual Impacts
LAND USE AND PLANNING		
Impact LU-1. The proposed Sphere of Influence, including all eight Study Areas, could conflict with general plan designation, zoning or land use policies in the Nipomo Area. **Impact LU-2.** The proposed Sphere of Influence, including all eight Study Areas, could conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project. **Impact LU-3.** The proposed Sphere of Influence, including all eight Study Areas, could affect agricultural resources or operations in the area. (e.g., impacts to soils or farmlands or impacts from incompatible land uses)	**Mitigation LU-1.** Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed: 1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or Land Use Ordinance Amendment, or 2) Approval by LAFCO of an Outside User Agreement or an Annexation. These processes shall be subject to the environmental review process consistent with the California Environmental Quality Act (CEQA). Any conflicts between the Sphere of Influence and the General Plan shall be resolved through these processes stated above. Impacts associated with premature or " leapfrog" development, development outside the Urban Reserve Line, potential growth-inducing impacts, and the availability of public services shall also be addressed and mitigated to the greatest possible degree through these discretionary approval processes. **Mitigation LU-2.** The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6. **Mitigation LU-3.** The District shall not provide sewer services to Study Areas #4 (except for	Land use impacts are less than significant after mitigation is implemented (class II).

Impact	Mitigation Measure	Residual Impacts
	the Southland Specific Plan Area and land zoned Residential Suburban), #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8 found in Chapter 5.1, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential growth inducing impacts of adding these areas to the District's Sphere of Influence.	
POPULATION AND HOUSING		
Impact PH-1. The project may indirectly be growth inducing because it removes obstacles to growth by increasing the opportunity for a property, or area, to receive public/community services such as water and sewer. Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas because of the extension of public services (water and sewer).	**Mitigation LU-1.** Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed: 1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or Land Use Ordinance Amendment, or 2) Approval by LAFCO of an Outside User Agreement or an Annexation. These processes shall be subject to the environmental review process consistent with the California Environmental Quality Act (CEQA). Any conflicts between the Sphere of Influence and the General Plan shall be resolved through these processes stated above. Impacts associated with premature or " leapfrog" development, development outside the Urban Reserve Line, potential growth-inducing	Population and Housing impacts are less than significant after mitigation is implemented (Class II).

Impact	Mitigation Measure	Residual Impacts
	impacts, and the availability of public services shall also be addressed and mitigated to the greatest possible degree through these discretionary approval processes. **Mitigation LU-2.** The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6. **Mitigation LU-3.** The District shall not provide sewer services to Study Areas #4 (except for the Southland Specific Plan Area and land zoned Residential Suburban), #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8 found in Chapter 5.1, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential growth inducing impacts of adding these areas to the District's Sphere of Influence.	
WATER		
Impact W-1. The proposed Sphere of Influence may indirectly cause changes in absorption rates, drainage patterns or the rate and amount of surface runoff by encouraging development of properties within this area. **Impact W-2.** The proposed Sphere of Influence may indirectly cause a change in the quantity of ground	**Mitigation LU-2.** The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6. **Mitigation W-1.** Prior to LAFCO approval of any annexation, the District shall: 1) Implement a water conservation program that decreases water use by 15% based on per connection water consumption. Annexations shall only be approved if the District	Even with the mitigation measures, the Water impacts of expanding the Sphere of Influence are significant and unavoidable because of the potential growth inducing impacts of the Sphere of Influence. Also, it is unknown if a 15% reduction in water use can be achieved at this point

Impact	Mitigation Measure	Residual Impacts
waters, either through direct additions or withdrawals or through substantial loss of ground water recharge by encouraging the development of properties within the Sphere area. **Impact W-3.** The proposed Sphere of Influence may indirectly cause a substantial reduction in the amount of groundwater otherwise available for public water supplies by encouraging the development of properties within this area.	provides documentation that certifies a 15% decrease in water use has occurred since the approval date of the Sphere of Influence. Conservation measures shall be implemented at the District's discretion. 2) Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1,000 acre-feet for the expanded Sphere of Influence. The Urban Water Management Plan prepared or updated by the District shall be prepared consistent with the State of California's Urban Water Management Plan Act. A Registered Professional Engineer specializing in water resource planning shall certify that the Plan is consistent with the State's Urban Water Management Plan Act. **Mitigation W-2.** Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source outside the Nipomo Hydrologic Sub-Area and provide documentation that an agreement is in place to deliver such water by January 1, 2009. Documentation shall be consistent with Section 5, Step Two, Documenting Supply, of the SB 610 Guidebook dated October 8, 2003. A Registered Professional Engineer specializing in water planning shall review and certify such documentation.	achieved at this point in time. The uncertainty of the water agreement to obtain supplement a supplemental water source to serve the area in the Sphere is also unclear at this point. A statement of Overriding Considerations shall be prepared with regard to water impacts.

Impact	Mitigation Measure	Residual Impacts
AIR QUALITY		
Impact AQ-1. Expansion of the Sphere of Influence could contribute to a violation air quality standards, or to an existing or projected air quality violation, by encouraging development in areas where development does not currently exist and therefore causing an increase vehicle trips and vehicle emissions.	**Mitigation LU-1.** Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed: 1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or Land Use Ordinance Amendment, or 2) Approval by LAFCO of an Outside User Agreement or an Annexation. These processes shall be subject to the environmental review process consistent with the California Environmental Quality Act (CEQA). Any conflicts between the Sphere of Influence and the General Plan shall be resolved through these processes stated above. Impacts associated with premature or " leapfrog" development, development outside the Urban Reserve Line, potential growth-inducing impacts, and the availability of public services shall also be addressed and mitigated to the greatest possible degree through these discretionary approval processes. **Mitigation LU-2.** The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6. **Mitigation LU-3.** The District	Air Quality impacts are less than significant after mitigation is implemented (Class II).

Impact	Mitigation Measure	Residual Impacts
	shall not provide sewer services to Study Areas #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8 found in Chapter 5.1, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential growth inducing impacts of adding these areas to the District's Sphere of Influence.	
TRANSPORTATION/CIRCULATION		
Impact T-1. The expanded Sphere of Influence could induce growth that may cause increased vehicle trips and/or traffic congestion.	**Mitigation LU-1.** Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed: 1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or Land Use Ordinance Amendment, or 2) Approval by LAFCO of an Outside User Agreement or an Annexation. These processes shall be subject to the environmental review process consistent with the California Environmental Quality Act (CEQA). Any conflicts between the Sphere of Influence and the General Plan shall be resolved through these processes stated above. Impacts associated with premature or " leapfrog" development, development	Transportation and circulation impacts are less than significant after mitigation is implemented (Class II).

Impact	Mitigation Measure	Residual Impacts
	outside the Urban Reserve Line, potential growth-inducing impacts, and the availability of public services shall also be addressed and mitigated to the greatest possible degree through these discretionary approval processes. **Mitigation LU-2.** The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6. **Mitigation LU-3.** The District shall not provide sewer services to Study Areas #4 (except for the Southland Specific Plan Area and land zoned Residential Suburban), #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8 found in Chapter 5.1, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential growth inducing impacts of adding these areas to the District's Sphere of Influence.	
PUBLIC SERVICES		
Impact PS-1. The expansion of the Sphere of Influence may encourage growth that causes the need for new or increased services related to fire, police, and schools.	**Mitigation LU-1.** Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed: 1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or Land Use Ordinance	Public Services impacts are less than significant after mitigation is implemented (Class II).

Impact	Mitigation Measure	Residual Impacts
	Amendment, or 2) Approval by LAFCO of an Outside User Agreement or an Annexation. These processes shall be subject to the environmental review process consistent with the California Environmental Quality Act (CEQA). Any conflicts between the Sphere of Influence and the General Plan shall be resolved through these processes stated above. Impacts associated with premature or " leapfrog" development, development outside the Urban Reserve Line, potential growth-inducing impacts, and the availability of public services shall also be addressed and mitigated to the greatest possible degree through these discretionary approval processes. **Mitigation LU-2.** The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6. **Mitigation LU-3.** The District shall not provide sewer services to Study Areas #4 (except for the Southland Specific Plan Area and land zoned Residential Suburban), #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8 found in Chapter 5.1, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential	

Impact	Mitigation Measure	Residual Impacts
	growth inducing impacts of adding these areas to the District's Sphere of Influence.	
UTILITIES AND SERVICE SYSTEMS		
Impact U-1. The expansion of the Sphere of Influence could lead to annexations to the District that may require new or expanded water treatment or distribution facilities and sewer facilities. **Impact U-2.** The expansion of the Sphere of Influence could lead to annexations to the District that may require new or expanded sewer facilities. **Impact U-3.** The expansion of the Sphere of Influence could lead to annexations to the District that may require a new or expanded water supply.	**Mitigation U-1.**Prior to final approval of any annexation that is a "project" , as defined under the Water Code 10912, the District shall submit a Water Assessment pursuant to the procedures found in the Guidebook for Implementation of SB 610 and SB 221, using only the steps applicable to SB 610. **Mitigation LU-2.** The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6. **Mitigation W-1.** Prior to LAFCO approval of any annexation, the District shall: 1) Implement a water conservation program that decreases water use by 15% based on per connection water consumption. Annexations shall only be approved if the District provides documentation that certifies a 15% decrease in water use has occurred since the approval date of the Sphere of Influence. Conservation measures shall be implemented at the District's discretion. **2)** Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1,000 acre-feet for the expanded Sphere of Influence. The Urban Water Management Plan prepared or updated by the District shall be prepared consistent with the State of California's Urban Water	Utilities and Service Systems impacts are reduced to a less than significant level (class II).

Impact	Mitigation Measure	Residual Impacts
	Management Plan Act. A Registered Professional Engineer specializing in water resource planning shall certify that the Plan is consistent with the State's Urban Water Management Plan Act. **Mitigation W-2.** Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source outside the Nipomo Hydrologic Sub-Area and provide documentation that an agreement is in place to deliver such water by January 1, 2009. Documentation shall be consistent with Section 5, Step Two, Documenting Supply, of the SB 610 Guidebook dated October 8, 2003. A Registered Professional Engineer specializing in water planning shall review and certify such documentation.	
GEOLOGY		
No Impacts were identified	Geological issues would be addressed when a specific development project is proposed.	None
BIOLOGICAL RESOURCES		
No Impacts were identified	Biological issues would be addressed when a specific development project is proposed.	None

ENERGY AND MINERAL RESOURCES		
No Impacts were identified	Energy and mineral resource issues would be addressed when a specific development project is proposed.	None
HAZARDS		
No Impacts were identified	Hazard issues would be addressed when a specific development project is proposed.	None
NOISE		
No Impacts were identified	Noise issues would be addressed when a specific development project is proposed.	None
AESTHETICS		
No Impacts were identified	Aesthetic issues would be addressed when a specific development project is proposed.	None
CULTURAL RESOURCES		
No Impacts were identified	Cultural Resources issues would be addressed when a specific development project is proposed.	None
RECREATION		
No Impacts were identified	Recreation issues would be addressed when a specific development project is proposed.	None

B. Mitigation Monitoring Program

Provided on the following pages is a summary listing of the proposed mitigation measures associated with the proposed Sphere of Influence Update for the Nipomo Community Services District (NCSD). Following each mitigation measure is an indication of the action involved with enforcement or implementation of the mitigation

measure (i.e. "Specific Action"), the timing of implementation (i.e. "Mitigation Milestone") and the Responsible Monitoring Party. This Mitigation Monitoring Program is intended to reflect the requirements of AB 3180 (Cortese), which requires a monitoring program to insure the implementation of these mitigation measures.

Table 2-3: Mitigation Monitoring Program

Mitigation Measure	Specific Action	Mitigation Milestone	Responsible Monitoring Party
Land Use			
Mitigation LU-1. Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed: 1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or General Plan Amendment, or 2) Approval by LAFCO of an Outside User Agreement or an Annexation. These processes shall be subject to the environmental review process consistent with the California Environmental Quality Act (CEQA). Any conflicts between the Sphere of Influence and the General Plan shall be resolved through these processes stated above. Impacts associated with premature or " leapfrog" development, development outside the Urban Reserve Line, potential growth-inducing impacts, and the availability of public services shall also be addressed and mitigated to the greatest possible degree through these discretionary approval processes.	All land use decisions shall be evaluated as stated in the Mitigation Measure.	At the time of Land Use entitlement approval or annexation and during the CEQA process.	LAFCO, County of San Luis Obispo
Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study	Reduce the SOI study areas to exclude all of Study Area #6	At the time of adoption of the SOI.	LAFCO

Mitigation Measure	Specific Action	Mitigation Milestone	Responsible Monitoring Party
Areas to exclude Study Area #6. **Mitigation LU-3.** The District shall not provide sewer services to Study Areas #4, (except for Southland Specific Plan Area and land zoned Residential Suburban), #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8 found in Chapter 5.1 of the EIR, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential growth inducing impacts of adding these areas to the District's Sphere of Influence.	Study Area #6. The District shall not provide sewer service to these areas. LAFCO shall condition all annexations in the areas stated pursuant to the mitigation.	At the time of annexation.	LAFCO NCSD
Water			
Mitigation W-1. Prior to LAFCO approval of any annexation, the District shall: 1) Implement a water conservation program that decreases water use by 15% based on per connection water consumption. Annexations shall only be approved if the District provides documentation that certifies a 15% decrease in water use has occurred since the approval date of the Sphere of Influence. Conservation measures shall be implemented at the District's discretion. 2) Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1,000 acre-feet for the expanded Sphere of Influence. The Urban Water Management Plan prepared or updated by the District shall be	The District shall implement a water conservation program that results in a 15% decrease in water use. The District shall submit documentation that certifies the reduction in water use since the adoption of the SOI.	Prior to LAFCO approval of any annexation.	LAFCO with qualified consultant

Mitigation Measure	Specific Action	Mitigation Milestone	Responsible Monitoring Party
prepared consistent with the State of California's Urban Water Management Plan Act. A Registered Professional Engineer specializing in water resource planning shall certify that the Plan is consistent with the State's Urban Water Management Plan Act.			
Mitigation W-2. Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source outside the Nipomo Hydrologic Sub-Area and provide documentation that an agreement is in place to deliver such water by January 1, 2009. Documentation shall be consistent with Section 5, Step Two, Documenting Supply, of the SB 610 Guidebook dated October 8, 2003. A Registered Professional Engineer specializing in water planning shall review and certify such documentation.	Submittal of documentation verifying a deliverable water supply by January 1, 2009.	Prior to LAFCO approval of any annexation.	LAFCO with qualified consultant
Utilities and Service Systems			
Mitigation U-1. Prior to final LAFCO approval of any annexation, under Water Code 10912 definition of a "project" , the District shall submit a Water Assessment pursuant to the procedures found in the Guidebook for Implementation of SB 610 and SB 221, using only the steps applicable to SB 610.	Preparation and submittal of a Water Assessment pursuant to the water code 10912	Prior to any annexation.	LAFCO with qualified consultant

C. Issues Raised by Agencies and the Public

An Initial Study of the project has been prepared by the Local Agency Formation Commission and a Notice of Preparation (NOP) for the DEIR was distributed to local responsible and trustee agencies, the State Clearinghouse, involved local groups, and members of the public between July 1, 2003 and August 1, 2003. The objective of distributing the NOP was to identify and determine the full range and scope of environmental issues of concern on the proposed project so that these issues may be examined in the EIR. Comments received during the NOP distribution period regarding potentially significant environmental impacts have also been addressed in Chapter Five, Environmental Analysis of this EIR. The Initial Study and Notice of Preparation are contained in Technical Appendix A of this EIR.

Issues raised in response to the Notice of Preparation are listed below accompanied by an indication of the source and date of the comment received. Comments received in response to the Notice of Preparation are contained in Technical Appendix A of this EIR.

Respondent	Date	Concern
Air Pollution Control District	July 30, 2003	Impacts to Air Quality should be studied as a potentially significant impact, consistency with the Clean Air Plan
Nipomo Community Services District	July 29, 2003	Extension of services, information about District policies, and detailed comments regarding the Initial Study.
San Luis Obispo Council of Governments	July 29, 2003	Potential growth inducing impacts to transportation/circulation system
Michael Winn, NCSD President	July 30, 2003	Agrees with District's Counsel previous comments. Memorandum of Agreement be completed.
Save the Mesa	July 29, 2003	Possible growth inducing impacts and Increased density. Detailed comments regarding the Initial Study.
Department of Agriculture	August 7, 2003	Agricultural issues and policies that are relevant to the project.

Respondent	Date	Concern
County of San Luis Public Works Department	July 31, 2003	Solid waste collection within the CSD and in outside areas and illegal dumping activity and implementation of a universal collection system.
Vincent McCarthy	July 28, 2003	Eliminate areas 1, 2, 3, 4 and 7 from consideration for inclusion into the Sphere of Influence.
Public Utilities Commission	July 14, 2003	Union Pacific Right-of-Way and vehicular and pedestrian circulation patterns and possible conflicts.

D. Issues To Be Resolved

The following issues related to Sphere of Influence Study Areas remain to be resolved:

1. Selection of the Study Areas, or portions of areas, for inclusion into the Sphere of Influence.

2. Determine the final Sphere of Influence based upon the consideration of the environmental factors discussed in this EIR and accompanied by consideration (and possible adoption) of related project alternatives.

CHAPTER 3
PROJECT DESCRIPTION

A. Project Summary

The Sphere of Influence (SOI) Update–Municipal Service Review prepared for the Nipomo Community Services District (NCSD) is an important tool used in implementing the Cortese-Knox-Hertzberg Act. An SOI is defined by Government Code 56425 as "…a plan for the probable physical boundary and service area of a local agency or municipality…" The SOI represents an area adjacent to the service area of a jurisdiction where services might reasonably be provided in the next 20 years. The SOI does not define or identify specific development projects, change or modify zoning, or grant land use entitlements. In order for a property to be annexed into the District, the property is required to be within its Sphere of Influence.

The CKH Act further requires that a Municipal Service Review (MSR) be conducted prior to or in conjunction with the update of a Sphere of Influence. LAFCO must update the Spheres of Influence for all applicable jurisdictions in the County within five years or by January 1, 2006.

The Sphere of Influence Update is based upon the Municipal Service Review completed for Nipomo Community Services District by the Local Agency Formation Commission. The Municipal Service Review analyzes the jurisdiction's capability to provide public services to existing and future residents. The SOI update and Service Review were prepared to meet the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code 56000 et al. In order to evaluate the areas that might be included in the SOI, eight study areas were identified based upon a Final SOI map submitted by the NCSD.

B. Determination

It has been determined that establishing the SOI for the NCSD will have a significant effect on the environment and a Program Environmental Impact Report is

appropriate for this project. This Initial Study was prepared to help focus on the environmental impacts that may be associated with a SOI expansion.

A Program EIR is a first-tier environmental document that, according to Section 15168 of the State CEQA Guidelines, is prepared for an agency program or series of actions that can be characterized as one large project. Typically, such a project involves actions that are closely related either geographically or temporally. Final EIRs are also prepared for agency plans, policies or regulatory programs. Final EIRs generally analyze broad environmental effects of the program with the acknowledgement that site-specific environmental review may be required for particular aspects or portions of the program when those aspects are proposed for the implementation.

A state or local agency should, according to Section 15168(a) of the State CEQA Guidelines, prepare a Final EIR rather than a Project EIR when the agency proposes a program or series of related actions that are linked geographically, are logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program or are individual activities carried out under the same authorizing statutory of regulatory authority and having generally similar environmental effects that can be mitigated in similar ways. The proposed Sphere of Influence Update and Municipal Services Review is considered to be a project that fits these criteria.

Once a Program EIR has been prepared, subsequent activities within the program are evaluated to determine whether an additional CEQA document needs to be prepared. If a subsequent activity would have effects that are not within the scope of the Program EIR, the Lead Agency must prepare a new Initial Study leading to either a Negative Declaration, Mitigated Negative Declaration or an EIR. In this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The Program EIR can be incorporated by reference into the subsequently prepared document to address program wide issues, such as cumulative impacts and policy

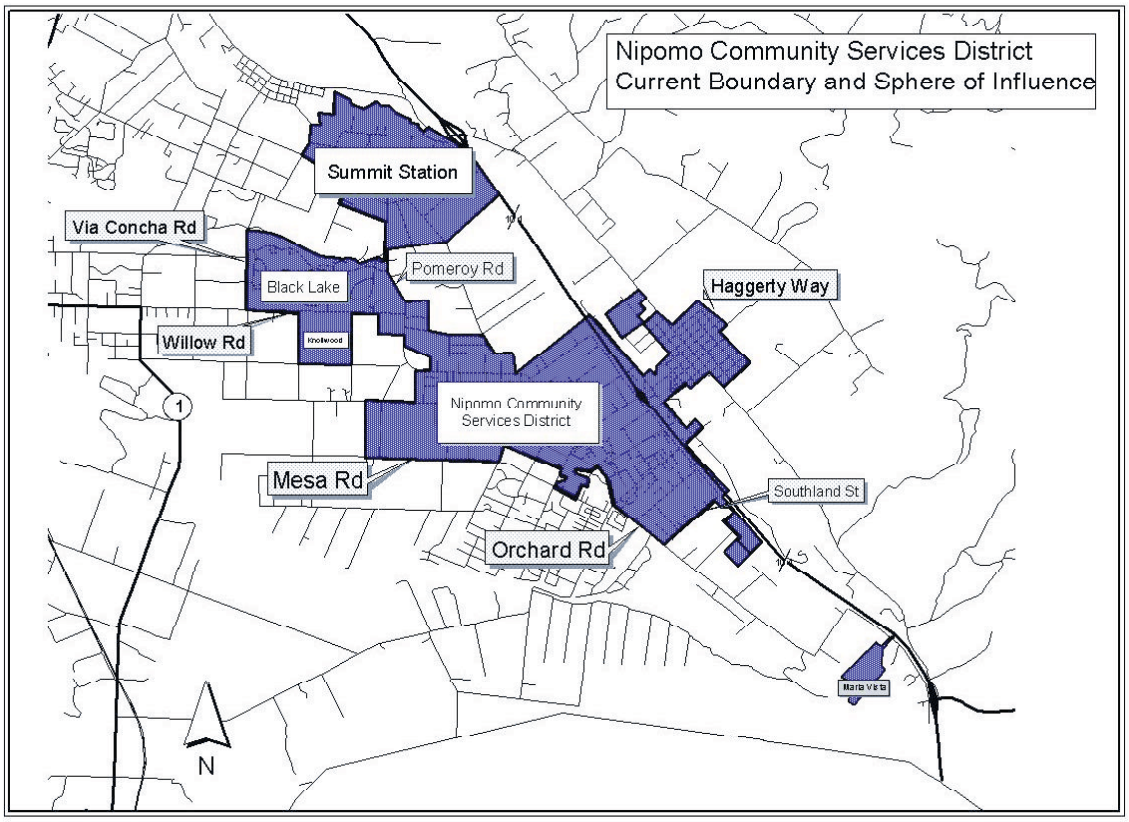
alternatives, allowing the subsequent environmental document to focus on new or site-specific impacts.

Program EIRs are typically more conceptual than Project EIRs; a Final EIR may contain more general discussions of impacts, alternatives and mitigation measures. In developing the EIR, the Lead Agency (LAFCO) must attempt to anticipate likely future scenarios that could develop under the program. Once a reasonable range of assumptions about future projects are developed, the Lead Agency is obligated to generally evaluate potential impact methods used for more project-specific EIRs. A Program EIR is considered to be a useful tool for evaluating community-wide and regional impacts, similar to those associated with the proposed Sphere of Influence Update and Municipal Service Review.

C. Project Location

The area being studied is often referred to as the Nipomo Mesa. The Nipomo Community Services District is located along Highway 101 in the southern portion of San Luis Obispo County, California. The figure below shows the existing service area boundary and Sphere of Influence for the Nipomo Community Services District. These boundaries are currently coterminous. The total area of the District is an estimated six square miles. The District is responsible for providing public services (water, sewer, solid waste, lighting) to this community, except for County-provided services related to land use development, roads, streets, emergency response police/sheriff, and fire protection.

Figure 3-1: NCSD Current Boundary and Sphere of Influence



D. Project Description

The CKH Act requires LAFCO to update the spheres of influence for all applicable jurisdictions within the County. 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 as determined by the Local Agency Formation Commission." The sphere of influence usually represents an area adjacent to a jurisdiction where within the next twenty years development may be reasonably expected to occur. The Sphere of Influence for the NCSD does not identify or define specific development projects or land uses for an area. In this case, the SOI represents the area the District may provide services to over the next 20 years. Extension of the Sphere of Influence enables the Nipomo Community Services District to extend various services to these areas in the future. As such, inclusion of an area within a SOI of a utility provider represents the initial step in the future extension of services to the area and subsequent potential development of areas within the SOI.

The Nipomo Community Services District is a multi-service special district formed on January 28, 1965, under the Community Services District Law, California Government Code Section 61000 et seq. The NCSD provides the residents and property owners within its approximately six square miles of service area with water and wastewater disposal services, solid waste, and landscape watering. The District also provides Blacklake Golf Course with street lighting and limited drainage services.

As part of their decision-making process, LAFCO is required to review and consider the potential environmental effects that could result from the proposed Sphere of Influence Update and Municipal Services Review. In order to identify what areas should be included in the NCSD's SOI, eight Study Areas around the District's existing service area have been identified. The Study Areas are described in the narratives below. At the end of this chapter are aerial photographs for each study area and surrounding lands.

Study Area #1

This area is located west of Highway 101 and north of the Urban Reserve Line (URL) for Nipomo with properties zoned Residential Rural and Agriculture. The properties are adjacent to Highway 101, just north of Nipomo's URL and south of Summit Station. The Cañada Ranch is a 285-acre parcel included in this area. The South County Area Plan calls for a specific plan to be prepared for this property. The specific plan may include a number of residential units along with commercial and retail uses. Also, the Cañada Ranch is proposed as a commercial job center for Nipomo in the South County Area Plan. The SOI area also includes the extension of Willow Road. The County plans to construct the Willow extension to Highway 101 in the next several years. The District has waterlines located along Pomeroy and the million-gallon water tank (Stand Pipe) is also located in the area. The area also includes several existing residences near Pomeroy Road. The area is considered in the South County Area Plan as a "gateway" to the Nipomo community.

Study Area #2

This area is located to the north of Olde Towne and on the east side of Highway 101 and is broken into a large and a small parcel. The total acreage for both areas is 132 acres and the zoning is Agriculture. The New Nipomo High School is located to the northeast and the town of Nipomo to the south and east. The larger of the two properties is currently being farmed and is considered to be Prime Agricultural land according to the County Agriculture Commission. Prime Agricultural Land is defined in the Cortese-Knox-Hertzberg Act as follows:

> 56064. "Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:
>
> (a) *Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.*

(b) *Land that qualifies for rating 80 through 100 Storie Index Rating.*

(c) *Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.*

(d) *Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.*

(e) *Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years.* *(Amended by Stats. 2000, Ch. 761.)*

The area is also prone to flooding during storms and is in a known flood hazard zone. It includes an underlying antiquated subdivision that, according to the County, does have legal standing. Nipomo Creek is located adjacent to Highway 101 on the southwest side of the property. The property has significant environmental constraints that would need to be addressed in the development and review process if development were to be considered for this site. The District has water and sewer infrastructure adjacent to the area.

Study Area #3

This area is located east of Highway 101 and south of Olde Towne Nipomo. Much of the land is within the Nipomo URL as established by the County in the South County Area Plan. The only area being considered for inclusion into the SOI that is outside the URL is an area between Thompson Rd. and the Nipomo Creek adjacent to Sparks Avenue. This site is a small area that is zoned Agriculture and is identified

as the possible future site of a government center in the SCAP. The Area Plan recommends that a specific plan be completed to identify the appropriate civic-related functions and related private uses that would be associated with a civic center. Area three includes several land use categories, including Residential Single Family, Residential Suburban, Agriculture and Recreation. The Dana Adobe site is located in an area that is zoned Recreation. To protect the historic nature of the Adobe, the South County Area Plan has special development standards for this area. The District currently provides the Adobe with water service under an agreement approved in 1972 between the District and the San Luis Obispo County Historical Society.

Study Area #4

This area is located to the south of the current District boundary and north of the Santa Maria Valley. The area to the south of Southland Street is zoned Rural Lands and a portion of it is used for growing strawberries. The southern portion of this area contains some prime agricultural land. The total area is approximately 1,173 acres. The South County Area Plan calls for a specific plan to be prepared for the site just south of and adjacent to Southland Street. The SCAP also calls for the application of the Highway 101 Corridor Design Standards as well as area standards that apply to the Rural Lands Land Use Zone. The Maria Vista development (77 homes in Residential Suburban zoning) is also found in this area, as is a small piece of commercial land use. The RS zoning for Maria Vista also has several existing residences adjacent to Maria Development.

Study Area #5

This area is immediately southwest of the District's existing boundary and is zoned Residential Suburban and Residential Single Family. This area is also located within the County's URL as established in the South County Area Plan. The area is largely built-out on one-acre or larger lots. The higher density Galaxy Park development is located in this area and is zoned Residential Single Family. The SCAP calls for 2½-acre lots for the area adjacent to Osage Road from Mesa Road South to the end of Osage. Cal Cities Water and County Service Area 1 provide this area with water

and sewer services respectively. The District and the County are discussing the reorganization of CSA 1 and the Nipomo Lighting District into the NCSD. The NCSD has indicated that it would provide the area with solid waste, park maintenance, and possibly landscape services, but not water service since currently Cal Cities Water Company serves the area.

Study Area #6

The Woodlands development is over 900 acres and will include 1,300 residences, a commercial area, and 45 holes of golf. It is located east and adjacent to Highway 1 and south of Willow Road. The Woodlands has been approved by the County through a specific plan and EIR and proposes to use existing groundwater resources to serve the future residents. The Woodlands development has requested to be excluded from the District's SOI; the District concurs with this request. The Woodlands development has been approved by the County based on several documents including: the 1998 EIR for the Woodlands Specific Plan, the 2002 Supplemental EIR for and amendment to the Growth Management Ordinance (GMO), Ordinance No. 2957 amending the GMO adopted December 18, 2001, Addendum to the 1998 EIR approved December 17, 2002, County Resolution No. 2002-556 approving the Vesting Tentative Tract Map for Tract 2341 (Woodlands), and Resolution No. 2002-554 making a determination and verification that sufficient water is available pursuant to Government Code 66473.7 for Tract 2341 (Woodlands). A summary of these documents is provided in section 5.4 of this document.

Study Area #7

This area is located west of the NCSD service area boundary east of the Woodlands project and Highway 1, and south of Willow Road. The area is zoned Residential Rural with two smaller parcels zoned Agriculture. The area includes several greenhouses as well as a number of residential units on five-acre lots and larger. The area is sparsely developed and the road system is in need of improvement. The NCSD's most productive water wells are located in this area.

Study Area #8

This area is 180 acres and is located on the west side of Highway 101, to the west of the Summit Station area and south of Los Berros. The area is zoned Residential Rural and includes the Robertson Land Use Ordinance Amendment which will allow for water service to existing residences that are currently trucking water into the area.

In all Study Areas, the APCD recommends that green waste programs be implemented where service is not currently available. Also, the use of burn barrels and residential household waste burning has been prohibited on a Countywide basis since January 2004.

E. Project Objectives

The primary objective of the proposed Sphere of Influence Update and Municipal Services Review is to permit the San Luis Obispo Local Agency Formation Commission to implement the requirements of the Cortese-Knox-Hertzberg Act consistent with local conditions and circumstances. The SOI is a long-range planning tool that helps LAFCO achieve the major goals as established by the legislation as follows:

1. To encourage orderly growth and development which is essential to the social, fiscal and economic well being of the state;

2. To promote orderly development by encouraging the logical formation and determination of boundaries and working to provide housing for families of all incomes;

3. To discourage urban sprawl;

4. To preserve open-space and prime agricultural lands by guiding development in a manner that minimizes resource loss;

5. To exercise its authority to ensure that affected populations receive efficient governmental services;

6. To promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide necessary services and housing;

7. To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;

8. To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to encourage government structures that reflect local circumstances, conditions and financial resources;

9. To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;

10. To update Spheres of Influence as necessary but not less than every five years, and by January 1, 2006.

11. Conduct a review of all municipal services by county, jurisdiction, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.

F. Project Approvals

The proposed Sphere of Influence Update and Municipal Services Review involves the following approvals from the San Luis Obispo Local Agency Formation Commission.

1. Certification of the Environmental Impact Report for the proposed Sphere of Influence Update and Municipal Services Review.
2. Approval of the Mitigation Monitoring Program recommended in the Chapter Two of this EIR.
3. Approval of the Municipal Service Review
4. Approval of the Sphere of Influence Update and Boundary

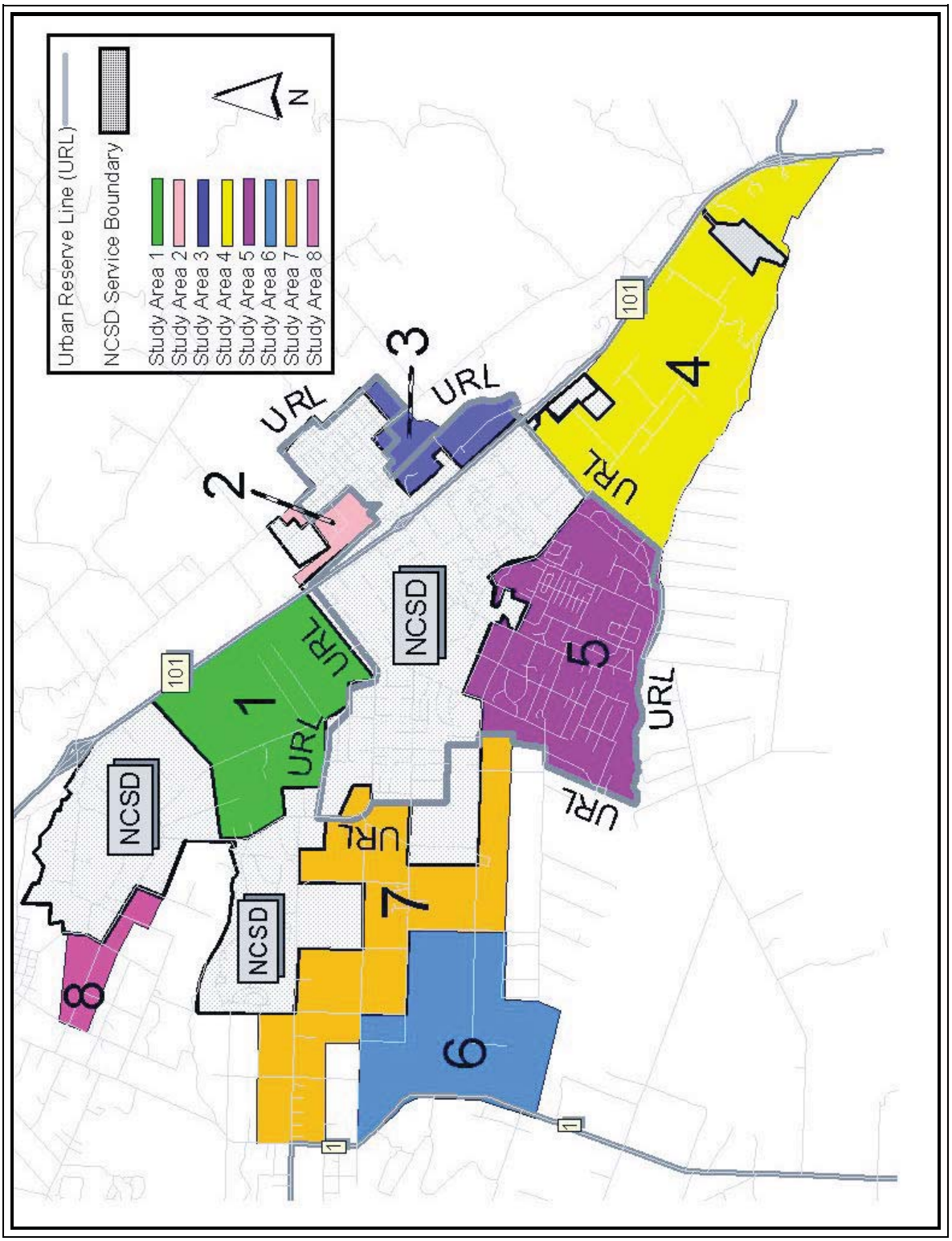
G. Approvals by Other Agencies

Other agencies have regulatory authority in the Nipomo Area and are responsible for approving various activities. The NCSD is considered a service district, but also enforces its own rules and policies associated with providing services. Other State and County agencies involved in the Nipomo area are shown in the following table:

Table 3-1: Other Agencies' Responsibilities

AGENCY	RESPONSIBILITY
County of San Luis Obispo	
Planning and Building	All land use planning functions including CEQA, building permits and inspections, resource management system, and code enforcement.
Public Works	Road construction and maintenance, management of County Service Areas.
Environmental Health	Water Well approvals for development projects and other public health threats.
Agricultural Commissioner	Administers regulations associated with agricultural operations and comments on development proposal involving the conversion of agricultural land.
Regional Agencies	
Air Pollution Control District	Establishes and enforces Clean Air Rules and Regulations
Council of Governments	Manages and administer funding for transportation and road projects.
State Agencies	
Regional Water Quality Control Board	Administers and enforces water quality laws established by the State of California
CalTrans	Plans and programs for major state highway transportation projects
Department of Fish and Game	Conserves and protects wildlife and their habitat in the State of California
Department of Water Resources	Responsible for preparing studies related to the Santa Maria Groundwater Basin

Figure 3-2: Sphere of Influence Study Areas



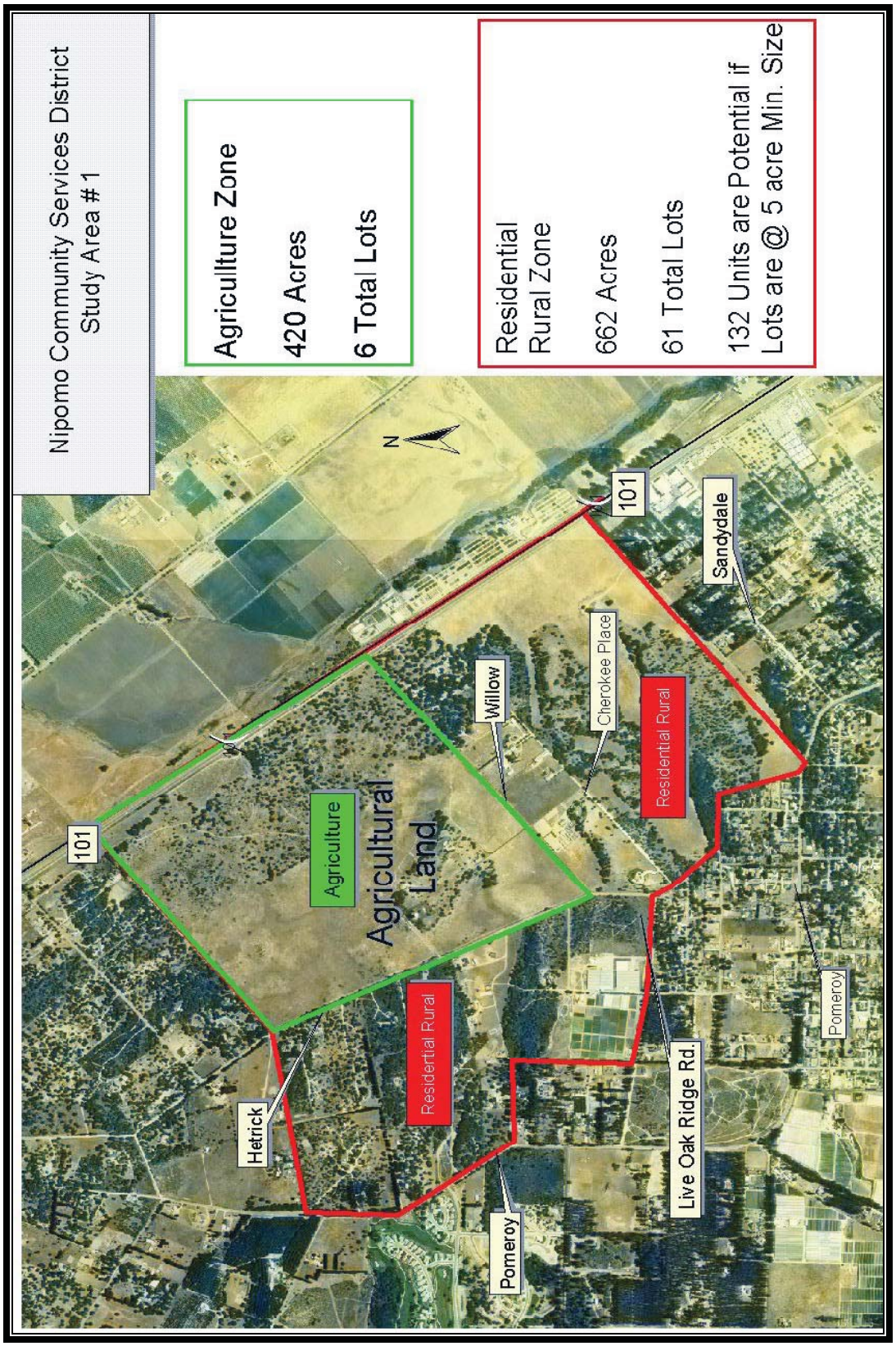


Figure 3-3: Study Area #1

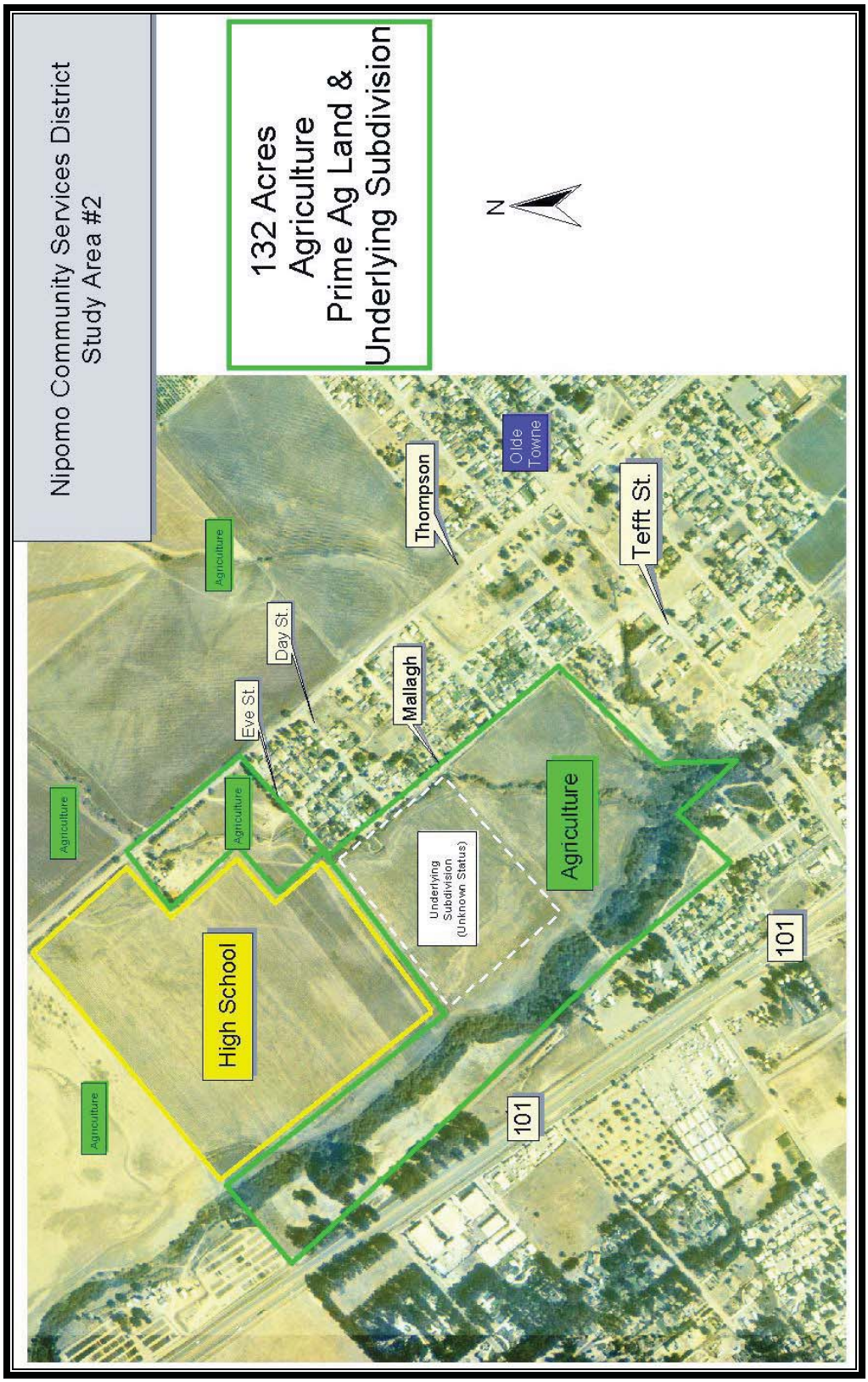
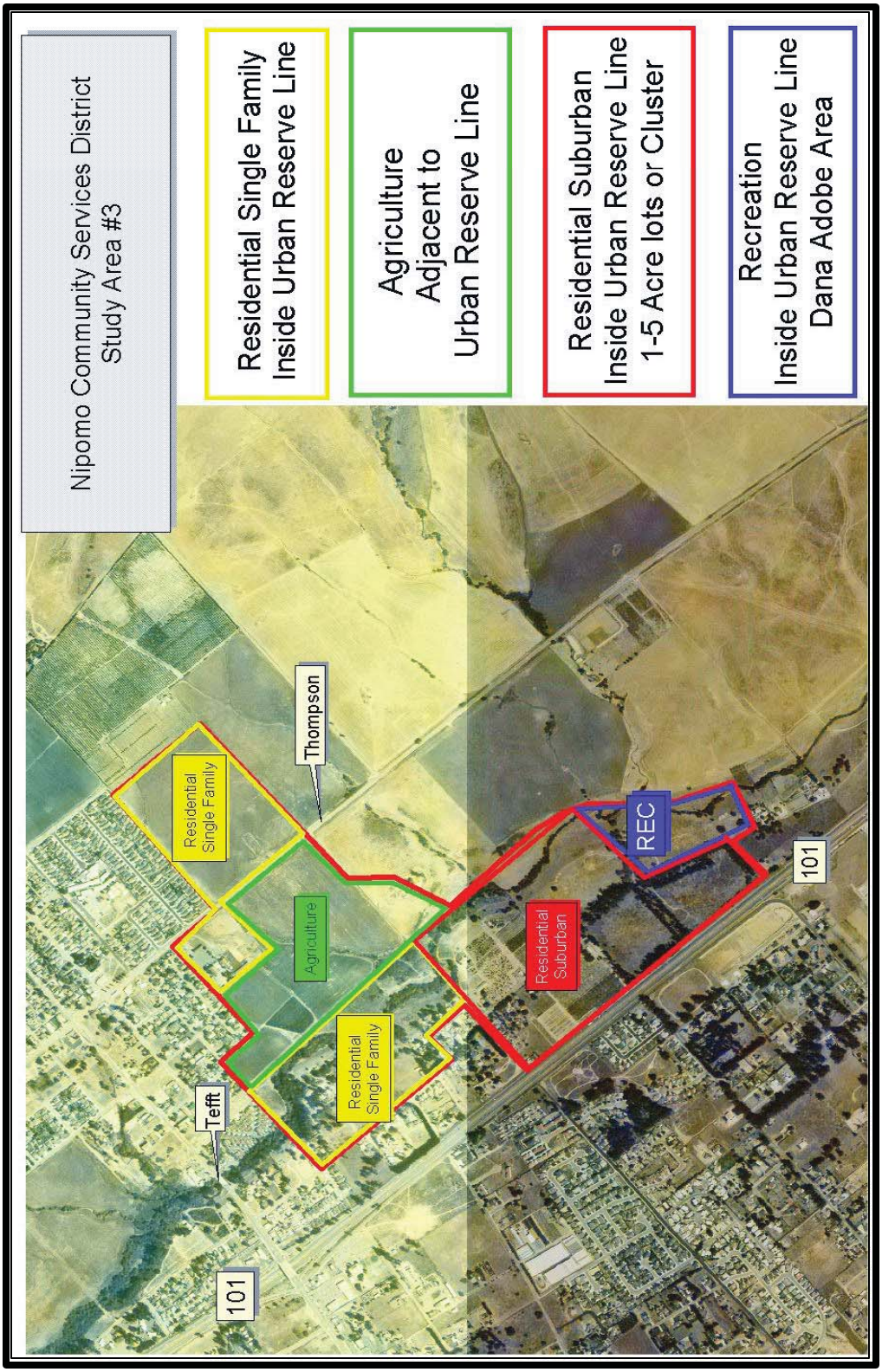


Figure 3-4: Study Area #2

Figure 3-5: Study Area #3



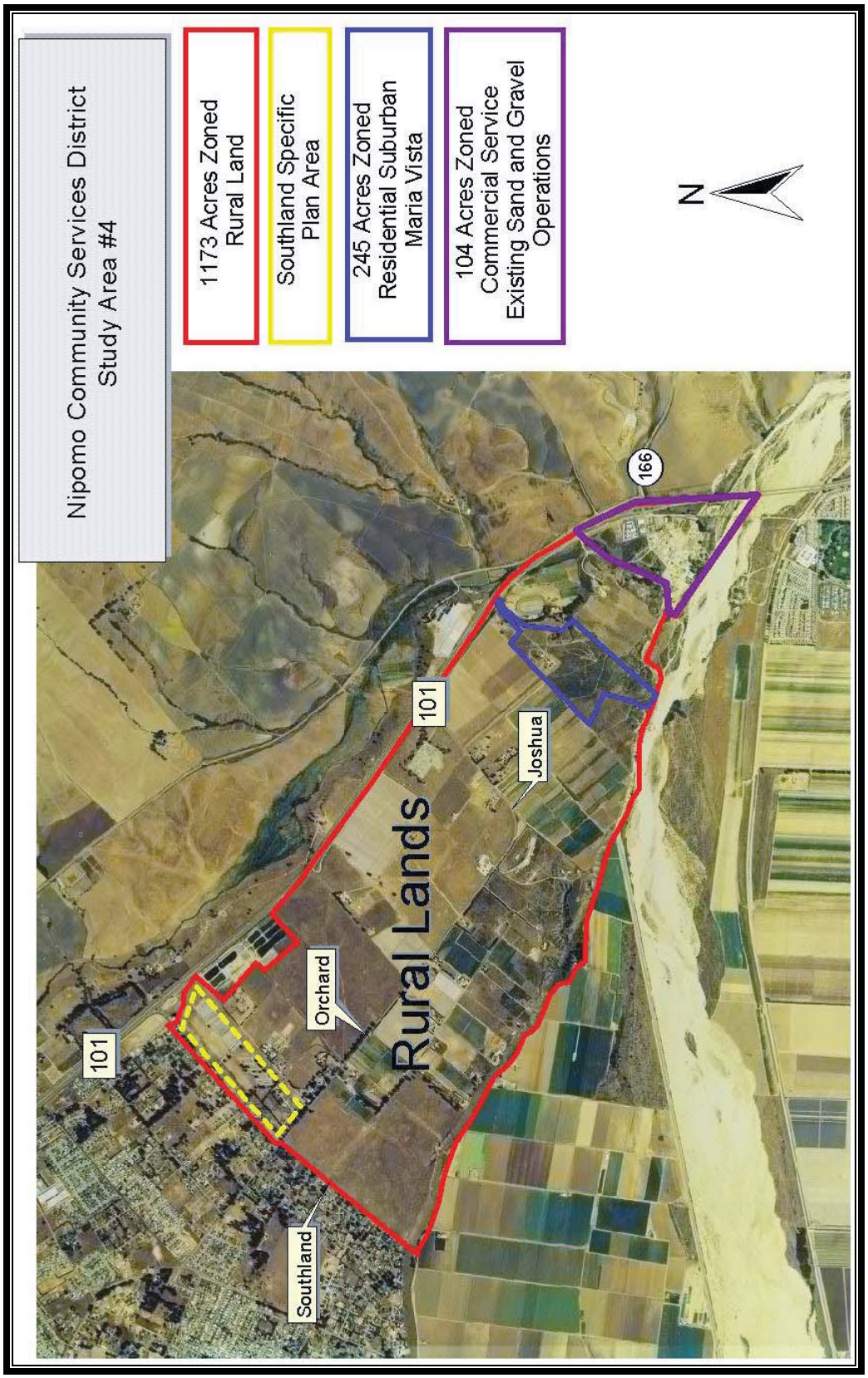


Figure 3-6: Study Area #4

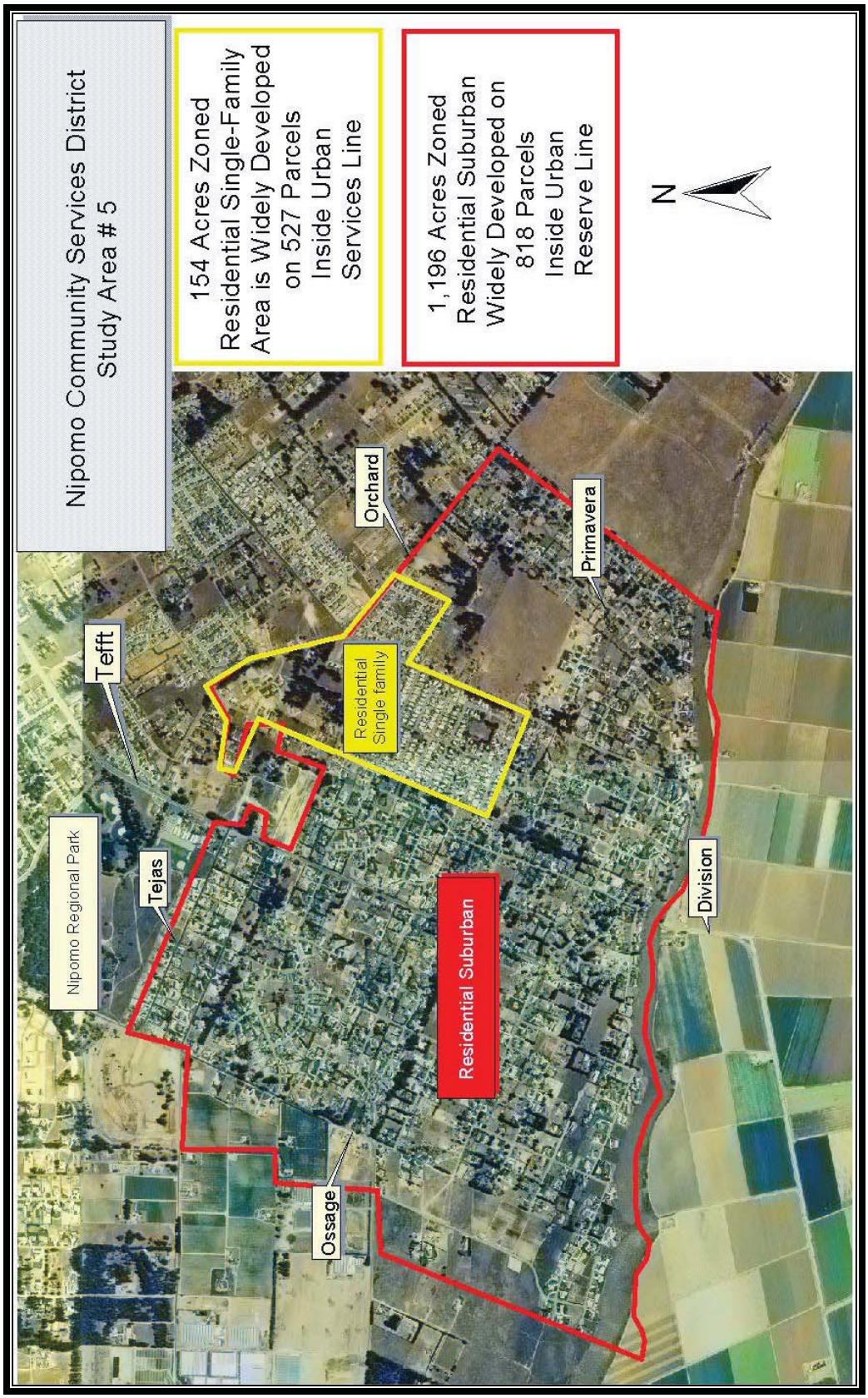


Figure 3-7: Study Area #5

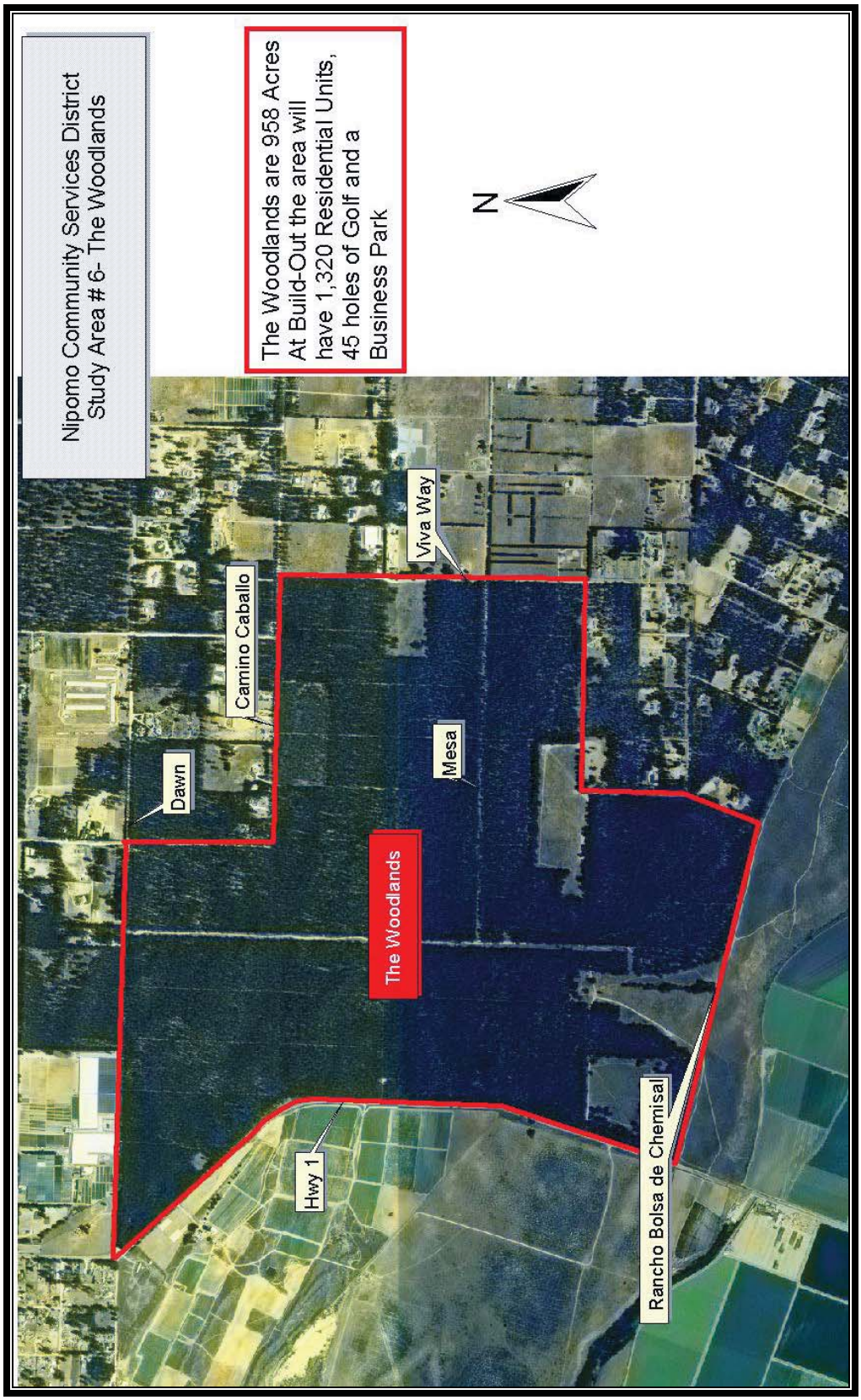
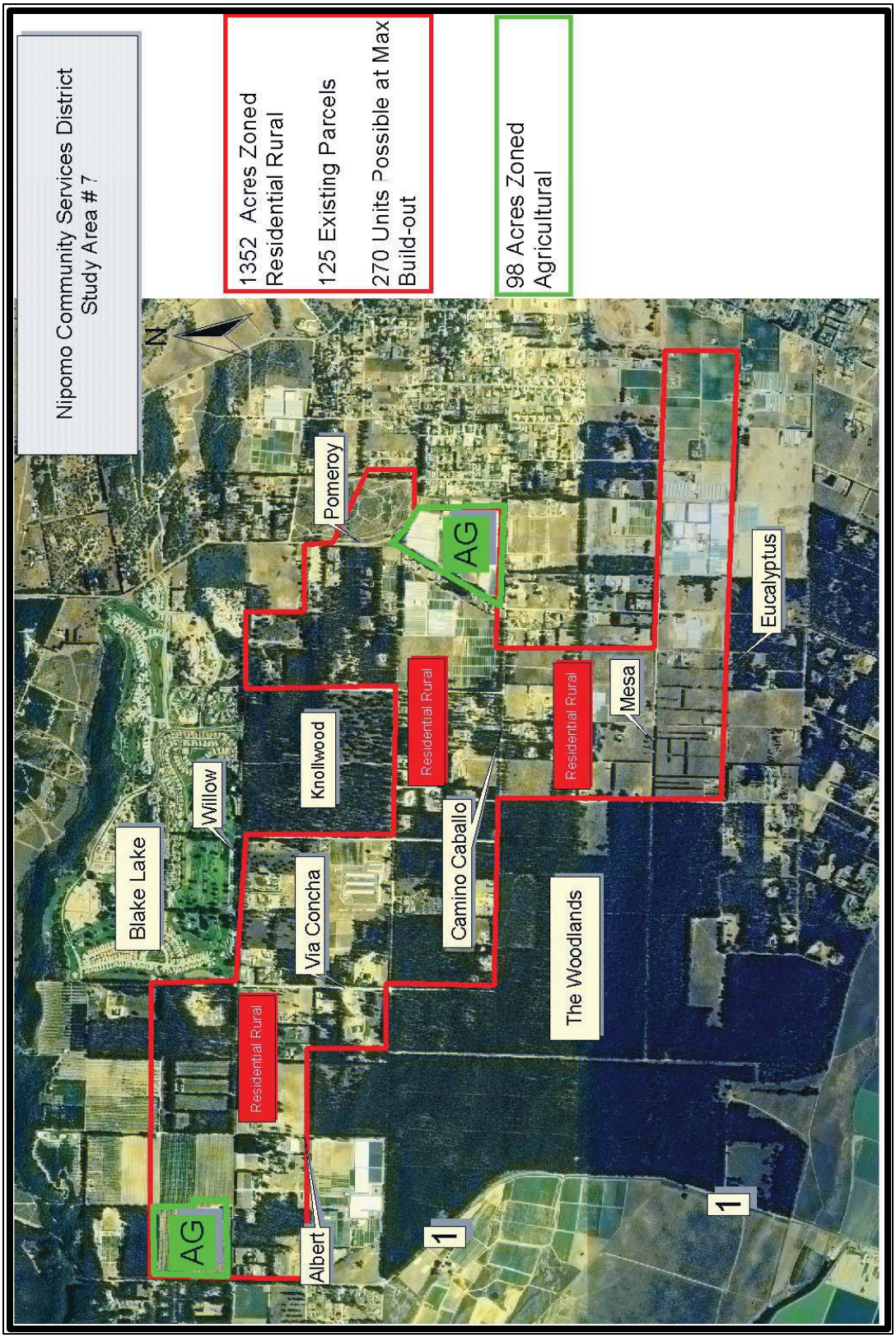


Figure 3-8: Study Area #6

Figure 3-9: Study Area #7



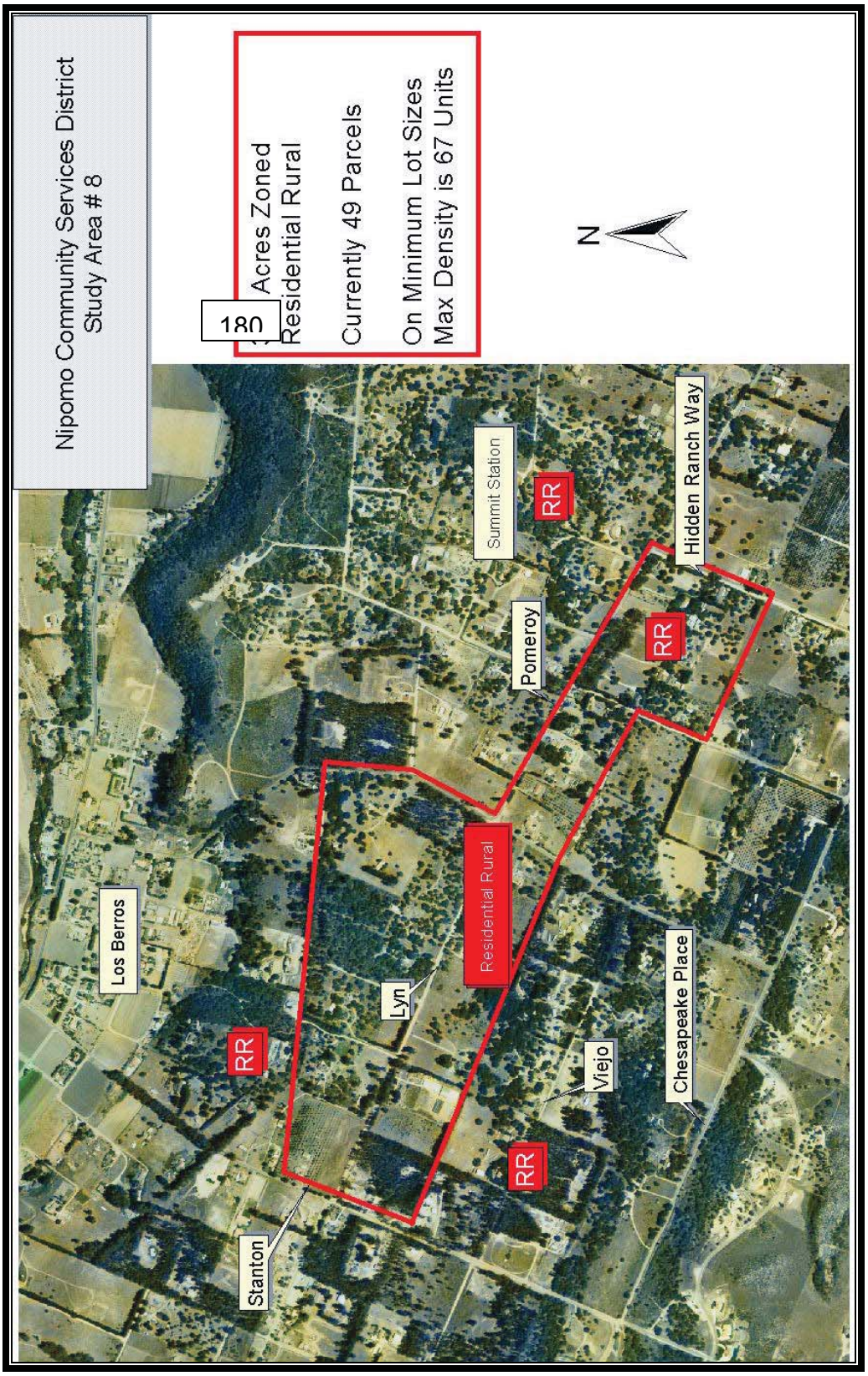


Figure 3-10: Study Area #8

CHAPTER 4

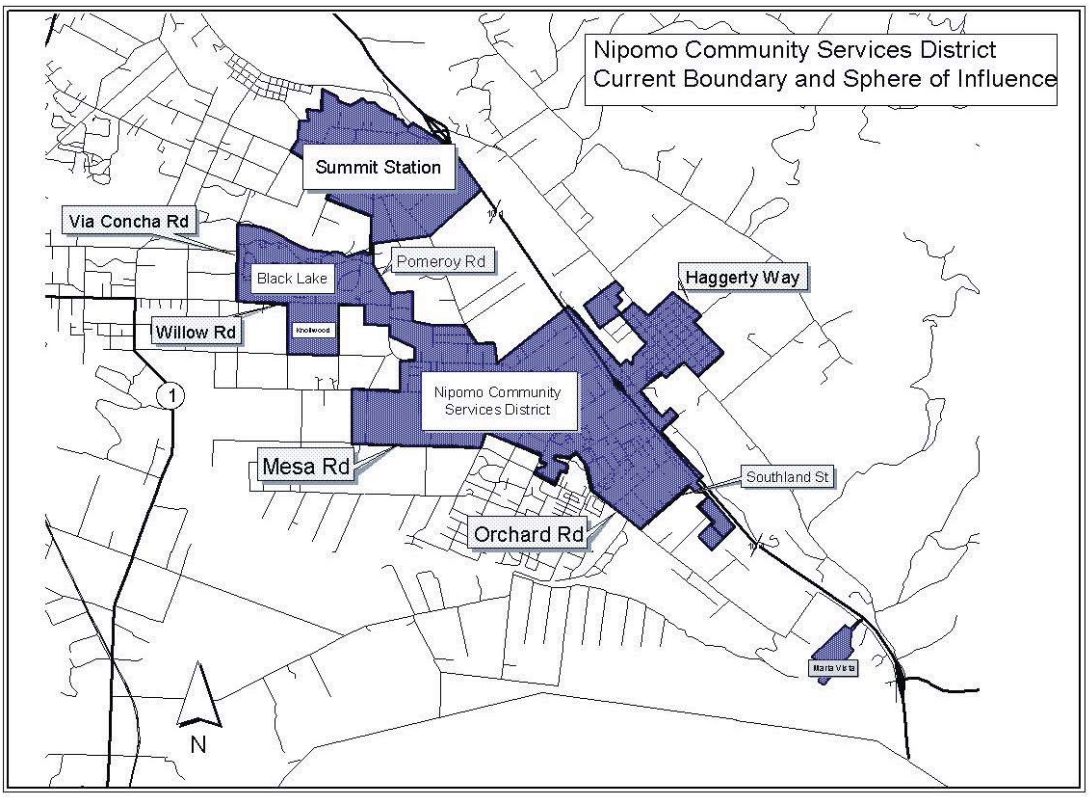
ENVIRONMENTAL SETTING – CUMULATIVE PROJECTS

This chapter provides an overview of the environmental setting within the District and eight Study Areas and identifies the Land Use Ordinance Amendment and Annexation proposals that may lead to cumulative impacts within these areas.

A. Environmental Setting

The area being studied is often referred to as the Nipomo Mesa. The Nipomo Community Services District is located along Highway 101 in the southern portion of San Luis Obispo County, California. The figure below shows the existing service area boundary and Sphere of Influence for the Nipomo Community Services District. The total area of the District is an estimated six square miles. The District is responsible for providing public services such as water, sewer, lighting, and landscape maintenance to these areas.

Figure 4-1: NCSD Service Area and SOI



Background

The South County area is comprised of the San Luis Bay and South County Land Use Planning Areas (as defined by the County Planning Department). The cities of Arroyo Grande, Pismo Beach and Grover Beach and the unincorporated communities of Nipomo and Oceano are located in this area. Much of the area, especially that portion closest to the coast, is tourist oriented and a major destination for visitors from throughout California. Attractive destinations, such as the Pismo State Beach and the Nipomo Dunes area, are valued recreational resources for county residents and outside visitors alike. Land uses within this large area are diverse ranging from urban uses in the incorporated Five Cities area and surrounding the Tefft Street interchange on Highway 101 in Nipomo, to rural residential and agricultural uses in the foothills and Nipomo Mesa areas. The Nipomo Mesa area lies within the South County Planning Area of the County of San Luis Obispo and is an unincorporated community of the County.

Climate

The Nipomo area has mild temperatures year round. On average, temperatures rise to a high of 80 degrees and dip to 42 degrees.

Population

The NCSD serves approximately 10,000 to 11,000 people within their service boundary. The 2000 census identified the total population for the Nipomo area as 12,626. The growth in population in the eight study areas being considered for inclusion in the NCSD's Sphere of Influence will depend on the type and density of development that occurs in those areas. If the Study Areas build out as currently zoned, an estimated 5,000 people would be added to those areas over the next 20 years.

Physiography

The Nipomo Mesa is the most prominent feature located in this area. The Mesa is bounded on the south by a steep bluff that rises to approximately 200 feet near the southern boundary of the Nipomo Urban Area. The bluff decreases in height

westerly and is only about 40 feet high at Highway 1. The Santa Maria River cuts into the bluff and travels west to the Pacific Ocean near Osos Flaco Lake.

The northern portion of the Mesa is more irregular in shape and height. It is approximately 350 feet high at Nipomo Hill, 250 feet high east of Los Berros, and about 300 feet high along the Dune Lakes to the northwest. Los Berros Creek cuts through the northeast portion of the Mesa and Arroyo Grande Creek shaped the northwest flank of the Mesa.

The surface of the Mesa is underlain by old (at least 40,000 years) sand dunes that predate the last Ice Age. The dune shapes are still evident in the surface topography of the Mesa. Linear ridges characterize the dunes and intervening closed depressions. This topography and the sandy soils of the Mesa are an important factor in groundwater recharge.

Blacklake Canyon is designated as a Sensitive Resource Area in the County General Plan and is located on the Mesa. This canyon was apparently cut by seeping from a large spring or springs during the last Ice Age. The ponds and marshes in the canyon support habitat and provide a source of water for wildlife.

Water Resources

The water supply situation in Nipomo has been the subject of much debate and study in recent years. Rapid growth over the last decade has placed the District, residents, and the community in an uncertain situation. A number of studies have been performed regarding the Santa Maria Groundwater Basin and Nipomo Mesa over the last several years, including:

- Water Resources of Arroyo Grande – Nipomo Mesa, 2002, Department of Water Resources
- Nipomo Community Services District-Draft Urban Water Management Plan, April 2003
- Water and Sewer System Master Plan 2001 Update, Boyle Engineering Corporation for the NCSD

- Water Resources Management Study for the Woodlands, Cleath and Associates, 1996
- San Luis Obispo County Master Water Plan, 2001
- Annual Resource Summary Report, County of San Luis Obispo 2000-2003
- 1998, EIR for The Woodlands Specific Plan
- 2002 Supplemental EIR for the GMO Amendment
- Ordinance No. 2957 amending the GMO adopted December 18, 2001
- Addendum to the 1998 EIR approved on December 17, 2002
- County Resolution No. 2002-556 approving the Vesting Tentative Tract Map for Tract 2341-The Woodlands
- Resolution No. 2002-554 making a determination and verification that sufficient water is available pursuant to Government Code 66473.7 for Tract 2341 for The Woodlands
- The Environmental Assessment of Water Resources Availability: Bartleson Development Plan
- Water Resources Evaluation-Nipomo Mesa Management Area, SAIC, May 28, 2003
- Proposed/Revised Draft Partial Statement of Decision-Santa Maria Groundwater Litigation-Case No. CV 770214 (Superior Court of the State of California County of Santa Clara)
- Nipomo Mesa Groundwater Resources Capacity Study; Papadoppulus, Inc.

The following section is based on the information found in the studies listed above and is a summary of that data.

The following description of the Santa Maria Valley Groundwater Basin is from the Department of Water Resources Report regarding Water Resources in the Arroyo Grande-Nipomo Mesa area that was released in 2002:

The source of water currently used by the NCSD to serve the approximately 10,000 people in the Nipomo area is from the District's wells extracting water from the Nipomo HSA of the Santa Maria Groundwater Basin and the Nipomo Valley Sub-basin. The Nipomo HSA is generally thought to be part of the larger Santa Maria Valley Groundwater Basin. The degree of separation between the Nipomo HSA and the Santa Maria Valley Groundwater Basin is disputed by experts.

The Santa Maria Groundwater Basin underlies more than 280 square miles (181,790 acres) in the southwestern corner of San Luis Obispo County and the northwestern corner of Santa Barbara County. Only a portion of the groundwater basin is within San Luis Obispo County, about 61,220 acres. Within the San Luis Obispo County, the main Santa Maria Basin underlies about 49,910 acres; Arroyo Grande Valley Sub-basin, 3,860 acres; Pismo Creek Valley Sub-basin, 1,220 acres; and Nipomo Valley Sub-basin, 6,230 acres. Both the surface area and the underlying permeable sediments form the basin.

Within San Luis Obispo County, the main Santa Maria Basin is bounded on the north and east by the Wilmar Fault, separating it from Arroyo Grande Valley, Pismo Creek Valley, and Nipomo Valley Sub-basins. The western boundary of the basin is the Pacific Ocean, although the basin is hydrologically continuous offshore beneath the ocean. On the south, the county line with Santa Barbara County forms a political boundary within the basin, but it has no hydrologic physical significance to the groundwater system.

The Arroyo Grande Valley Sub-basin is bounded by the alluvial contact with older geologic units between Lopez Dam and the Wilmar Fault. The Pismo Creek Valley Sub-basin is bounded by the alluvial contact with older geologic units between the southern boundary of Edna Basin, where bedrock narrows the creek channel, and the Wilmar Fault. The Nipomo Valley Sub-basin is bounded on the north and east mainly by the contact of the older alluvium and Orcutt Formation with older geologic units and is separated from the main basin on the west by the Wilmar Fault. The southern boundary of the sub-basin, which is the watershed boundary for Nipomo Creek, is the study area boundary.

The main groundwater basin is considered a composite aquifer system of unconfined conditions with localized semi-confined to confined conditions and perched zones. Discontinuous clay layers separate the multiple aquifer zones. The most productive and developed aquifers are in the alluvium and Paso Robles Formation. Aquifers in the Squire Member of the Pismo Formation and the Careaga Formation have, over time, become more important.

In Arroyo Grande Valley and Pismo Creek Valley Sub-basins, groundwater occurs in the alluvium, ranging in thickness from negligible to a maximum of about 175 feet in Arroyo Grande Valley Sub-basin. Groundwater is mainly unconfined. In some parts of the sub-basins, the alluvium may be saturated only during rainfall.

In the Nipomo Valley Sub-basin, groundwater occurs in the older alluvium, which covers the floor of the valley up to about 90 feet thick, thinning to negligible thickness toward the eastern edges of the sub-basin. Groundwater in the older alluvium is unconfined with local semi-perched conditions. The older alluvium stores a notable amount of groundwater and continues to supply some wells, although the older alluvium may be saturated only during rainfall at the eastern edges of the sub-basin. The bedrock formations underlying the older alluvium have, over time, become a more important source of groundwater supply in the Nipomo Valley Sub-basin.

Both natural and incidental sources recharge groundwater in the main Santa Maria Basin. Stream infiltration, deep percolation of direct precipitation, and subsurface inflow are sources of natural recharge. Incidental recharge to the basin includes deep percolation of urban and agricultural return water, treated wastewater returns, and septic tank effluent.

Stream infiltration from Arroyo Grande Creek, regulated by Lopez Dam since 1969, and from unregulated Pismo Creek recharges the Tri-Cities Mesa - Arroyo Grande Plain portion of the main groundwater basin. Stream infiltration from the Santa Maria River, regulated in part by Twitchell Dam since 1958, recharges the Santa Maria Valley portion of the main basin. The amount of recharge is related to the availability of stream flow.

Recharge to the groundwater basin by deep percolation of direct precipitation is intermittent, occurring during and immediately following periods of sufficient precipitation and varying from year to year, depending upon amount and frequency of rainfall, air temperature, land use, and other factors. Because no surface water flows into Nipomo Mesa, deep percolation of direct precipitation is the major source of natural recharge.

The Nipomo Mesa has minimal areas of surface water due to the sandy soil that allows water to penetrate into the ground at a rapid rate. The ponds along Blacklake Canyon are the key surface water resources in the area. These ponds are recharged from two sources: 1) Precipitation and 2) irrigation runoff.

Land Use

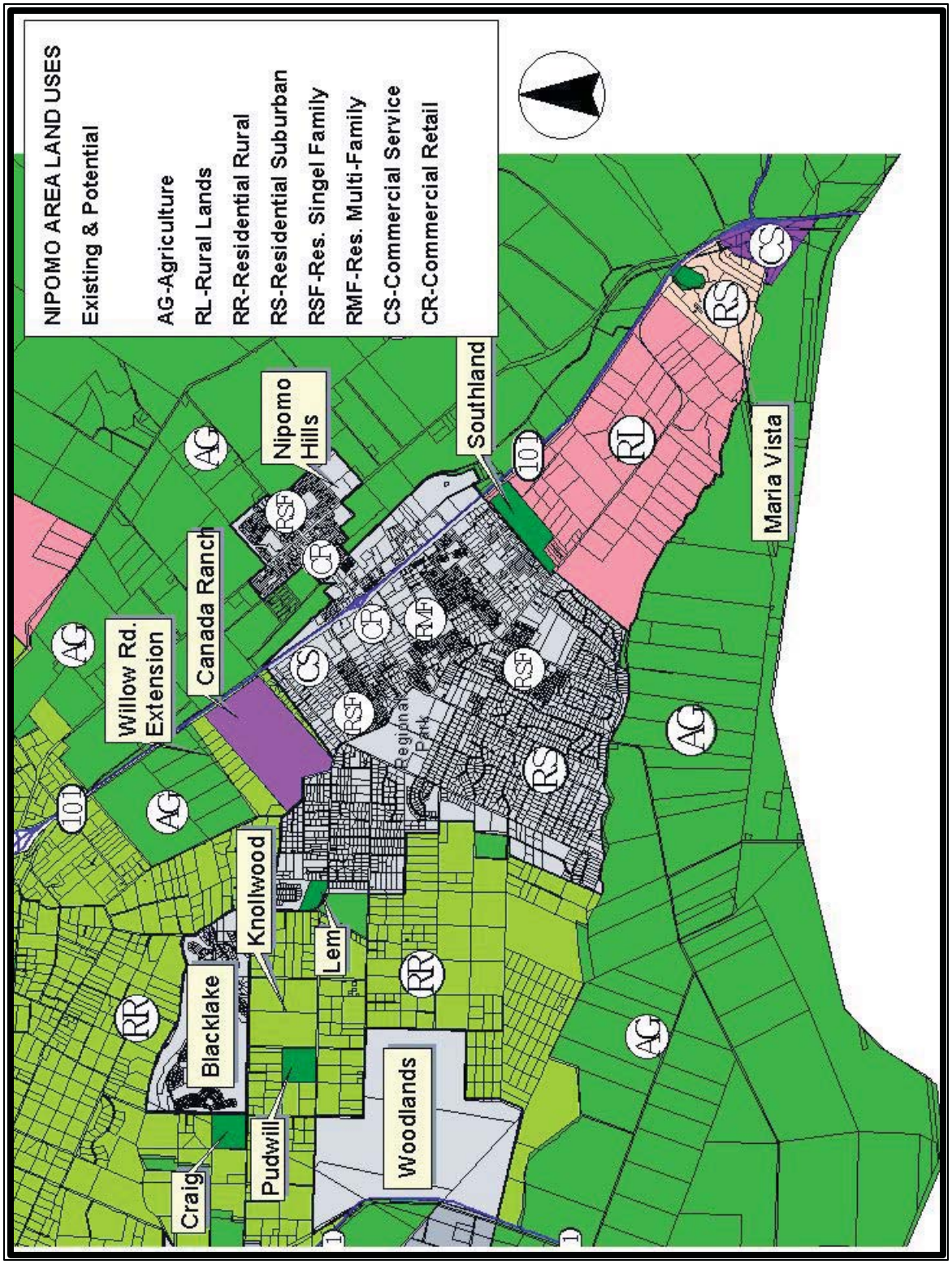
The Nipomo Mesa has a variety of land uses located throughout the area. There are large areas of land being used for agricultural purposes to the south, west, and east of the town of Nipomo; these uses include strawberry farming, greenhouses, orchards, seed production, equine facilities, and cattle. Much of the property directly west of the Nipomo Urban Reserve Line (Area #7) is zoned Residential Rural and is envisioned by the General Plan as being an urban separator. Figure 4-2 map shows land uses for the Nipomo Mesa and South County Area.

The County's General Plan governs the development of land in the Community of Nipomo. The District may provide the County with comments regarding land use decisions, but does not have authority over land use entitlements. Development projects are sometimes approved contingent upon receiving water and sewer services from a community water system such as the NCSD. The General Plan identifies the type and intensity of development allowed in each of several land use categories for the Nipomo area. As previously stated, the land surrounding the District's existing boundaries has been divided into eight study areas. Table 4-1 summarizes the existing zoning and acreage for those eight study areas:

Table 4-1: Existing Zoning Summary

Area	Acres	Land Use Category/Zoning	Notes
#1	1,082	Agriculture-420, Residential Rural-662	Cañada Ranch and Willow Road Extension
#2	132	Agriculture	Prime Agricultural land and Flood Plain
#3	266	Residential Single Family, Res. Suburban, Recreation, Agriculture	Areas to be annexed will be within the Urban Reserve Line
#4	1,522	Rural Lands-1, 173 acres, Residential Suburban-245 acres, Commercial Service, 104 acres	Includes Maria Vista, Strawberry fields, and rural lands
#5	1,350	Residential Single Family-154 acres, Residential Suburban-1, 196 acres	Mostly developed area
#6	950	Woodlands Specific Plan	Approved by the County
#7	1,375	Residential Suburban-28, Agriculture-83, Residential Rural-1,264	Urban Separator in County General Plan
#8	339	Residential Rural-339	Robertson Land Use Ordinance Amendment approved by County
Totals	**7,016**		

Figure 4-2: Land Use in Nipomo Mesa Area



Transportation and Circulation

The circulation system in the Nipomo area consists of regional highways, arterials, collector and local streets. U.S. Highway 101 is a multi-lane highway that serves as a principal north-south route between San Francisco and Los Angeles. Highway 101 provides access to many communities in San Luis Obispo County including Nipomo. In the Nipomo area, Highway 101 has four travel lanes with access provided into the town via Tefft Street. Los Berros Road to the north provides another access point, but it is used much less than Tefft Street. Willow Road is an arterial roadway that begins at Pomeroy Road on the east and extends west to Guadalupe Road. State Highway 1 merges with Willow Road at Guadalupe Road and is a two-lane road that travels south toward the town of Guadalupe. Orchard Road is an arterial that travels adjacent to Highway 101 and goes south from Tefft Street to the Maria Vista development. Division travels from Orchard Road to the east and Highway 1. Local roadways in the area include Albert Way, Via Concha, Amador Way, Sun Dale Way, Viva Way, Westwind Way, Calle Fresa, Dawn Road, Pomeroy Road, Camino Caballo, Mesa Road, and Banneker Place.

The South County area is served by an incomplete network of roads in the rural areas and many local and collector streets within the Nipomo urban area. The principal arterial route is State Highway 101 running north and south through the length of the study area. The north-south route of State Highway 1 serves the western side of the study area. State Highway 166 enters the study area in the southeast corner and terminates at Highway 101. Highway 166 extends to the east, crossing the Coastal Range, and connects to Interstate 5 in the San Joaquin Valley.

Highway 1 is specifically mentioned in the California Coastal Act of 1976. The State Legislature's intent is to maintain Highway 1 as a scenic two-lane road in rural areas; this provision applies to all areas outside the Urban Services Line in the current County General Plan and Local Coastal Plan. The California Coastal Commission has permitted only limited operational improvements in rural areas. The Nipomo Urban Services Line does not come near Highway 1 and none of the Village areas are considered "urban" for purposes of this application.

The following Figure 4-3 is from the South County Circulation Study and shows the key streets and roads in the Nipomo Area.

Figure 4-3: Major Nipomo Roads and Streets

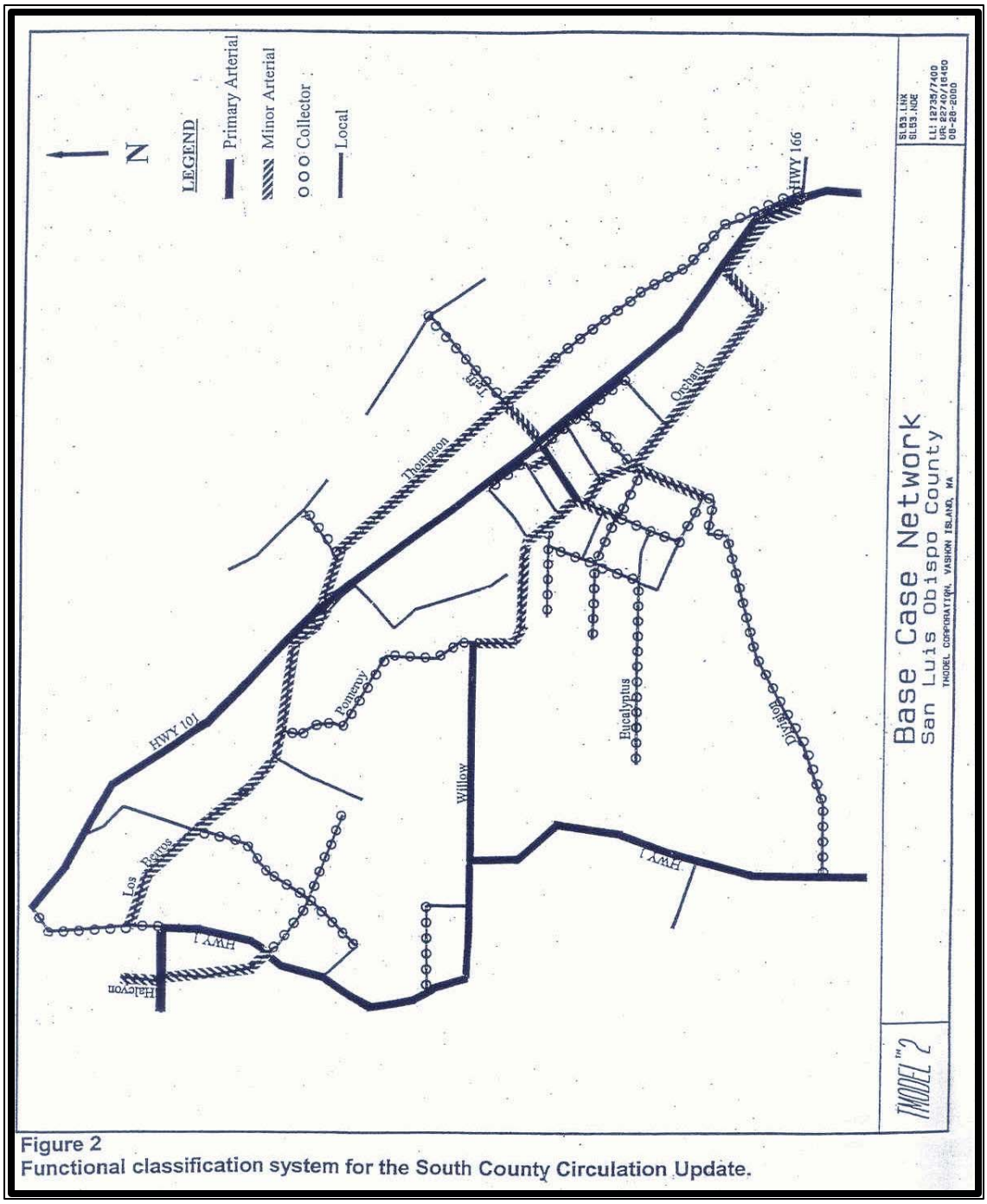


Figure 2
Functional classification system for the South County Circulation Update.

Cultural Resources

The Nipomo area contains more square meters of light-density cultural deposits than any other area in southern San Luis Obispo County. While this may be due to the large amount of surveys conducted for recent public and private projects, it is also felt to be related to the observed dispersal of archaeological resources over relatively flat, sandy terraces, which are all near water. Surveys conducted along the south, west and north sides of Nipomo Mesa have recorded many archaeological sites along the edge of the mesa but very few in the interior.

At least 19 archaeological sites have been identified in the general area around the community of Nipomo. These sites generally contain chipped stone artifacts (flint, flakes, tools, etc.), some of which contain a light density of shell fragments. Several of these sites have been identified as seasonal camps.

Prominent historical features of the Nipomo Mesa area include portions of the Pacific Coast Railway as well as the pre-1880 road which also crossed the project area. The project area is in the boundaries of the Nipomo Rancho, granted in 1837 to Captain William Goodwin Dana, and was likely used for wooded pasture. No structures of the Spanish-Mexican or Early American Periods are known to exist in the project area.

Geology and Soils

The project area, located within the Nipomo Mesa, has a surface elevation of approximately 300 feet above mean sea level. Elevation changes are due to smoothly eroded hills and shallow linear valleys. Surface elevations across the mesa gently decrease from east to west consistent with the coastal plain in the surrounding area.

Massive sand dune deposits whose thickness ranges from approximately 70 to 80 feet in the project area underlie the Nipomo Mesa and adjacent coastal areas. A narrow strip of stream (fluvial) deposits are present along Nipomo Creek and adjacent to its tributaries, generally areas east of Nipomo Creek. These deposits

consist of a combination of sand, gravel, silt and clay. Similar deposits may also occur within the dunes, along ancient channels of Nipomo Creek.

The project area, while located within the seismically active central coast region, lies outside any fault rupture zones (formerly Special Studies Zones) established by the Alquist-Priolo Act of 1972. Should a major earthquake occur in the area on any of these faults, significant ground shaking is expected to occur. The San Andreas Fault is considered the most likely to generate a major earthquake in the region in the near future. Such an earthquake is expected to produce moderate to strong ground shaking at the Nipomo Mesa. The potentially active Wilmar Fault has been mapped as crossing the project area east of Highway 101 in the vicinity of Nipomo Creek.

Biological Resources

The Nipomo Mesa Area has a variety of distinct vegetation and wildlife communities and significant biological features. Significant biological features are defined as plant or animal species of rare and/or endangered status, depleted or declining species, and species or habitat types of limited distribution, such as wetlands. Major vegetative communities found in the Nipomo area are discussed below:

Nonnative Grassland. Nonnative grassland generally occurs in open areas interspersed among oaks on fine-textured loam or clay soils that are somewhat poorly drained. This vegetation is dominated by nonnative grasses and weedy annual and perennial forbs (non-grasses). Typical nonnative grassland species include wild oat, soft chess, red brome, long–beak filaree, red stem filaree and Italian rye grass.

Valley Oak Woodland. Valley oak woodland is an open-canopied woodland dominated by valley oak with a grassy understory. Individual trees may reach 115 feet in height and canopy cover is usually below 30-40 percent. Valley oak woodlands occur on well-drained, alluvial soils in valley bottoms and on non-alluvial soils in the South Coast and Transverse Ranges. The habitat type occurs below 2,000 feet elevation in the Sacramento and San Joaquin Valleys along the foothills

of the Sierra Nevada, and the valleys of the Coast Ranges from Lake to Los Angeles Counties. Valley oak woodland intergrades with valley oak riparian forest near rivers and with blue oak woodland in drier locations. The resulting mixed forest may include valley and blue oak, with an understory of creeping wild rye and poison oak.

Blue Oak Woodland. Blue oak woodland intergrades with valley oak woodland, but generally occurs on drier slopes. This habitat varies in structure from open savanna to dense woodland. Blue oak woodland is typically found in the valleys and foothills of the southern and interior North Coast Ranges, in the South Coast Ranges, and the western foothills of the Sierra Nevada. Characteristic species of this community include blue oak, valley oak, California buckeye *(Aesculus californicus),* digger pine *(Pinus sabiniana),* scrub oak *(Quercus dumosa),* California coffeeberry *(Rhamnus californica),* and buckbrush *(Ceanothus cuneatUS).*

Disturbed Oak Woodland. Disturbed oak woodland generally includes remnants of woodland communities that were more widespread prior to the advent of agriculture or urbanization. A variety of native and nonnative grass and shrub species occur in the understory and between trees. Typically, this association occurs on roadsides, railroad rights-of-way, vacant lots, and the margins of agricultural lands.

Eucalyptus Woodland. Eucalyptus woodland is typically represented by dense stands of gum trees *(Eucalyptus spp.).* Plants in this genus, imported primarily from Australia, were originally planted in groves throughout many regions of coastal California as a potential source of lumber and building materials and for their use as windbreaks. They have increased their cover through natural regeneration, particularly in moist areas sheltered from strong coastal winds. Gum trees, commonly referred to as eucalyptus, readily naturalized in the state and, where they form dense stands, tend to completely supplant native vegetation, greatly altering community structure and dynamics. Very few native plant species are compatible with eucalyptus.

Central Coast Live Oak Riparian Forest. Central Coast live oak riparian forest is an open, low riparian forest dominated by coast live oak *(Quercus agrifolia).* This

association occurs on drier, slightly elevated floodplains along perennial streams, and typically occupies a transitional zone between moister cottonwood or willow-dominated communities and the more dry chaparral vegetation types. Central Coast live oak riparian forest occurs in canyon bottoms and on floodplains throughout the South Coast and Transverse ranges from Sonoma County to near Point Conception. Characteristic shrub or understory species include coyote bush *(Baccharis pilularis* ssp. *consanguniea),* buckbrush, desert elderberry, *(Sambucus mexicana),* southern honeysuckle *(Lonicera subspicata* var. johnstonii), California rose *(Rosa californica),* wild blackberry *(rub us ursinus),* mugwort *(Artemisia douglasiana),* and poison oak.

Central Coast Cottonwood-Sycamore Riparian Forest. Central Coast cottonwood-sycamore riparian forest is a riparian habitat dominated by western sycamore *(Platanus racemosa)* and Fremont's cottonwood *(Populus /remondi).* This association typically occupies coarse soils of the floodplains of sub-perennial streams. Cover is nearly complete and a dense thicket of shrubs may form in the understory. Central Coast cottonwood- sycamore riparian forest occurs in canyons and creeks throughout the South Coast. Characteristic species include western sycamore, Fremont's cottonwood, California buckeye, coast live oak, and arroyo willow *(Salix lasiolepis).*

Central Coast Riparian Scrub. Central Coast riparian scrub is a willow-dominated riparian community that forms a dense low thicket on sandy soils close to river channels with a high water table. This association represents an early seral community that may be succeeded by any of several riparian woodland or riparian forest vegetation types. Central Coast riparian scrub is distributed along perennial and intermittent streams of the South coast ranges from the San Francisco Bay to near Point Conception.

Central Maritime Chaparral. Central maritime chaparral is composed of a variety of shrubs to about nine feet in height that form a moderate to high cover. This plant association occupies sandy soils along the immediate coast within the fog incursion zone and occurs in scattered populations from Monterey County to northern Santa

Barbara County. Characteristic species include chamise *(Adenostoma fasciculatum),* Morro manzanita *(Arctostaphylos morroensis),* coyote bush *(Baccharis),* mock heather *(Ericameria ericoides),* sticky monkeyflower *(Diplacus aurantiacus),* black sage *(Salvia melli/era),* poison oak, California coffeeberry, coast live oak, and California sagebrush *(Artemesia californica).*

Freshwater Seep. Freshwater seep occurs throughout most of the state and is particularly common in permanently moist soils in grasslands and meadows. It is usually dominated by perennial herbs such as sedges and grass that form a complete cover. Typical freshwater seep vegetation includes Mexican rush *(Juncus mexicanus)* with lesser amounts of nodding stipa *(Stipa cernua),* long- beak fllaree *(Erodium botT)'s),* and soft chess *(Bromus mollis).*

B. Cumulative Projects

The CEQA Desk book defines Cumulative Impacts as "two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area; however, it should be noted that Nipomo has grown significantly over the past two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and Service Area. The growth in the area has also been driven by approvals at the County level; projects are approved by the County and are serviced through the setup of private service systems. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals include:

- Blacklake Development – Now within the District's SOI/Service Area
- The Woodlands – Outside the District's SOI/Service Area
- Maria Vista–Now within the District's SOI/Service Area
- Knollwood–Now within the District's SOI/Service Area

Pending Land Use Ordinance Amendments

The County has several Land Use Ordinance Amendments pending in the area with one being the Woodlands development.

Table 4-2: Cumulative Projects

Project	Description	NCSD Service Status
1. Cypress Ridge-PC approved-February 28, 2002	Change 123 acres from Residential Suburban to Recreation. Enable development of lodging (103 suites) and restaurant, and employee housing.	Not proposed for inclusion in SOI or the NCSD Service Area.
2. Summit Station-Draft EIR completed.	Remove area standard that limits further subdivisions of land near Summit Station Road and allow for additional secondary residences.	Currently served by NCSD. Could allow up to 99 new residences to be served by NCSD. Expansion of Summit Station area to include Robertson property.
4. Nipomo Oaks Partnership/Mehlschau: Accepted for processing - In the environmental review Process.	Change a 40-acre site from Agriculture to Commercial Retail, dis-establish agriculture preserve contract, also extends Urban Services Line to include other 425 acres of rural properties to the south.	Currently outside of Service Area. Being considered for inclusion into NCSD Sphere of Influence as part of this update.
5. Brand-EIR recommended	Change 72 acres from rural lands to 32 acres Residential Suburban and 40 acres of Commercial Service.	Currently outside of Service Area. Being considered for inclusion into NCSD Sphere of Influence as part of this update.
6. Craig/Lucia Mar USD: EIR required; NOP/RFP under preparation	Change 14.5 acres of 40-acre site from Rural residential to Recreation. Will include 16 residences and 500-student elementary school.	Currently outside of Service Area. Being considered for inclusion into NCSD Sphere of Influence as part of this

Project	Description	NCSD Service Status
		update.
7. Green Canyon/ Helenius: Approved in April by Board of Supervisors	Change 21 acres of 84 acres from Agriculture to Residential Rural. Includes agriculture buffers and trails plan and terminate Agriculture preserve status.	Currently outside of Service Area. Is not being considered for inclusion into NCSD Sphere of Influence as a part of this update.
8. Robertson: Negative Declaration and Board Approved application to the NCSD	Adds 9 lots to Summit Station area currently served by the NCSD	Currently outside of Service Area. Is being considered for inclusion into NCSD Sphere of Influence as part of this update.
9 Troesh: Scheduled for PC hearing	Change allowable uses to allow for woodchipping.	
10. Anderson: Scheduled for PC hearing	Change land use category on approx. 38-acre site from Ag to Residential Rural to allow the site to be subdivided into seven approx. five-acre parcels.	
11. A.J. Diani Construction: EIR required	Change land use category from Commercial Service to Industrial to allow for the development of a portable stand-alone asphaltic concrete plant and occasional operation of a portable lime treatment system, and a portable rubberized asphalt blending system as well as consider changing all surrounding CS category to Industrial.	

Pending Annexations

Several annexation applications have been submitted to LAFCO for consideration and are summarized below.

Table 4-3: Pending Annexation Applications

Project	Description	NCSD Service Status
1. Robertson Annexation (Completed)	Would add 9 lots to Summit Station area currently served by the NCSD. LUO Amendment Approved by the Board of Supervisors-Annexation application submitted to LAFCO	Currently outside of District's Service Area. Is being considered for inclusion into NCSD Sphere of Influence as part of this update.
2. Lem Annexation (Completed)	Includes 19 acres currently within the Urban Reserve Line. Would add 18 lots to the District. County consideration is pending, Annexation application submitted to LAFCO.	Currently outside of District's Service Area. Is being considered for inclusion into NCSD Sphere of Influence as part of this update.
3. Nipomo Hills	Would add 91 acres to the District for the purpose of residential development. County consideration is pending, Annexation application submitted to LAFCO. Part of the area is inside the Urban Reserve Line.	Currently outside of Service Area. Being considered for inclusion into NCSD Sphere of Influence as part of this update.

While the District's proposed Sphere of Influence does provide for public services to some undeveloped areas, these areas are subject to the County's Land Use approval process. Additions to the District's Service Area and Sphere of Influence are often reacting to a land use proposal approved or being considered by the County. The cumulative impacts of adding areas to the District's Sphere of Influence on land use are difficult to quantify because while public services may result in intensification of land use, there are examples of this intensification not occurring in areas once services are provided; i.e., Area #1 where waterlines have existed for years and Areas #3 and #5 where public service infrastructure is also close by and within the Urban Reserve Line.

It is more often that a project is approved by the County and then requests services from the District; i.e., Knollwood, Blacklake, and Maria Vista. This same process will likely be followed when the Cañada Ranch and Southland Specific Plan Areas are developed as foreseen in the County's General Plan. The process of land development is dependent upon a variety of factors, including a property owners

desires, the land use zoning and other regulations, available public services, and the economic feasibility of a particular project.

The analysis of cumulative impacts within each issue area in Chapter 5, Environmental Analysis, is based upon the list of development and annexation projects including the proposed projects that are in various stages of planning or development and are expected to contribute to cumulative impacts in the Nipomo Mesa area. These projects are located within the unincorporated areas of San Luis Obispo County. Table 4-2, Cumulative Projects, lists the projects used as a basis for these cumulative impact analyses.

CHAPTER 5

ENVIRONMENTAL ANALYSIS

An Initial Study for the NCSD's proposed Sphere of Influence was prepared by the Local Agency Formation Commission and was circulated between July 1, 2003 and July 31, 2003 with the Notice of Preparation (NOP) for this Draft EIR. The Initial Study identified issue areas, which in combination with comments received during the circulation of the NOP, have resulted in the evaluation of the following issues in this EIR.

5-1. Land Use and Planning

5-2. Population and Housing

5-3. Geology

5-4. Water

5-5. Air Quality

5-6. Transportation-Circulation

5-7. Biology

5-8. Energy and Mineral Resources

5-9. Hazards

5-10. Noise

5-11. Public Services

5-12. Utilities and Service Systems

5-13. Aesthetics

5-14. Cultural Resources

5-15. Recreation

The discussion of each environmental issue within this section adheres to the following format:

A. **Existing Conditions -** The existing environment within and in the vicinity of the project site is discussed from both a local and regional perspective.

B. **Thresholds of Significance -** Any relevant thresholds of significance as identified by CEQA or other relevant standards are noted.

C. **Project Impacts -** The nature and extent of project impacts relative to the issue areas noted above are analyzed. These analyses address direct (or primary) effects of the proposed project as well as its indirect (or secondary) effects. Where applicable, impacts are identified as short- or long-term.

D. **Cumulative Impacts -** The analysis of cumulative impacts within each issue area involves an identification of those incremental impacts of the project that are added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. The analysis of cumulative impacts within each resource issue is based upon a list of projects which are in various stages of project planning or development and are expected to contribute to cumulative impacts in the vicinity of the proposed project (see Section *N.C.* Cumulative Projects of this EIR for additional details concerning these cumulative projects).

E. **Mitigation Measures -** Measures to reduce or eliminate project impacts are provided with an identification of the timing of and the responsibility for implementation of these measures.

F. **Residual Impacts -** After evaluation of the identified project impacts, proposed mitigation measures and cumulative impacts, the residual (or remaining) significant impacts are identified. Within these analyses, the residual impacts are classified according to the following criteria:

Class I Impact - Significant adverse impacts that cannot be mitigated to a level of insignificance. Although mitigation measures may be proposed, these measures are not sufficient to reduce project impacts to a level of insignificance. These significant, unavoidable adverse impacts require the adoption of a Statement of Overriding Considerations by the Local Agency Formation Commission of San Luis Obispo, as Lead Agency, if the proposed project is approved.

Class II Impacts - Potentially significant adverse impacts which can be reduced to a level of insignificance or avoided entirely with the implementation of proposed mitigation measures.

Class III Impacts - Adverse impacts that are found not to be significant.

Class IV Impacts - Project impacts which are considered to be positive or of benefit to the site or the adjacent environment, or of no impact at all.

CHAPTER 5.1
LAND USE AND PLANNING

A. Existing Conditions–San Luis Obispo County General Plan

State law requires that the County have a General Plan with goals, policies, and programs that regulate the use of land in the unincorporated areas of the County. The San Luis Obispo County General Plan governs land use within the unincorporated community of Nipomo and the surrounding area. The plan is composed of several parts or elements as follows:

- *Land Use**
- *Circulation* (sometimes combined with land use)*
- *Housing**
- *Conservation**
- *Agriculture and Open Space**
- *Safety**
- *Noise**
- *Historic*
- *Recreation*
- *Energy*
- *Offshore Energy*

The elements listed above followed by an asterisk (*) are required by State law. The law also allows the adoption of optional elements of the General Plan to address specific issues that may not be covered in sufficient detail by the other elements. The historic, recreation, offshore energy, energy and agriculture and open space elements are optional.

Land Use Element and Local Coastal Plan

The Land Use Element (LUE) and Local Coastal Plan (LCP) establish the overall policies for land use in the unincorporated County for both inland and coastal areas. The LUE is composed of four sections: Framework for Planning, the Area Plans, the Coastal Program Policy document, and the official maps.

Framework for Planning

This section of the LUE contains policies, programs and procedures that apply Countywide and explains how the element is to be used with other adopted plans. The framework section describes the various land use categories that apply to the unincorporated County, the allowable land uses within each category, and typical building intensities (parcel sizes, population, and building densities). There is also a Coastal Framework for Planning that describes the policies, programs and land use categories that apply to lands within the Coastal Zone.

Area Plans

The LUE includes 13 area plans that address specific land use issues affecting the unincorporated communities and regions within the County. The area plans supplement and refine the general goals, policies and programs contained in the framework section and help to make the planning process more localized. The area plans describe where land use categories are to be applied and discuss population growth and economic conditions, public services, and circulation. The South County Area Plan governs growth and development in the Nipomo Area.

Official Maps

The Official Land Use Maps illustrate where the various land use categories are to be applied in the unincorporated County. Each area plan contains land use maps that provide more detailed illustrations of where the land use designations are applied.

Combining Designations

The diverse environmental and built features of San Luis Obispo County create a need for more careful review of development projects in areas where new development could adversely affect sensitive resources or result in the exposure of people or property to natural hazards; for this reason, the LUE and LCP contain combining designations that identify areas with characteristics that are either of public value or are natural hazards. The combining designations are applied to the

basic land use designations in the unincorporated County as described in each area plan. Those plans are as follows:

- Airport Review Area
- Archaeologically Sensitive Area
- Geologic Study Area
- Sensitive Resource Area
- Flood Hazard
- Historic
- Energy and Extractive Area
- Local Coastal Plan
- Visitor Service Area

Agriculture and Open Space Element

Agriculture forms a substantial component of the County's economy. To help preserve the viability of agriculture in the County. The Planning Department recently published a Draft Agriculture and Open Space Element of the San Luis Obispo County General Plan that contains goals, policies and programs that promote the preservation of productive agricultural lands. Because agricultural lands comprise such a large segment of the total land within the County (65 percent), it is possible that new or expanded energy facilities may be located on such lands. Policies in the Draft Agriculture and Open Space Element governing the conversion of agricultural lands to other land uses will be particularly important when considering siting of future energy facilities.

Circulation Element

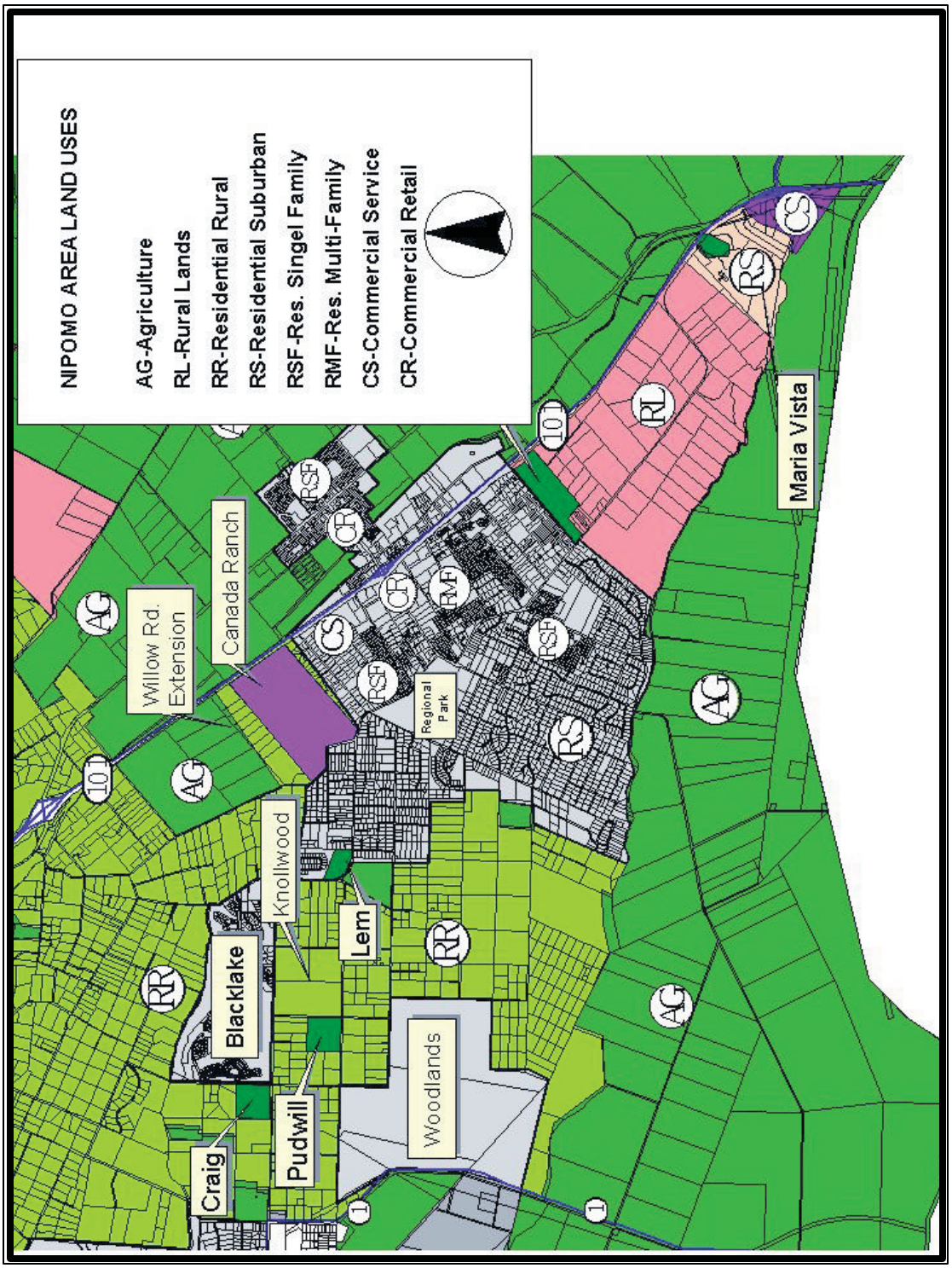
The Circulation Element of the General Plan describes how the County plans to provide for the transportation of people and materials within the unincorporated County. The Circulation Element is contained within the framework section and describes the overall policies for vehicular and non-vehicular circulation. Each of the area plans contains more specific circulation plan maps that implement the overall policies of the Circulation Element.

Because the transportation of goods and people is generally an energy-intensive activity, the policies and programs contained in the Circulation Element have a direct effect on the use and demand for energy in the County. The Circulation Element recognizes the need to develop alternate forms of transportation that lessen the use of energy-consuming vehicles by encouraging pedestrian and transit facilities to be incorporated into new development and by establishing land use patterns that reduce the commute between homes and jobs.

Land Use

The Nipomo Mesa has a variety of land uses located throughout the area. There are large areas of land being used for agricultural purposes to the south, west, and east of the town of Nipomo; these uses include strawberry farming, greenhouses, orchards, seed production, equine facilities, and cattle. Much of the property directly west of the Nipomo Urban Reserve Line (Area #7) is zoned Residential Rural and is foreseen by the General Plan as being an urban separator. The zoning of the area generally reflects this diversity of land uses. The following map (Figure 5.1-1) shows land uses for the Nipomo Mesa and South County Area.

Figure 5.1-1: Land Uses



The community of Nipomo comprises the only unincorporated urban area within the South County Planning Area. The Urban Reserve Line established in the South County Area Plan encompasses approximately 3,951 acres. The intent of the plan is to focus development to these urban areas and maintain the areas in between as rural buffers to carry on some of the rural character (South County Area Plan).

The County's General Plan governs the development of land in the community of Nipomo. The NCSD may provide the County with comments regarding land use decisions but does not have authority over land use entitlements. Development projects are sometimes approved contingent upon receiving water and sewer services from a community water system such as the NCSD. The General Plan identifies the type and intensity of development allowed in each of several land use categories for the Nipomo area. As previously stated, the land surrounding the District's existing boundary has been divided into eight areas by LAFCO staff for study. The following table summarizes the existing zoning and acreage for those eight areas:

Table 5.1-1: Existing Study Area Zoning and Acreage

Area	Acres	Land Use Category/Zoning	Notes
#1	1,082	Agriculture, 420; Residential Rural, 662	Cañada Ranch and Willow Road Extension
#2	132	Agriculture	Prime Agricultural land and Flood Plain
#3	266	Residential Single Family, Res. Suburban, Recreation, and Agriculture	Areas to be annexed will be within the Urban Reserve Line
#4	1,522	Rural Lands, 1,173 acres; Residential Suburban, 245 acres; Commercial Service, 104 acres	Includes Maria Vista, Strawberry fields, and rural lands
#5	1,350	Residential Single Family, 154 acres; Residential Suburban, 1,196 acres	Mostly developed area
#6	950	Woodlands Specific Plan	Approved by the County
#7	1,375	Residential Suburban, 28; Agriculture, 83; Residential Rural, 1,264	Urban Separator in County General Plan
#8	181	Residential Rural, 181	Robertson Land Use Ordinance Amendment (63) approved by County and Annexation approved by LAFCO

The following is a description of the land use categories/zoning used by the County in the South County Planning Area to manage and direct development and growth. The District does not have land use authority, however the provision of public services such as water and sewer does increase the likelihood that an area may be developed. The following land use categories exist in Nipomo:

Agriculture

This land use category designates areas that have existing or potential production capability. Agriculture has been and still is the most widespread use of land in the South County Planning Area. The Study Areas for the District's Sphere of Influence are surrounded by land that is zoned as Agriculture. Within the Study Areas include

approximately 757 acres of agriculturally zoned land found in Study Areas 1, 2, 3, and 7. Minimum parcel sizes for agriculturally zoned areas range from 20 acres to 320 acres, depending on the method used to calculate the parcel size. Three methods are identified in the County Land Use Ordinance and include size based on existing use, size based upon land capability, and size based on agriculture preserve status. Each method has " tests" that determine the minimum parcel size for an area zoned Agriculture. These tests are described in detail in Chapter Four of the County Land Use Ordinance-Title 22.

Agricultural Preserves established under the Williamson act are located in several of the Sphere of Influence study areas and in the surrounding Nipomo Area. The Williamson Act allows local jurisdictions to establish agricultural preserves consisting of existing agricultural or other vacant lands. The property enters into a long-term agreement to restrict the use of their property to agricultural uses rather than converting the land to another more intensive use. In exchange the property owner receives a property tax assessment based on the agricultural uses and not the lands "highest and best use" . Withdrawal from a Williamson act agreement can occur if the property gives the jurisdiction notice of Non-Renewal. After providing this notice the land remains in preserve status for 10 years.

Approximately 33,000 acres of land are under Williamson contract in the Nipomo Mesa and Nipomo Valley Areas. Most of the preserves are located outside the Study Areas for the District Sphere of Influence with approximated 867 acres located within the Sphere of Influence Study Areas. The following Table shows the preserves in the Nipomo Mesa and the Nipomo Valley areas:

Table 5.1-2: Agricultural Contracts/Preserves

Property Owner	Acres	Non-Renewal Status	Study Area
Nipomo Mesa			
1. Kaminaka	60	Expiration date 1/1/98	Study Area #7
2. Taylor	91	Expiration date 1/1/96	Study Area #7
3. Pudwill	40	Expiration date 2/7/97	Study Area #7
4. Withrow	228	Has not applied	Outside Study Areas
5. Andersen	12	Expiration date 1/1/97	Within District's Service Area
6. Peck	10	Cancelled Contract 4/5/88	Within District's Service Area
7. Koch	30	Has not applied	Study Area #7
8. Rogan	15	Has not applied	Study Area #7
Nipomo Mesa	486		
Nipomo Valley			
1. Cañada	162	Has not applied	Outside Study Areas
2. Cavaletto	210	Has not applied	Outside Study Areas
3. Cooper	294	Has not applied	Outside Study Areas
4. Cossa	865	Has not applied	Outside Study Areas
5. Cossa	261	Has not applied	Outside Study Areas
6. Dana	264	Has not applied	Outside Study Areas
7. Donovan	219	Has not applied	Outside Study Areas
8. Dunn	84	Has not applied	Outside Study Areas
9. Dunn	514	Has not applied	Outside Study Areas
10. Enos	285	Has not applied	Outside Study Areas
11.Grisinger	99	Expiration date 1/1/93	Outside Study Areas
12. Grisinger	387	Expiration date 1/1/93	Outside Study Areas
13.Kennedy	20	Has not applied	Outside Study Areas
14.McBride	145	Has not applied	Outside Study Areas
15.Mehlschau	198	Has not applied	Outside Study Areas
16. Mehlschau	391	Expiration date 1/1/96	Study Area #1
17. Mehlschau	40	Has not applied	
18. Mehlschau	19	Has not applied	Outside Study Areas
19. Mehlschau	213	Expiration date 1/1/99	Outside Study Areas
20. Mehlschau	192	Has not applied	Outside Study Areas
21.Newhall	2750	Expiration date 1/1/95	Outside Study Areas
22.Porter	91	Transferred to #24	Outside Study Areas

Property Owner	Acres	Non-Renewal Status	Study Area
23.Walsh	228	Has not applied	Outside Study Areas
24.Wiliams Bros.	70	Expiration date 1/1/98	Outside Study Areas
25.Wineman	331	Has not applied	Outside Study Areas
26. Wineman	657	Has not applied	Outside Study Areas
27. Wineman	850	Has not applied	Outside Study Areas
28.Cavaletto	60	Expiration date 1/1/09	Outside Study Areas
29.Dunn	10	Has not applied	Outside Study Areas
30.Newhall	15,750	Has not applied	Outside Study Areas
31.Wineman	2,858	Has not applied	Outside Study Areas
32. Miller	135	Has not applied	Outside Study Areas
33.Adam	575	Has not applied	Outside Study Areas
34.Reber	1,141	Has not applied	Outside Study Areas
35.Mehlschau	248	No contract	Outside Study Areas
36.Cooper	908	Has not applied	Outside Study Areas
37.Dana	25	Has not applied	Outside Study Areas
38.Dana	51	Has not applied	Outside Study Areas
39.Dana	155	Has not applied	Outside Study Areas
40.Renetsky	158	Expiration Date 1/1/99	Outside Study Areas
41.Dana	847	Has not applied	Outside Study Areas
42.Dana	182	Has not applied	Study Area #2
43.Dana	58	Has not applied	Study Area #3
44.Dana	44	Has not applied	Outside Study Areas
45.Wineman	581	Has not applied	Outside Study Areas
46.Mankins	160	Has not applied	Outside Study Areas
47.Markshettel	53	Expiration date 2/17/9?	Outside Study Areas
48.Vidal	100	Has not applied	Outside Study Areas
49.Vidal	45	Has not applied	
50.Garrison	58	Has not applied	
51.Cuerro	2,417	Has not applied	Outside Study Areas
52.	0	Has not applied	
53.Baker	715	Has not applied	Outside Study Areas
54. Dunlap	120	Has not applied	Outside Study Areas
Nipomo Valley	37,293		
Total	37,779		

Property Owner	Acres	Non-Renewal Status	Study Area
Acres Withdrawn	4,334		
Net Acres in Contract	33,445		

Source: County of San Luis Obispo Department of Planning and Building

Residential Rural

This land use designation provides for estate-sized residential lots or small farms of five acres or larger. These areas are generally unsuitable for commercial agriculture because of topography, small property size, broken ownership patterns, and prior residential commitments. There are currently 10,317 acres (or 12.5%) of the South County Planning Area designated for this use. Many of the rural residential areas are undeveloped and often lack adequate circulation and road improvements, including a lack of trails and areas for horseback riding that are associated with a rural residential character. According to the South County Area Plan, "the rural residential density on the mesa recognizes that services are not generally available for higher densities and are not planned." This designation also "recognizes both the potential for continued agricultural uses as well as potential development of large-lot rural homesites." Residential Rural zoning can be found in Study Areas 1, 662 acres; 7, 1,264 acres; and 8, 339 acres. This is a total of approximately 2,265 acres of land that is zoned Residential Rural.

Properties in the Residential Rural zoning category can achieve a minimum parcel size ranging from 5 to 20 acres depending upon the circumstances of a particular parcel. Several tests are applied to calculate the minimum parcel size for an area, including remoteness, fire/hazard response time, access, and slope. These tests are described in detail in Chapter Four of the County Land Use Ordinance-Title 22, which can be found in Appendix B of this document.

Residential Suburban

This land use designation allows for single-family residential development on estate-sized lots in a semi-rural, suburban setting within the urban and village areas or in older existing rural subdivisions. This zoning category encourages clustering of

allowed densities where there are important open space attributes that are a community resource or where sensitive habitats exist.

Properties in the Residential Suburban zoning category can achieve a minimum parcel size ranging from 1 to 5 acres depending upon the circumstances of a particular parcel. Two tests are applied to calculate the minimum parcel size for an area: a Slope Test, and a Water and Sewer Test. The one with largest minimum parcel size is used. These tests are described in detail in Chapter Four of the County Land Use Ordinance-Title 22, which can be found in Appendix B of this document, and are briefly described below:

Slope Test. The Slope Test calculates the average slope of a parcel in a percent relative to vertical rise and horizontal distance. The greater the slope the larger the minimum parcel size. For example, the minimum parcel size for a parcel with a slope between 0-15% is one acre. If the slope is 16-30%, the minimum parcel size is 2-2.5 acres, depending on if it is in a Geologic Study Area. Over 30% the minimum parcel size is 3-5 acres depending on if the parcel is in a geologic study area.

Water and Sewer Test. If a parcel has access to community water and sewer the minimum parcel size is one acre. If a parcel is proposed with an individual well and septic the minimum parcel size is 2.5 acres.

Within the Study Areas, Residential Suburban includes 84 acres in Study Area 3; 1,196 acres in Study Area 5; and 28 acres in Study Area 7. The land in Study Area 5 is largely built-out under the Residential Suburban land use designation and Study Area #3 is undeveloped.

Recreation

This land use designation identifies areas having recreational potential where private of public development of recreational uses can be encouraged when not in conflict with surrounding rural and agricultural uses. This zoning category allows for resort-oriented development that can integrate residential uses into the development

pattern. An example of this zoning category in the Nipomo area is the Blacklake Golf Course development that was completed under a Specific Plan approved by the County in 1983. The minimum parcel size for the Recreation land use category is determined by the Review Authority through a Development Plan unless the Area Plan or a Specific Plan states a minimum parcel size. The minimum parcel size for projects in this land use designation shall range from 20 to 1 acre outside Urban and Village Areas and 20 acres to 6,000 square feet for project inside Urban and Village Areas.

Rural Lands

This land use category encourages rural development of areas having limited agricultural capability at very low densities with the purpose of preserving open space, watershed and wildlife habitat areas. Typical Rural Land areas maintain low population in rural areas outside of urban and village reserve lines where an open and natural countryside with very low development intensity is preferred.

The minimum parcel size for new lots in the Rural Lands category is based upon site features including remoteness, fire hazard and response time, access, and slope. The minimum parcel size can range from 20 to 320 acres, depending upon the circumstances of a particular site. Several tests are applied to determine the minimum parcel size for a location, including remoteness, fire hazard/response time, access and slope. These tests are described in detail in Chapter four of the County Land Use Ordinance-Title 22, found in Appendix B of this document.

Residential Single Family

The Residential Single Family zoning category provides for single-family homes on urban-sized lots of less than one acre and mobile home developments in communities with full urban services. The minimum parcel size is based upon the type of public road serving the property, topography and terrain, and the type of sewer system. The minimum parcel size can range from 6,000 square feet to one acre, depending of the circumstances of a particular site. A series of "tests" are applied to determine the minimum lot size for a site or area. These tests include

access, slope and sewer. These tests are described in detail in Chapter Four of the County Land Use Ordinance-Title 22, which can be found in Appendix B of this document.

This land use category is found in Study Areas #3 and #5. The 91-acre site in Study Area #3 is vacant and is within the County's Urban Reserve Line. The land zoned residential single family in Study Area #5 is already built-out.

Commercial Service

This land use category provides for commercial or industrial services and light manufacturing where they will not adversely affect surrounding properties. Study Area #4 has approximately 104 acres of land zoned Commercial Service. The minimum parcel size depends on whether the site has community water and sewer or is on an individual well and septic system. The minimum parcel size ranges from 6,000 square feet to 2.5 acres, depending on if the location has community water and sewer or an individual well and septic.

Clustering

The Clustering provision of the County's Land Use Ordinance allows for smaller lot sizes to preserve more open space or habitat area on a parcel for the Rural Lands, Recreation, Residential Rural, Residential Suburban and Residential Single-Family land use categories. The number of parcels allowed for a site is established by applying the previously discussed minimum parcel size tests. This means that no increases in density can occur through clustering unless a parcel meets the Density Increase Bonus provision in the Clustering section. This provision allows for a nominal increase in the number of lots of an area with a Residential Single Family or Residential Suburban zoning category using the gross site area instead of net site area to calculate the minimum parcel size. The net site area excludes street rights-of-way and easements that limit the surface use of the site for building construction. The actual number of lots created by the bonus is usually very low since the difference between the gross and net site area is not normally a large amount of area.

B. Thresholds of Significance

The proposed project would represent a significant land use impact if it were to conflict with an adopted general plan land use designations, environmental plans or adjacent land uses. The proposed project would have a significant impact if it affects agriculture resources or operations. The conversion of the agricultural soils is considered to be a significant adverse impact. Class I and Class II soils are considered to be prime agricultural soils

The proposed project will have a significant impact if it would "disrupt or divide the physical arrangement of an established community, conflict with adopted environmental plans and goals of the community where it is located, convert prime agricultural land to non-agricultural use or impair agricultural land or conflict with established recreational, educational, religious or scientific uses of the area." For the purposes of this EIR, a project-related land use impact is considered significant if the Sphere of Influence would directly cause a change in zoning or a substantial intensification of land use in a particular Study Area.

C. Project Impacts

The proposed project would not directly result in any changes in land use for the involved properties. The proposed project could, however, represent the first step in development of any undeveloped property in the SOI. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of steps, including but not limited to a Land Use Ordinance Amendment, Specific Plan, a Subdivision Tract/Parcel Map, Conditional Use Permit approval, and Annexation approval by LAFCO. These above-listed discretionary approvals would require the preparation of additional environmental documentation (CEQA) to address any potential land use and planning impacts.

Public services can increase the likelihood that an area may be developed or that a property owner may apply for a zone change; in either case, approvals such as a Land Use Ordinance Amendment, Conditional Use Permit, or Tract/Parcel Map are

generally needed from the County prior to development. It should be noted that it is unknown at this time if the expanded Sphere of Influence would cause such changes to any of the eight Study Areas. Using the existing land use designations to estimate the development potential for each of the eight areas, the following table shows the estimated development potential for each area as currently zoned:

Table 5.1-3: Development Potential-Existing/Anticipated Zoning

AREA	PROJECTED LAND USE (DU=Dwelling Units)	DWELLING UNITS (DU)	PROJECTED POPULATION INCREASE (3.00 persons/unit)
1	420 acres of Agriculture x 2 unit/6 parcels =	12 du	36
	462 acres of Residential Rural x 1 unit/5 acre =	184 du	552
	Cañada Ranch Specific Plan=	169 du	588
2	132 ac. Agriculture x 2 units/ parcels =	2 du	6
3	(1) 91 acres of Residential Single Family X 4 units/acre=	364 du	1092
	84 acres of Residential Suburban X 2 unit/acre =	168	504
	84 units		
4	Southland Specific Plan =	100 du	324
	1,173 of Rural Lands X 2 nit/20 acres=	118	354
5	Residential Single Family & Residential Suburban	Nearly built-out	Nearly built-out
6	(2) Woodlands Specific Plan Area	1,320 du Request not to be included	3,960 Request not to be included

AREA	PROJECTED LAND USE (DU=Dwelling Units)	DWELLING UNITS (DU)	PROJECTED POPULATION INCREASE (3.00 persons/unit)
7	1,325 acres of Residential Rural X 2 unit/5 acres=	530 du	1590
8	180 acres of Residential Rural X 2 unit/5 acres =	72 du	216
TOTALS		**1,355 du**	**4,065**
Deduct 20% build-out factor		271 du	813
Adjusted Total		**1,084du**	**3,252**

(1) Land Use Ordinance Amendment would be needed to increase density.

(2) Woodlands is an approved project and is not included in calculation.

(3) Based on estimated 10,000 people currently living within the District.

Other actions such as approval of a Specific Plan, Conditional Use Permit, or an Annexation may also be needed prior to an area being served by the NCSD, however, inclusion of an area within a Sphere of Influence of a utility provider represents the initial step in the future extension of services to an area and may represent the elimination of a potential constraint upon future development in that area.

It should be noted, however, that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment.
- Approval of a Specific Plan.
- Conditional Use Permit (Minor Use Permit/Development Plan approvals.
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area. A Land Use Ordinance Amendment, Specific Plan, or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community

character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The NCSD SOI is a contributing factor to continued growth and development in the Nipomo area it should be noted, however, that Nipomo has grown significantly over the past two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer (i.e., Woodlands, Blacklake).

While the NCSD's Sphere of Influence does provide for public services to some undeveloped areas, these areas are subject to the County's Land Use approval process. Additions to the District's Service Area and Sphere of Influence are often reacting to a land use proposal approved or being considered by the County. The cumulative impacts of adding areas to the District's Sphere of Influence on land use are difficult to quantify because while public services may result in intensification of land use, there are examples of this intensification not occurring in areas once services are provided. For example Area 1, where waterlines have existed for years, and Area 3, where public service infrastructure is also close by and within the URL. It is more often that a project is approved by the County and then requests services from the District, i.e., Knollwood, Blacklake, and Maria Vista.

Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas by providing public services (water and sewer). While in this case the NCSD does not control land use decisions (the County), the provision of public services can affect the intensity and type of land development in a particular area. The Initial Study identified the following land use and planning impacts as potentially significant:

> Impact LU-1. Including all eight Study Areas, could conflict with general plan designation, zoning or land use policies in the Nipomo Area.

The land use planning process is designed specifically to review projects for General Plan consistency. Inconsistencies or conflicts between the Sphere of Influence and the County General Plan or zoning can be resolved through LAFCO review and evaluation of annexations or through County land use approvals. The following is a more detailed discussion of the planning process and regulations that may apply.

Density is determined based on the existing zoning of a property. The zoning allows for the type of use and helps determine the minimum size of the lot that may be allowed, providing certain criteria are met. Minimum lot sizes under existing zoning, subject to the standards shown in the table below, effectively establish the density of a particular property or area. To modify or change density, the zoning would need to be changed through a Land Use Ordinance Amendment.

A key factor in determining the density of a property or site is whether or not it has access to an adequate water supply and sewer system. Access to community water and sewer can enable a property or site to reach the minimum lot size allowed by its existing zoning. The minimum lot size under the existing zoning, however, cannot be changed to increase density unless a Land Use Ordinance Amendment is approved by the County. If community water and sewer are available, but the zoning will not allow an increase in density, a property owner may request that the zoning be changed through a Land Use Ordinance Amendment.

Table 5.1-4 shows the minimum lot size allowed with and without community water and sewer for residential development.

Table 5.1-4: Minimum Lot Sizes Allowed

Land Use	Lot Size allowed with Community Water	Lot Size allowed without Community Water	Lot Size allowed with Community Sewer	Lot Size Allowed without Community Sewer
Residential Multifamily Residential Single Family	Community Water is required to develop land in these categories Other applicable Standards: Access, Slope and Sewer tests	Community Water is required for this land use category	6,000 Sq ft.	20,000 sq. ft. with 0-5 min. /inch Leaching Capacity 1 acre with 5+ min/inch of leaching capacity
Residential Suburban	1 acre Other Standards: Slope test	1 acre with comm. sewer 2.5 acres w/o comm. sewer	1 acre	2.5 acres
Residential Rural: 22.04.026	Based on other Standards: Remoteness, Fire Response, Access, and Slope tests	5-acre minimum	5-acre minimum	5-acre minimum
Rural Lands: 22.04.025	Based on other Standards: Remoteness, Fire Response, Access, and Slope tests	20-acre minimum	20-acre minimum	20-acre minimum

1) San Luis Obispo County Land Use Ordinance Chapter 22.04.20-37

The provision of these public services may or may not encourage the changes of zoning discussed above, however, placing an area in the NCSD's Sphere of Influence does indicate that it may be annexed into the District in the next 20 years for the provision of services.

This is an important consideration because expanding the NCSD's Sphere of Influence would make these areas eligible for community services, thus potentially increasing the likelihood of an increase in density for a particular parcel of land through a change in zoning. This increase in density could lead to increased

population, the need for additional road capacity and water supply as well as other services. It is also important to note that property owners may choose to develop properties under their current zoning and allowed densities. It is uncertain how many Land Use Ordinance Amendments might occur if all eight Study Areas are placed in the Sphere of Influence as they are now proposed. While the Sphere of Influence allows for services to be provided to a property upon annexation to the District, the County maintains land use authority in terms of changing the zoning to allow for increases in density and approval of development projects.

"Build-out" is the maximum possible development permitted in an area under current land uses allowed by the General Plan. Full build-out is rarely, if ever, reached within a community because some parcels are not suitable for development and other parcels are not developed to their maximum potential by choice of the owner. As a rule of thumb, build-out may be 75% to 80% of the area of a particular property. This could be more or less, depending on the site constraints of a particular property.

The proposed Sphere of Influence Update and Municipal Service Review may conflict with the County of San Luis Obispo's General Plan and may lead indirectly to changes in the South County Area Plan of the County's General Plan. The potential conflict is that the County General Plan discourages the provision of urban-level services (water and sewer) outside the Urban Reserve Line. The premise of this policy is that community water and sewer services promote increased density and development to an area. That stated, it is unknown what specific changes or development projects may be proposed because of the expansion of the NCSD's Sphere of Influence.

Areas that are outside the County's Urban Reserve Line are not intended to received urban-level services such as water, sewer and street lighting. The South County Area Plan intends for some of these areas to remain rural in character and to be used as urban separators for the various "villages" in the area. Study Areas where this could be an issue include:

Study Area #1 1,100 acres

Study Area #4 1,200 acres

Study Area #7 1,352 acres, and

Study Area #8 334 acres

Study Area #5 is within the Urban Reserve Line and Study Area #6 is the Woodlands development within a Village Reserve Line.

Public services can increase the likelihood that an area may be developed or that a property owner may apply for a zone change. In either case, approvals such as a Land Use Ordinance Amendment, Conditional Use Permit, or Tract Map are needed from the County prior to development. It should be noted that it is unknown at this time if an expanded Sphere of Influence would cause such changes to any of the eight Study Areas.

As previously stated, the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review, evaluation, and approval through one or more of the previously mentioned land use processes.

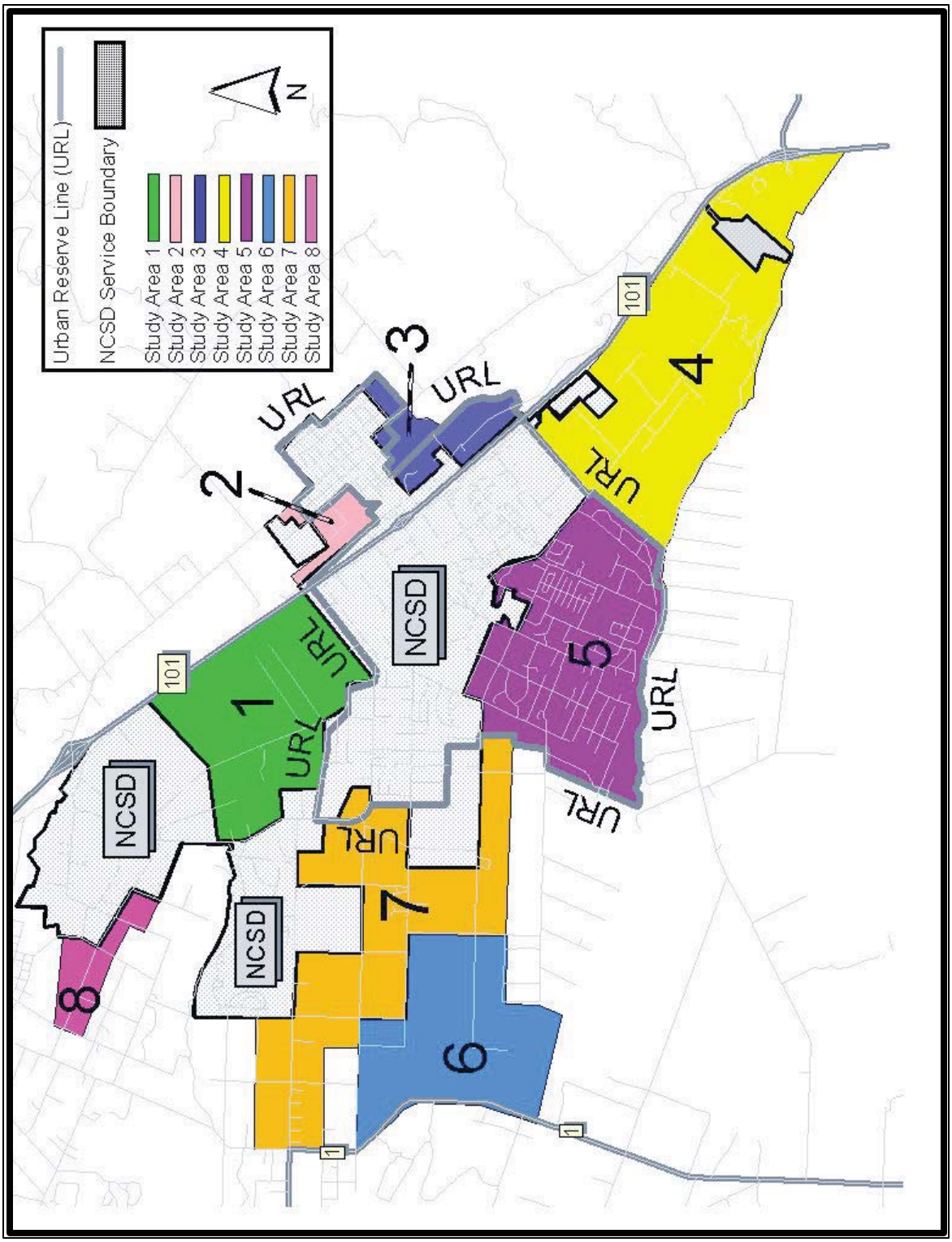


Figure 5.1-2: Study Areas & Urban Reserve Line

These processes entail significant public involvement and the implementation of CEQA. The SOI is one factor among many that needs to be considered prior to a zoning change being approved. The following table shows the areas being studied for inclusion in the SOI and the approvals that could be required:

Table 5.1-5: Study Areas and Potential Approvals

STUDY AREA	EXISTING LAND USE	Land Use Approvals Needed
1	420 acres of Agriculture 462 acres of Residential Rural 200 acre Cañada Ranch Specific Plan	• To increase density, or move the URL, a Land Use Ordinance Amendment to change zoning would be required. • Possible approval of Tract or Parcel Map by County • Conditional Use Permit approval may be needed for land use projects • Specific Plan approval for Cañada • Annexation to the District • All approvals are subject to CEQA
2	132 Acres Agriculture	• To increase density and move the URL, a Land Use Ordinance Amendment would be required. • Possible approval of Tract or Parcel Map by County • Conditional Use Permit approval may be required for some land use projects • Annexation to the District • All approvals are subject to CEQA
3	91 acres of Residential Single Family 84 acres of Residential Suburban	• Conditional Use Permit approval may be required for land use projects. This area is within the URL and is envisioned by the County to receive urban services. • Annexation to the District • To increase density in this area, a Land Use Ordinance Amendment to change zoning would be required. • All approvals are subject to CEQA
4	Southland Specific Plan	• To Increase Density, a Land Use

STUDY AREA	EXISTING LAND USE	Land Use Approvals Needed
	1,173 acres of Rural Lands 104 acres Commercial Service Maria Vista-Residential Suburban	Ordinance Amendment to change zoning would be required • Conditional Use Permit approval may be required for some land use projects. • Possible approval of Tract or Parcel Map by County • Specific Plan approval for Southland • Annexation to the District • All approvals are subject to CEQA
5	Residential Single Family (RSF) Residential Suburban (RS)	• The RSF area is already developed. To Increase Density a Land Use Ordinance Amendment to change zoning from RSF to RMF would be needed. • The RSF area already receives sewer service from the County. The County contracts with the NCSD to process the effluent from this area. • The RS area is largely built out and Cal Cities Water Co provides community water. The provision of sewer services to the area might allow for a limited number of secondary units on some lots. • A Conditional Use Permit (Minor Use Permit-Development Plan) approval may be required by the County for these units. • Annexation to the District • These approvals are subject to CEQA
6	Woodlands Specific Plan Area	• The Woodlands has already been approved with an EIR and mitigations.
7	1,325 acres of Residential Rural x 1 unit/5 acres= 265	• To increase density, a Land Use Ordinance Amendment to change zoning from RR to RS or RSF is required. • Conditional Use Permit approval for land use development/projects is usually required. • Annexation to the District would be

STUDY AREA	EXISTING LAND USE	Land Use Approvals Needed
		required. • Approvals are subject to CEQA
8	181 acres of Residential Rural x 1 unit/5 acres = 36	• To increase density, a Land Use Ordinance Amendment to change zoning from RR to RS or RSF is needed. • Conditional Use Permit approval for land use development/projects is usually required. • Annexation to the District would be required. • Approvals are subject to CEQA

Impact LU-2. Including all eight Study Areas, could conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project.

The proposed project may indirectly conflict with any environmental plans or policies adopted by agencies with jurisdiction over the project area. Environmental plans that apply to the project area include the County General Plan, the Clean Air Plan (Air Pollution Control District), Water Quality Control Plan-Basin Plan (Regional Water Quality Control Board) and the Regional Transportation Plan (San Luis Obispo Council of Governments).

The proposed project would not directly result in any changes in land use for the involved properties. The proposed project could, however, represent the first step in development of any undeveloped property in the SOI. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of steps, including but not limited to a Land Use Ordinance Amendment, Specific Plan, a Subdivision Tract/Parcel Map, Conditional Use Permit approval, and Annexation approval by LAFCO. These above-listed

discretionary approvals would require the preparation of additional environmental documentation (CEQA) to address any potential land use and planning impacts.

LAFCO generally reviews and evaluates annexation proposals that have obtained land use approvals from the County. Alternatively, if an annexation is approved prior to the County Land Use Approval being granted, the proposal may be conditioned for approval only upon land use approvals being granted by the County. This would mitigate the impact of the SOI conflicting with General Plan designation or zoning. Agricultural resources would also be studied as part of the land use project evaluation.

The San Luis Obispo County Air Pollution Control District (APCD) implements and regulates the air quality regulations for the County and for the Nipomo area. During the NOP 30-day comment period, the APCD provided a comment letter that indicated specific concerns about the expansion of the SOI into various study areas. The APCD also offered general comments with regard to the proposed SOI expansion and the consistency of this action with APCD's policies.

The APCD has indicated that they believe many of the changes proposed in the SOI Update would likely promote additional development in remote areas and result in urban sprawl, which is inconsistent with the goals and objectives of the Clean Air Plan.

The APCD is concerned about the cumulative effects resulting from ongoing conversion of agricultural and rural areas to more intensive uses in locations removed from commercial services and employment centers. Such development fosters continued dependency on automobile use as the only viable means of access to essential services and other destinations. This type of development is inconsistent with the Land Use Planning Strategies recommended in the Clean Air Plan (CAP), which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The Land Use Planning Strategies were designed to lessen automobile dependence through greater pedestrian access; increased transit access; mixed-use and compact zoning; in-fill

development as opposed to development at the urban fringe; and balance of jobs and housing.

The APCD also indicates that in addition to the Land Use Planning elements described in the CAP, designing compact communities and increasing transportation alternatives are the first two goals identified in the County's Energy Element of the San Luis Obispo County General Plan. Several studies have shown that communities designed with these goals in mind not only minimize impacts on air quality and the environment, but are also much more energy efficient and provide better long-term economic benefits.

According to the APCD, promoting in-fill and higher density development in the town center while limiting development at the urban fringe will not only preserve our natural resources, including air quality, but can also result in significant financial savings. Development at the urban fringe often results in an eventual decline in property values in the town center and close-in suburbs. Additionally, business and shop owners also see the decline in their customer base and property values, making the continuation of their business more and more difficult over time. The costs of expanding services, such as water, sewer, and solid waste are also significantly increased as development sprawls. Rather than expanding the Sphere of Influence and moving new development away from the town center, new development should be focused on the underused areas within the current urban reserve line (URL) and/ or Village Reserve Line (VRL).

The APCD draws the conclusion that if the SOI includes all eight Study Areas it would promote urban sprawl by encouraging additional development in remote areas. It should be noted that significant development could occur within the SOI under current zoning and general plan policies. The following is a summary of the APCD's comments:

Study Area 1 includes Cañada Ranch, a 200-acre parcel adjacent to the NCSD. The County General Plan envisions this area as being the location of a Specific Plan with jobs and housing. Just north of Cañada Ranch is the Willow Road extension and

interchange, which already has a completed EIR and will be constructed in the coming years depending upon available funding. This project will provide key transportation link for the community and may also cause an increase in the pressure for growth in the area.

The South County Area plan specifies the types of land uses that may be proposed for the Cañada Ranch and identifies planning and environmental issues that need to be addressed in the Specific Plan. Study area #1 is currently outside the Urban Reserve Line. It is very likely that the URL would be moved to include Cañada Ranch when the Specific Plan is processed for this property. The other areas will likely not be included within the URL unless a Land Use Ordinance Amendment is applied for an approved.

Study Area 2 is prime agricultural land that is currently under production. This area is surrounded by development with the high school to the north, the town of Nipomo to the south and east, and Highway 101 to the west. Often, agricultural areas that are surrounded in this manner are eventually proposed for development.

Study Area 2 is also proximate to town and urban services and is a way to ensure a more compact development pattern with fewer and shorter vehicle trips. Directing development closer to the town and services is consistent with the APCD's and County policies. The conversion of prime agricultural land is an issue that will be addressed through the County's land use planning process and prior to any development occurring. The County Agriculture and Open Space Element contains policies and standards that address the conversion of agricultural land at the time of site development. These policies would be applicable when a proposal to develop the property is made. This property could not be significantly developed without a Land Use Ordinance Amendment to change the zoning of the property and a Development Plan that identified a project for the site. There is not a proposal for development of this property at this time, as it lies outside the URL.

Study Area 3 includes sites within the Urban Reserve Line already established by the County. The APCD indicates they are in agreement with adding those areas to

the District's SOI. The area also includes a small parcel zoned Agriculture. The South County Area Plan calls for this area to be recommended as a site for a South County Government Center.

Study Area 4 -- The APCD does not agree with adding Study Area 4 to the District's SOI because it may encourage Urban Sprawl. It should noted that the parcel adjacent to the District's southern boundary, the Southland Street Specific Plan Area, is proposed for development through the preparation of a Specific Plan. The following types of land uses are envisioned for this parcel by the Area Plan; small-scale manufacturing or electronics assembly, business support services, research and development, incidental public facility, retail and personal service uses. It should also be noted that the District's Wastewater Treatment Facility is located in this area as well as water and sewer lines to serve the Maria Vista development in the southern part of Study Area 4.

Study Area 5 -- The APCD supports the inclusion of Study Area 5 into the District's SOI because it is already within the County's Urban Reserve Line.

Study Area 6 -- The APCD also supports the inclusion of the Woodlands (Study Area 6) into the District's SOI because the environmental impacts have already been studied and mitigated. It should be noted that adding the Woodlands would promote the sprawling development pattern already evident within the area. Also, the Woodlands is not proximate to the District's existing boundaries and could cause increased pressure for the development of surrounding areas.

Study Areas 7 and 8 -- The APCD recommends that both Study Areas 7 and 8 be excluded from the District's SOI because of the low-density nature of the development that would occur in these areas. The APCD is concerned about furthering the dependence on the automobile because services would not be available in these areas. Study Area 7 is zoned largely Residential Rural and many areas have been developed as allowed: five-acre parcels. Greenhouses are another land use in the area. Changing land uses or increasing the density in the area would require a Land Use Ordinance Amendment. Study Area 8 recently

received approval of a Land Use Ordinance Amendment (Robertson) from the Board of Supervisors to receive water from a community water source, the Nipomo Community Services District. This is pursuant to the standards and policies identified in the South County Area Plan. Study Area 8 is a water-poor area that requires water to be trucked in on occasion. These are not likely to be included within the URL in the future unless a Land Use Ordinance Amendment is applied for and approved.

> Impact LU-3. Including all eight Study Areas, could affect agricultural resources or operations in the area (e.g., impacts to soils or farmlands or impacts from incompatible land uses).

The conversion of the agricultural soils is considered to be a significant adverse impact. Class I and Class II soils are considered to be prime agricultural soils. According to the Department of Agriculture of the County of San Luis Obispo, the eight Study Areas contain a total of approximately 757 acres within the Agriculture Land Use Category. Multiple production agriculture uses also exist within the Rural Residential and Rural Lands land use categories, predominately strawberries, avocados, and greenhouses. Prime Agricultural Land is defined in the Cortese-Knox-Hertzberg Act as follows:

> 56064. "Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:
>
> (a) Land that qualifies, if irrigated, for rating as Class I or Class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
>
> (b) Land that qualifies for rating 80 through 100 Storie Index Rating.
>
> (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National

Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.

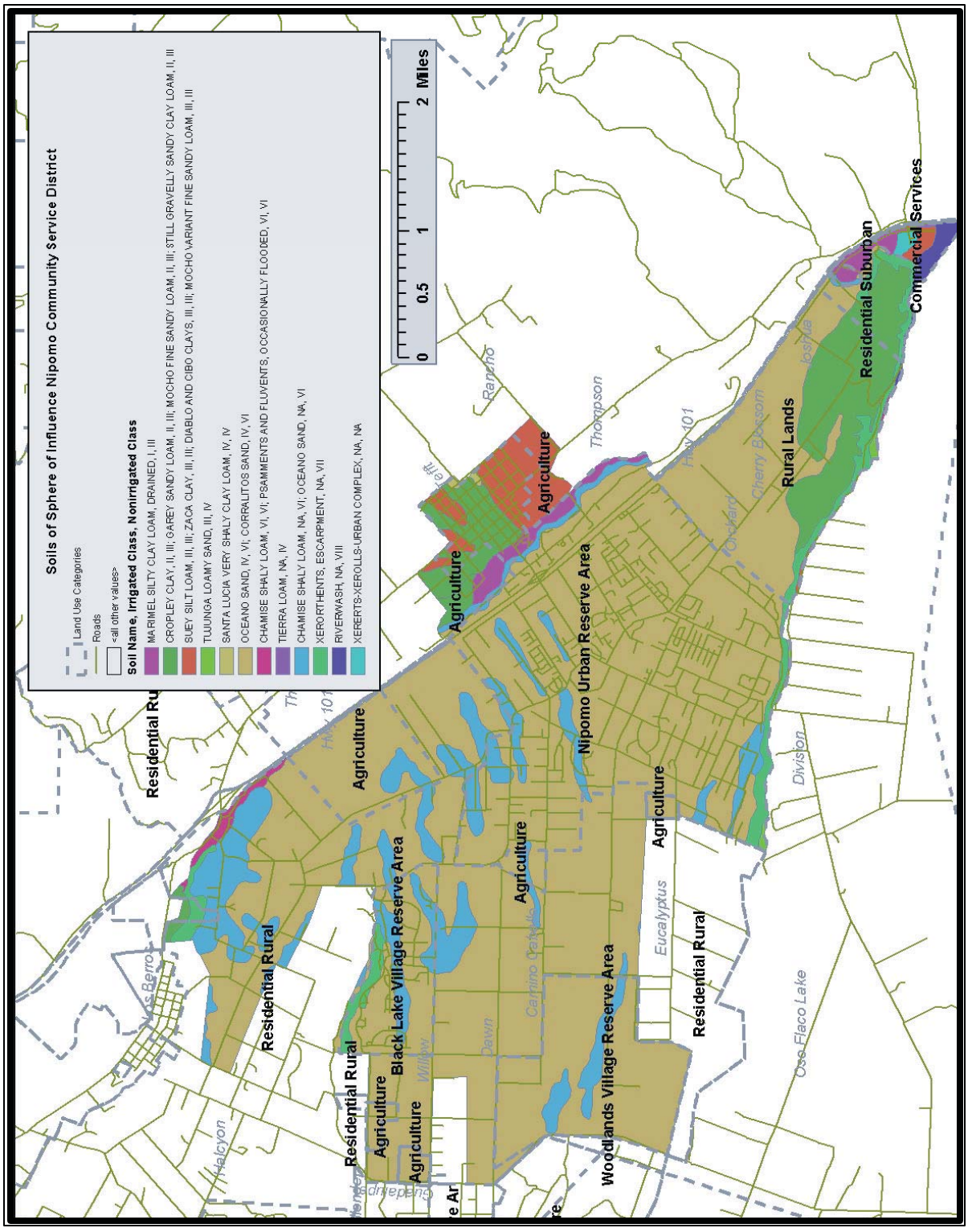
(d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.

(e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400.00) per acre for three of the previous five calendar years.

(Amended by Stats. 2000, Ch. 761.)

Figure 5.1-2 on the following page shows the soils types within the Study Areas of the Sphere of Influence. Please note that the prime agriculture soils are found in Study Areas 2, 3, 4, and 5.

Figure 5.1-2: Study Area Soil Types



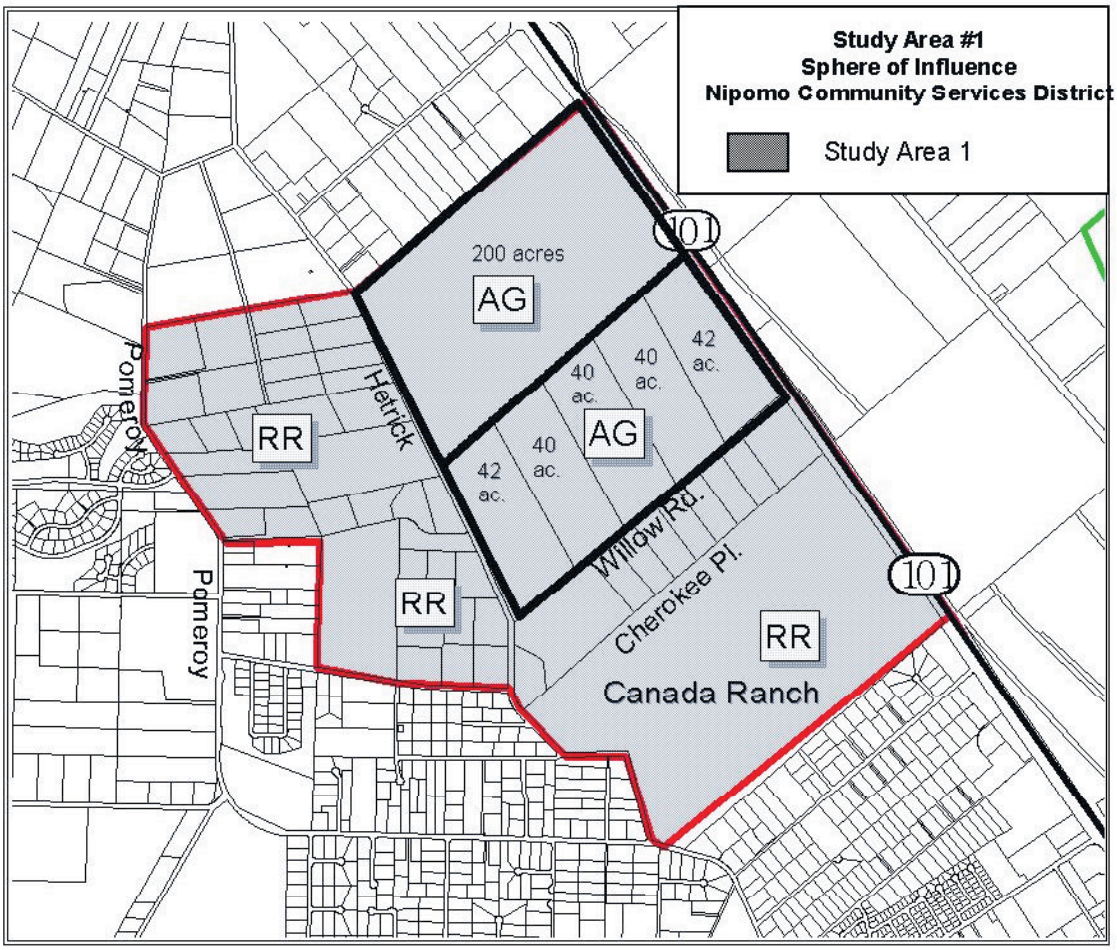
The County Department of Agriculture identified specific policies from the Agriculture and Open Space Element that may be applied when evaluating specific projects for development including AGP 8, Intensive Agriculture Facilities; AGP 11, Agricultural Water Supplies; AGP 17, Agricultural Buffers; AGP 20, Agricultural Land Divisions; and AGP 24, Conversion of Agricultural Land. While the SOI does plan for the future service boundary of the NCSD, it does not propose the conversion of agricultural land; however, the inclusion of an agricultural area within the SOI may be a precursor to the development and may have the indirect effect of causing development to be proposed on prime agricultural land.

The Sphere of Influence may be extended into existing agricultural lands, areas adjacent to existing agricultural farmlands, and rural lands being used for agricultural purposes. The proposed project could represent the first step in the development for property in these areas. Future development of these areas could adversely impact any agricultural operations in adjacent areas at that time, however, the precise nature and extent of future development of these properties cannot be determined at this time. Study Areas that may affect agricultural resources and land if they are developed include #1, #2, #3, #4, and #7.

The following discussion provides details about agricultural resources in the Study Areas.

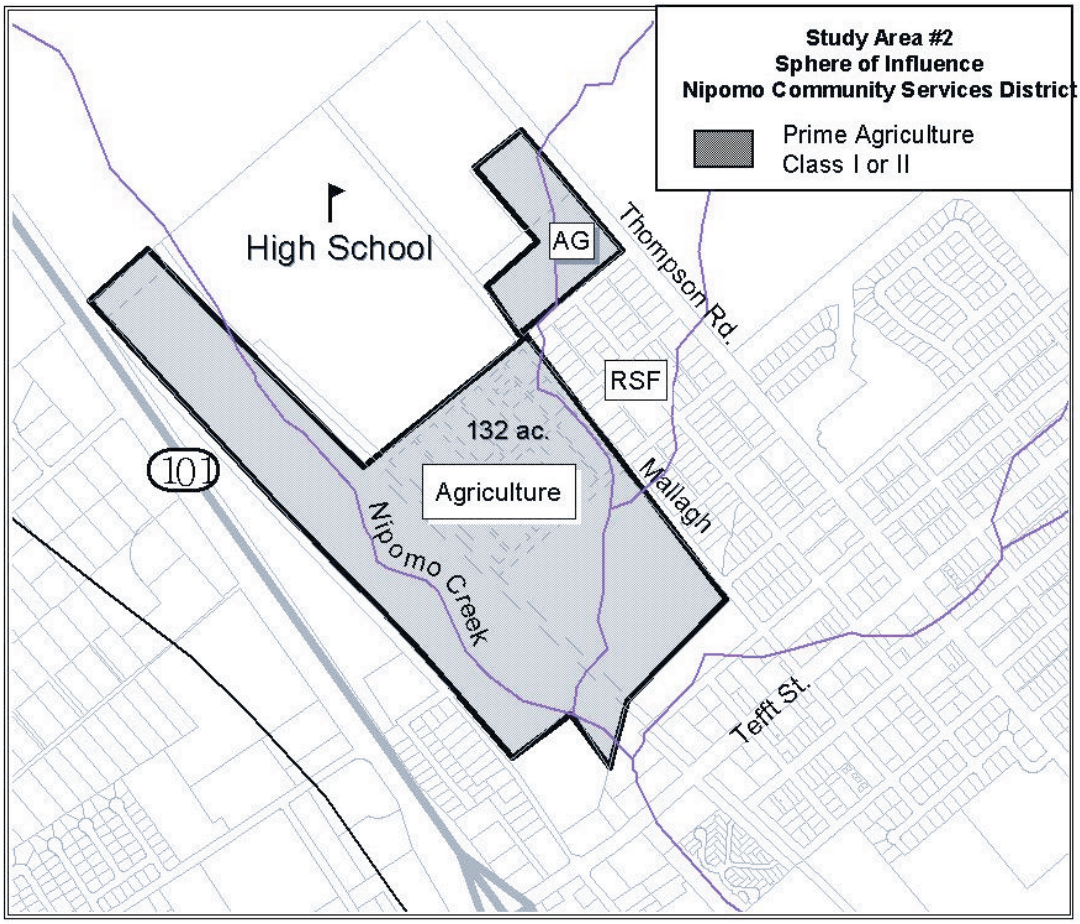
Study Area 1 includes 400 acres of agriculturally zoned land north of the Willow Road extension and east of Hetrick that are sometimes used for grazing cattle. This area is made up of six parcels: five 40-acre parcels adjacent to the Willow Road extension and one 200-acre parcel to the north. The area is shown below in Figure 5.1-3. The soils in this area are classified as Class IV if irrigated and Class VI if they are not irrigated. These soils are used for rangeland and limited crops such as lemons, avocados, strawberries and Christmas Trees. The conversion of the agricultural soils is considered to be a significant adverse impact. Class I and Class II soils, which are considered to be prime agricultural soils, are not found on this site.

Figure 5.1-3: Study Area #1



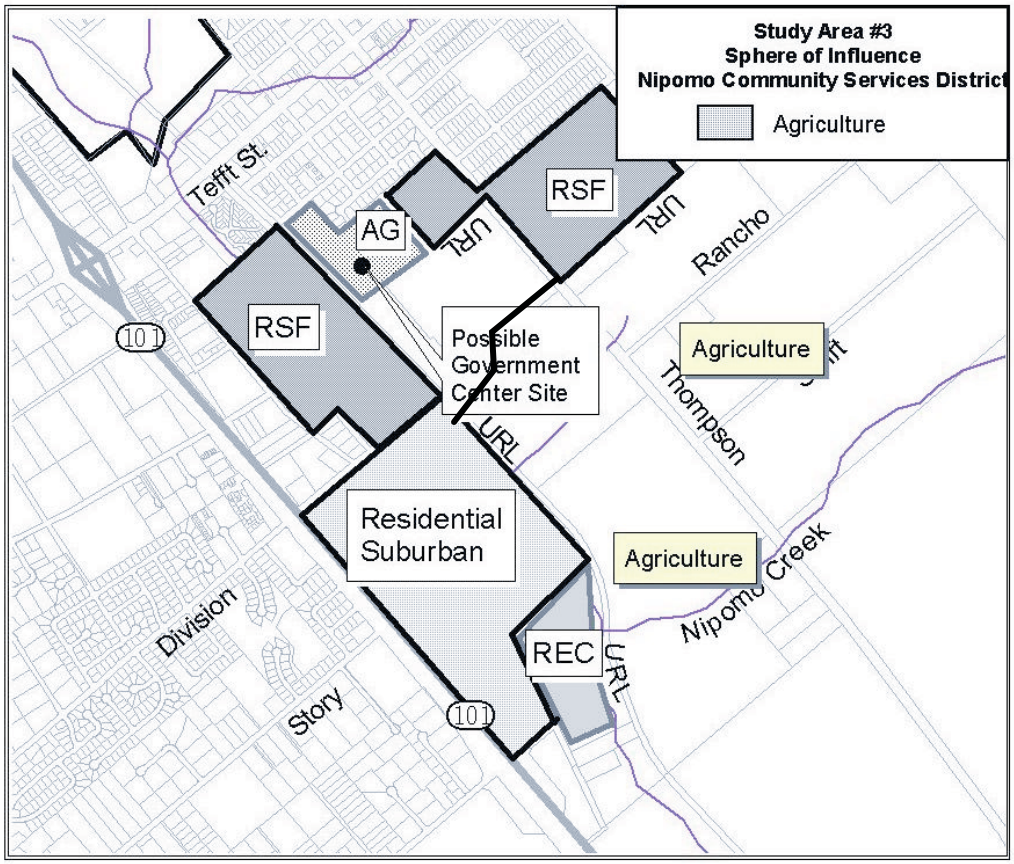
Study Area 2 includes 132 acres of agriculturally zoned land north of the Town, south of the High School and east of Highway 101. The soils in this area are classified as Class II if irrigated and Class III if they are not irrigated. These soils are considered to be "prime" agriculture with a classification of II for this area and have been used for growing row crops in the recent past. The area is in an agricultural preserve contract under the Williamson Act.

Figure 5.1-4: Study Area #2



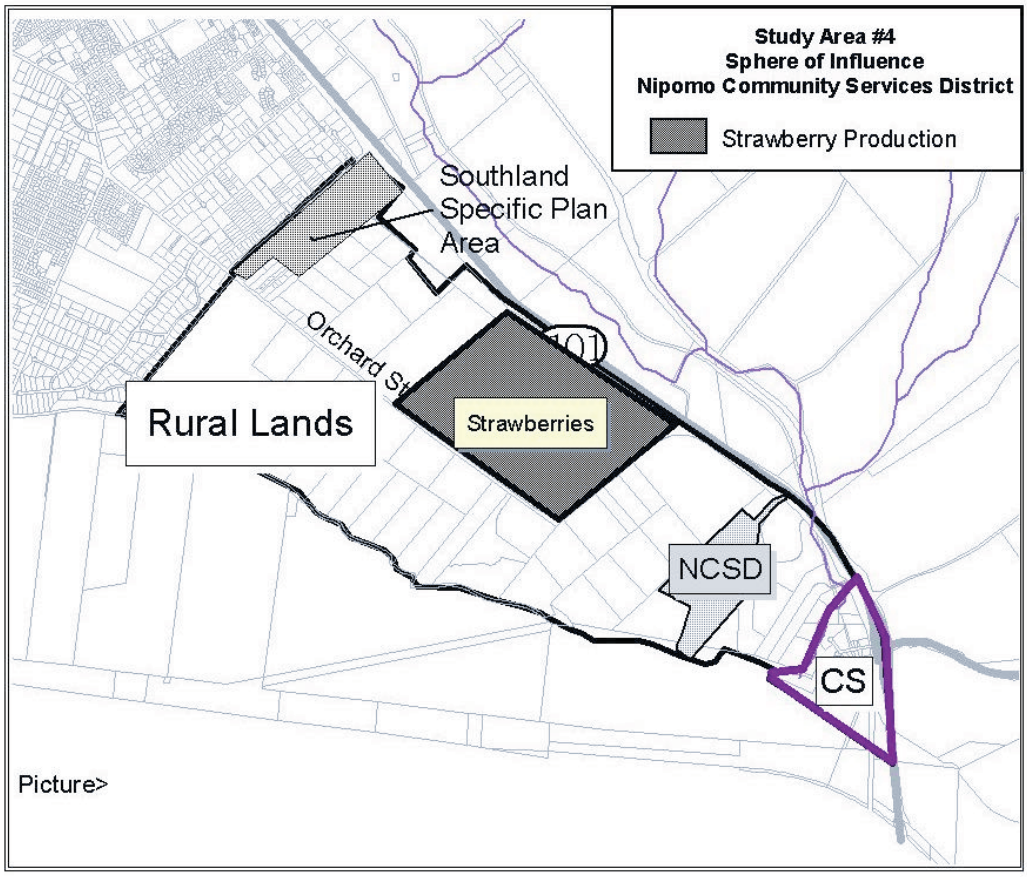
Study Area 3 is located east of Highway 101 and south of Olde Towne Nipomo. Much of the land is within the Nipomo URL as established by the County in the South County Area Plan. The only area being considered for inclusion into the SOI that is outside the URL is an area between Thompson Road and the Nipomo Creek adjacent to Sparks Ave. This site is a small area that is zoned Agriculture, and is a possible future site of a government center. The area consists of non-prime, Class III soils. The South County Area Plan recommends that a specific plan be completed to identify the appropriate civic-related functions and related private uses that would be associated with a civic center. There are adjacent lands that are zoned Agriculture in this area and the impact of development next to these areas would need to be addressed when a project is proposed.

Figure 5.1-5: Study Area #3



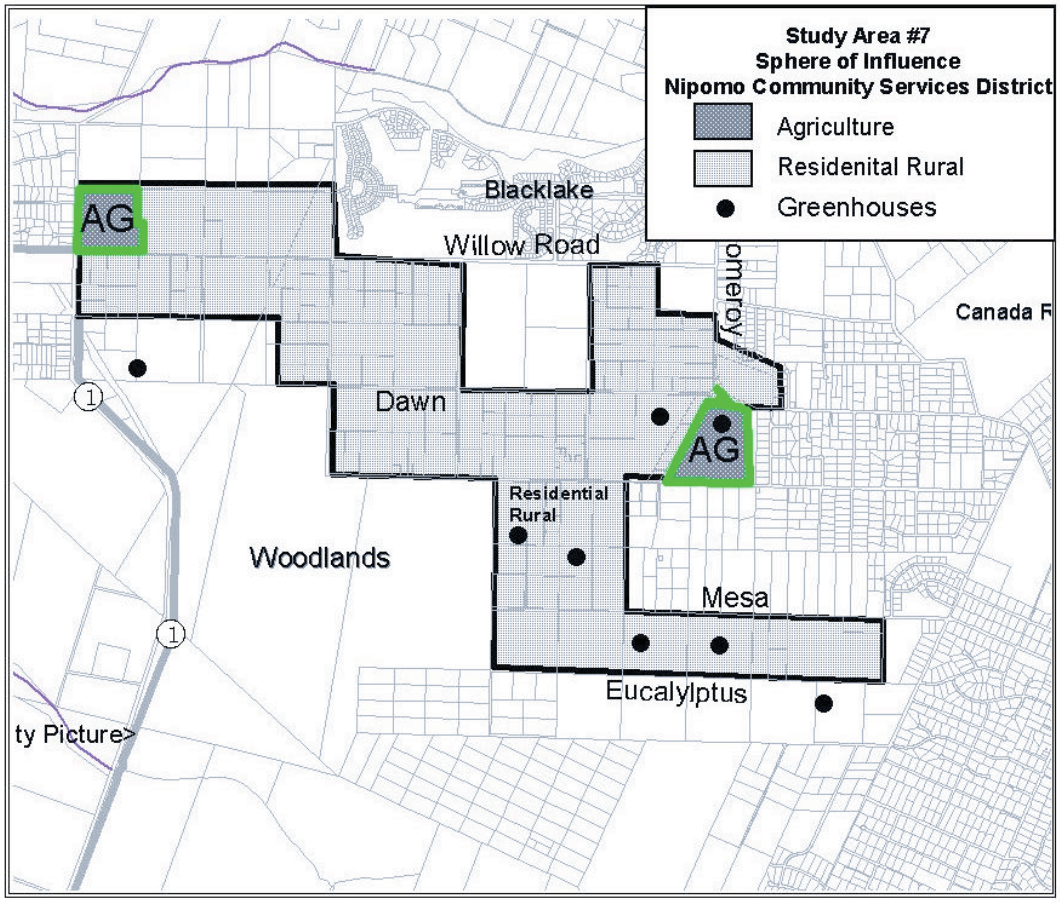
Study Area 4 is located to the south of the current NCSD boundary and north of the Santa Maria Valley. The area to the south of Southland Street is zoned Rural Lands. A large portion of this area is used for growing strawberries. Prime soils (Class II) are located in southwest portion of the area with non-prime soils in the areas closer to Highway 101.

Figure 5.1-6: Study Area #4



Study Area 7 is zoned Residential Rural with two smaller parcels zoned Agriculture. The area includes several greenhouses as well as a number of residential units on 5-acre lots and larger. The soils in this area are classified as IV and VI. This area does not include any prime agricultural land. The Nipomo Mesa supports a large percentage of the County's nursery and greenhouse operations. These operations have been located on the Mesa because of the combination of soils, climate, and the availability of a quality water supply. According to the Agricultural Department, the valuation of the Mesa's nursery and greenhouse production alone exceeded $44,000,000 in 2002.

Figure 5.1-7: Study Area #7



D. Cumulative Impacts

The CEQA Deskbook defines Cumulative Impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The NCSD SOI is a contributing factor to continued growth and development in the Nipomo area; however, it should be noted that Nipomo has grown signicantly over the past two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals of this type include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

Pending Land Use Ordinance Amendments

The County has several Land Use Ordinance Amendments pending in the area (see table 5.1-6, next page), including the Woodlands development.

Table 5.1-6: Pending Land Use Ordinance Amendments

Project	Description	NCSD Service Status
1. Cypress Ridge-PC approved- February 28, 2002	Change 123 acres from Residential Suburban to Recreation. Enable development of lodging (103 suites) and restaurant, and employee housing.	Not proposed for inclusion in SOI or the NCSD Service Area.
2. Summit Station- EIR waiting for funding for EIR Preparation.	Remove area standard that limits further subdivisions of land near Summit Station Road.	Currently served by NCSD. Could allow up to 200 new residences to be served by NCSD. Expansion of Summit Station area to include Robertson property.
3. Nipomo Oaks Partnership/ Mehlschau: Accepted for processing- In the environmental review Process.	Change a 40-acre site from Agriculture to Commercial Retail, dis-establish agriculture preserve contract, also extends Urban Services Line to include other 425 acres of rural properties to the south.	Currently outside of Service Area. Being considered for inclusion into NCSD Sphere of Influence as part of this update.
4. Brand-EIR being prepared	Change 72 acres from rural lands to 32 acres Residential Suburban and 40 acres of Commercial Service.	Currently outside of Service Area. Being considered for inclusion into NCSD Sphere of Influence as part of this update.
5. Craig/Lucia Mar USD:	Change 14.5 acres of 40-acre site from Rural residential to Recreation. Will include 16 residences and 500-student elementary school.	EIR is being prepared for the project.
6. Green Canyon/Helenius:	Change 21 acres of 84 acres from Agriculture to Residential Rural. Includes agriculture buffers and trails plan and dis-establish Agriculture preserve status.	Currently outside of Service Area. Is not being considered for inclusion into NCSD Sphere of Influence as part of this update.
7. Robertson: Negative Declaration and Board Approved application to the NCSD	Adds 9 lots to Summit Station area currently served by the NCSD	Currently outside of Service Area. Is being considered for inclusion into NCSD Sphere of Influence as part of this update.

Project	Description	NCSD Service Status
8. Troesh: Authorized for processing	Change allowable uses to allow for wood chipping.	
9. Anderson: Authorized for processing	Change land use category on approx. 38-acre site from Ag to Residential Rural to allow the site to be subdivided into seven approx. five-acre parcels.	
10. A.J. Diani Construction: Initial review stage. Not authorized for processing yet.	Change land use category from Commercial Service to Industrial to allow for the development of a portable stand-alone asphalt concrete plant and occasional operation of a portable lime treatment system, and a portable rubberized asphalt blending system.	

Pending Annexations – see next page

Pending Annexations

Several annexation applications have been submitted to LAFCO for consideration and are summarized below:

Table 5.1-7: Pending Annexation Applications

Project	Description	NCSD Service Status
1. Robertson Annexation	Would add 9 lots to Summit Station area currently served by the NCSD. LUO AMENDMENT Approved by the Board of Supervisors-Annexation application submitted to LAFCO	Currently outside of District's Service Area. Is being considered for inclusion into NCSD Sphere of Influence as part of this update.
2. Lem Annexation	Includes 19 acres currently within the Urban Reserve Line. Would add 18 lots to the District. County consideration is pending, Annexation application submitted to LAFCO.	Currently outside of District's Service Area. Is being considered for inclusion into NCSD Sphere of Influence as part of this update.
3. Nipomo Hills	Would add 91 acres to the District for the purpose of residential development. County consideration is pending, Annexation application submitted to LAFCO. Part of the area is inside the Urban Reserve Line.	Currently outside of Service Area. Being considered for inclusion into NCSD Sphere of Influence as part of this update.

While the NCSD's Sphere of Influence does provide for public services to some undeveloped areas, these areas are subject to the County's Land Use approval process. Additions to the District's Service Area and Sphere of Influence are often reacting to a land use proposal approved or being considered by the County. The cumulative impacts of adding areas to the District's Sphere of Influence on land use are difficult to quantify because, while public services may result in intensification of land use, there are examples of this intensification not occurring in areas once services are provided; i.e., Area 1 where waterlines have existed for years and Area 3 where public service infrastructure is also close by and within the URL. It is more often that a project is approved by the County and then requests services from the District, i.e., Knollwood, Blacklake, and Maria Vista. This same process may be

followed when the Cañada Ranch and Southland Specific Plan areas are developed as foreseen in the County's General Plan.

It is uncertain what development proposals will come forward in the future and which ones will be approved by the County. It is equally uncertain to be able to foretell which of these proposals would be caused by expanding the District's Sphere of Influence. The cumulative impact on land use caused by the expansion of the Sphere of Influence cannot be quantified; however, expanding the SOI is the first step toward development and may be a contributing factor to the future development of an area.

E. Mitigation Measures

Mitigation LU-1. Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed:

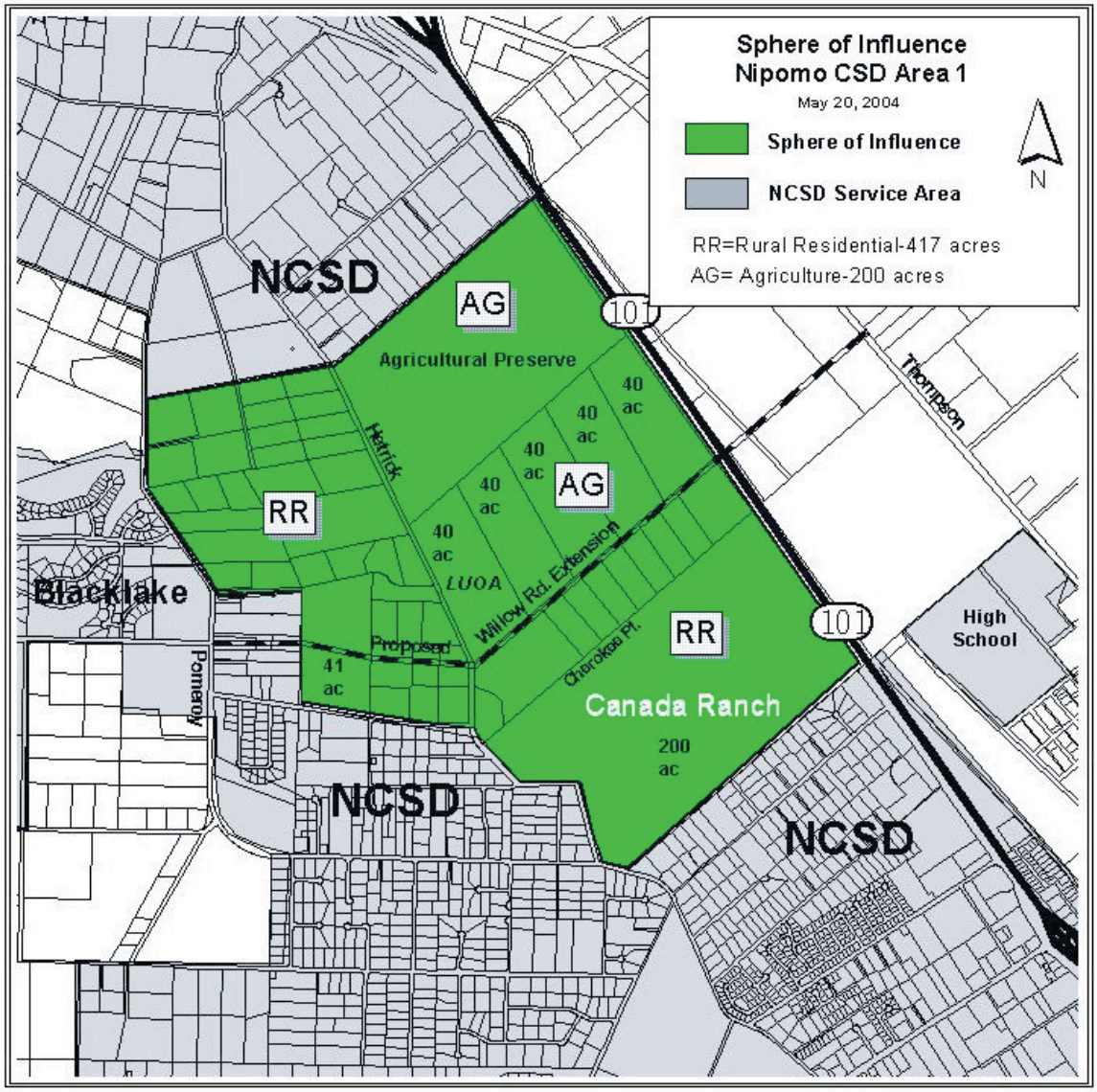
1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or Land Use Ordinance Amendment, or
2) Approval by LAFCO of an Outside User Agreement or an Annexation.

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

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

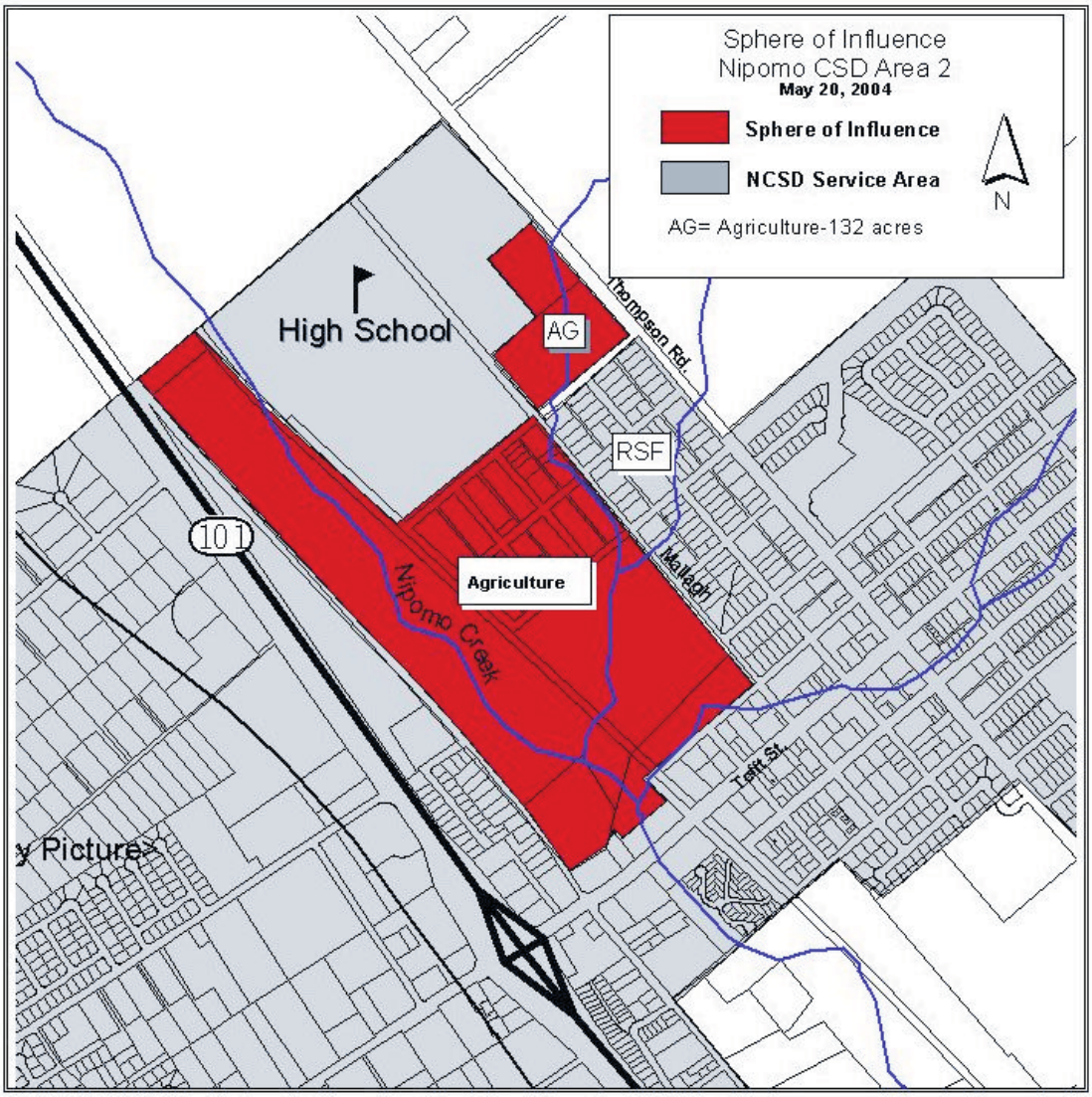
Mitigation LU-2. Area 1 should be included in its entirety.

Figure 5.1-8: Study Area #1



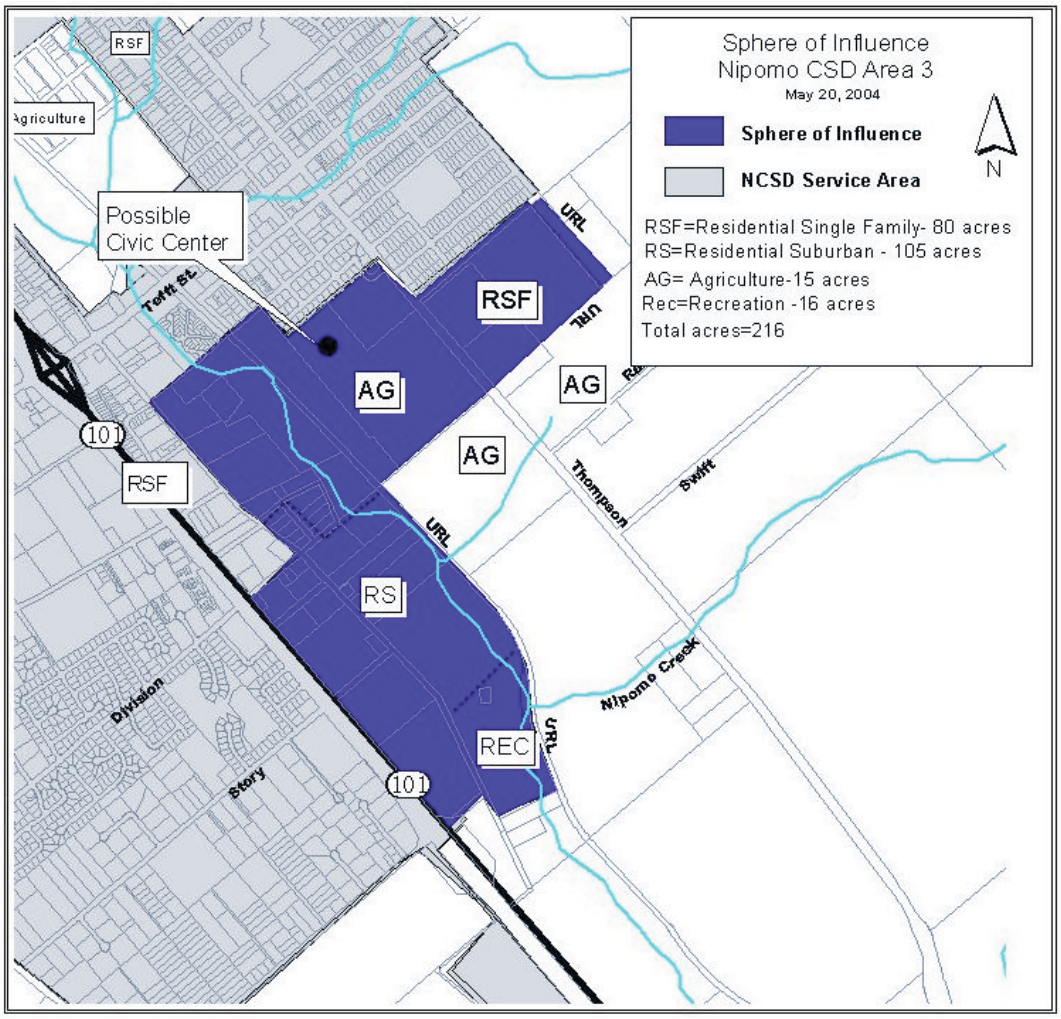
Mitigation LU-2. Area 2 should be included in its entirety because it is surrounded by urban uses and will be a likely place for urban development. Area 2 is closer to urban services and should be included in order to promote a more compact community development pattern by directing growth toward areas that are closer in proximity to the urban core.

Figure 5.1-9: Study Area #2



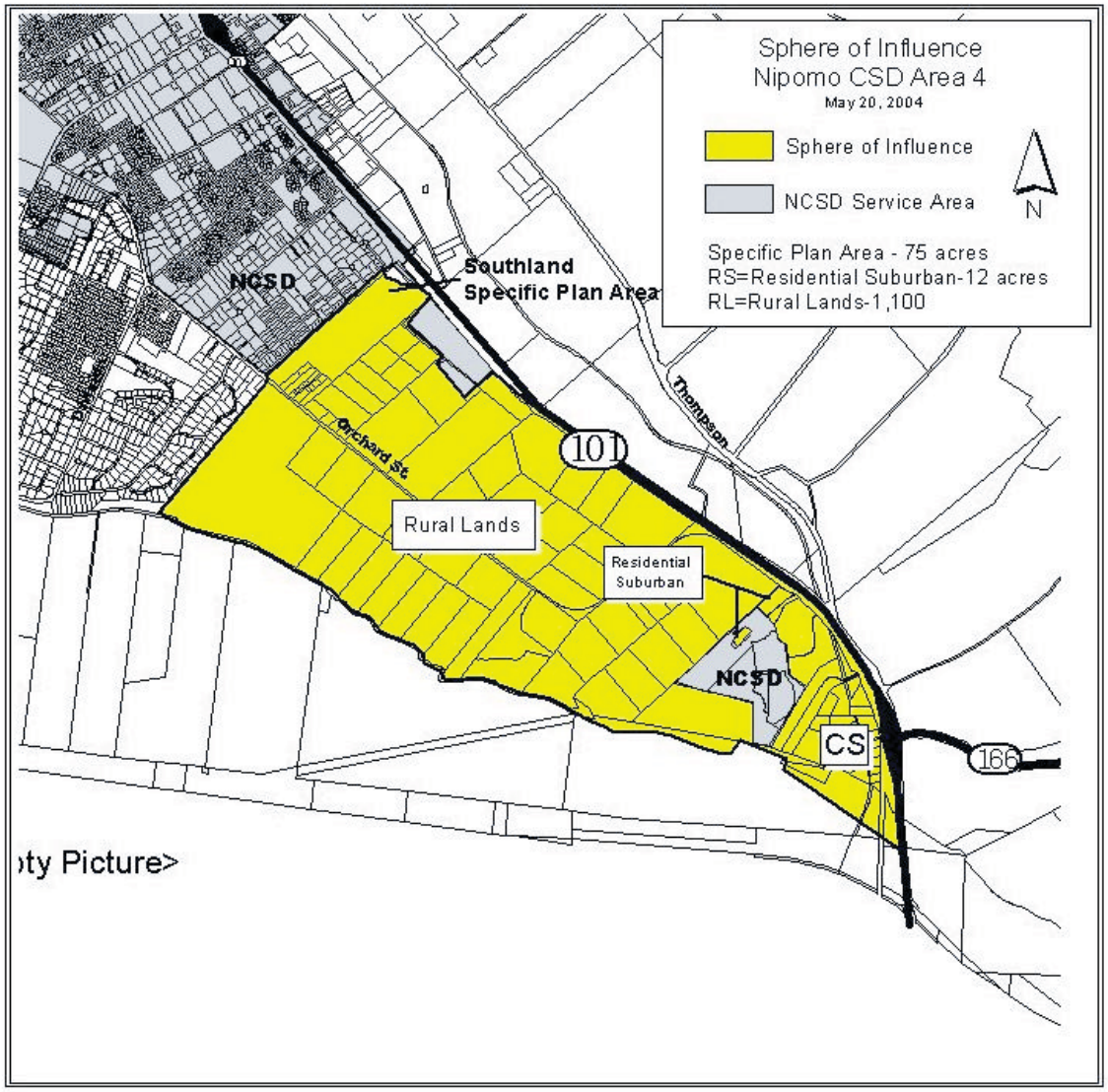
Mitigation LU-2. Area 3 should include all areas within the Urban Reserve Line and the site envisioned for a civic center by the County's South County Area Plan.

Figure 5.1-10: Study Area #3



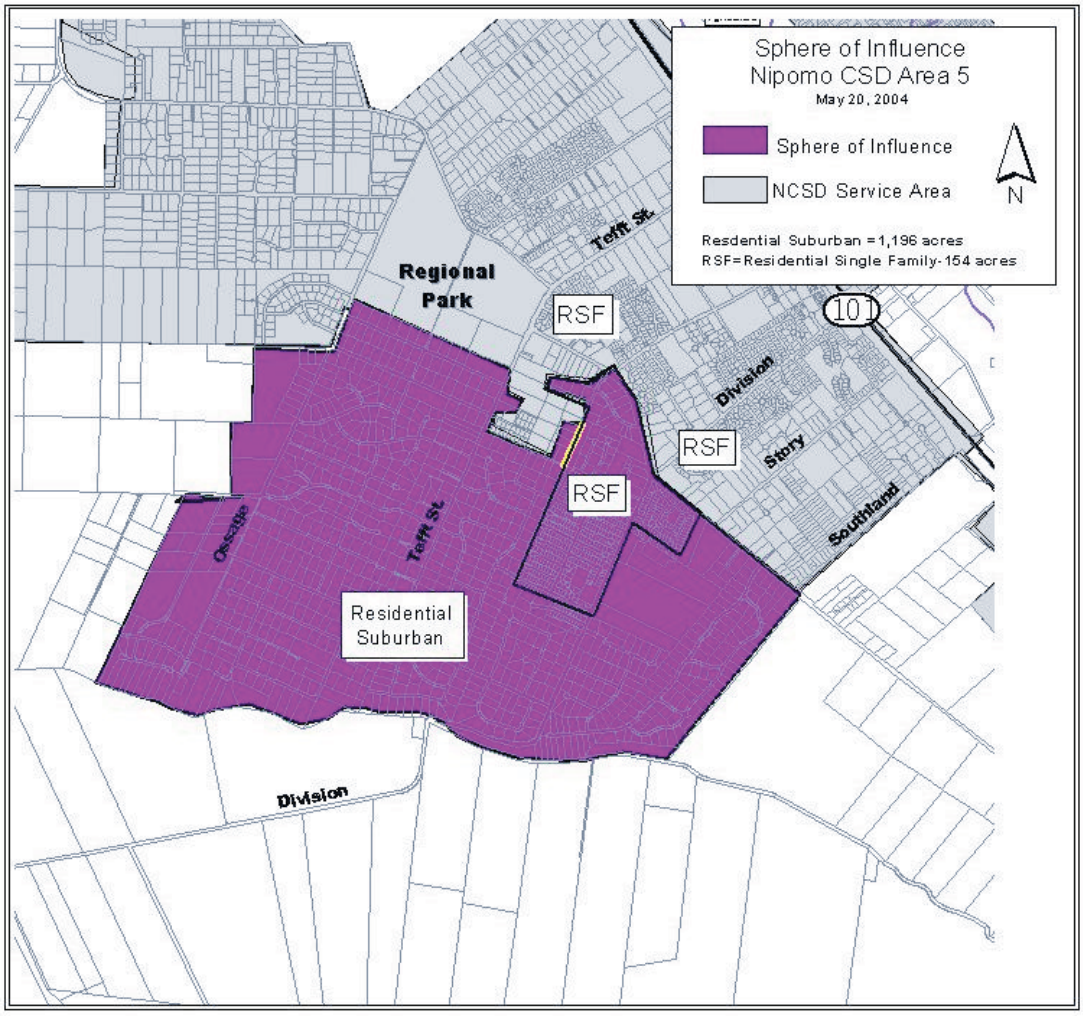
Mitigation LU-2. Area 4 should be included from the NCSD's Sphere of Influence.

Figure 5.1-11: Study Area #4



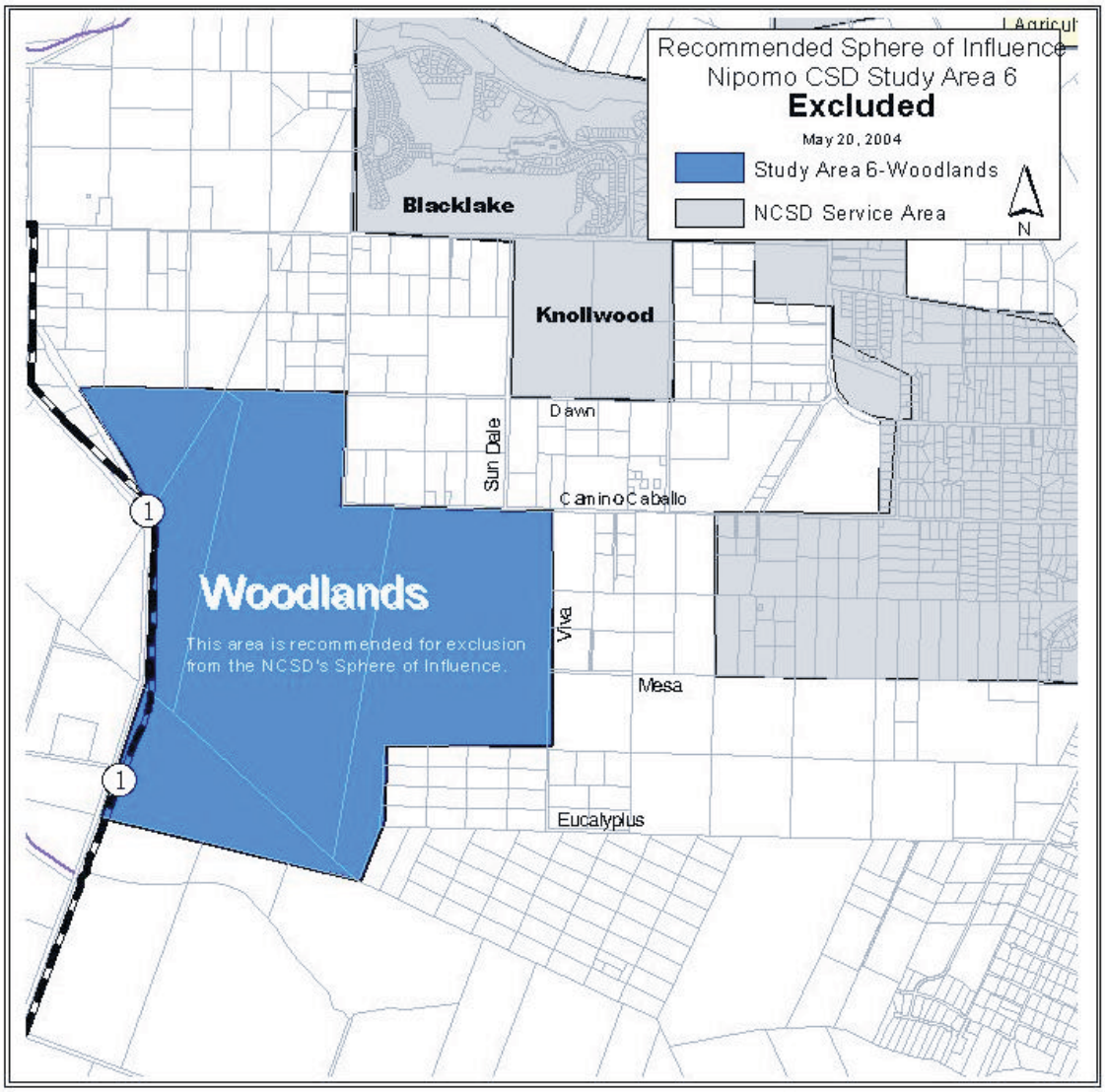
Mitigation LU-2. Area 5 should be included in the Sphere of Influence in its entirety because it largely built-out and is already within the County's Urban Reserve Line. This area includes parcels that have been developed and are provided water service by Cal Cities with individual septic systems constructed to deal with wastewater. Galaxy Park in Area 5 is a Residential Single-Family area that is provided sewer service by the NCSD through County Service Area One (CSA 1), with the wastewater being processed by the Community Services District. CSA 1 serves other smaller areas in the same manner. CSA 1 should eventually be dissolved with the NCSD taking over these services.

Figure 5.1-12: Study Area #5



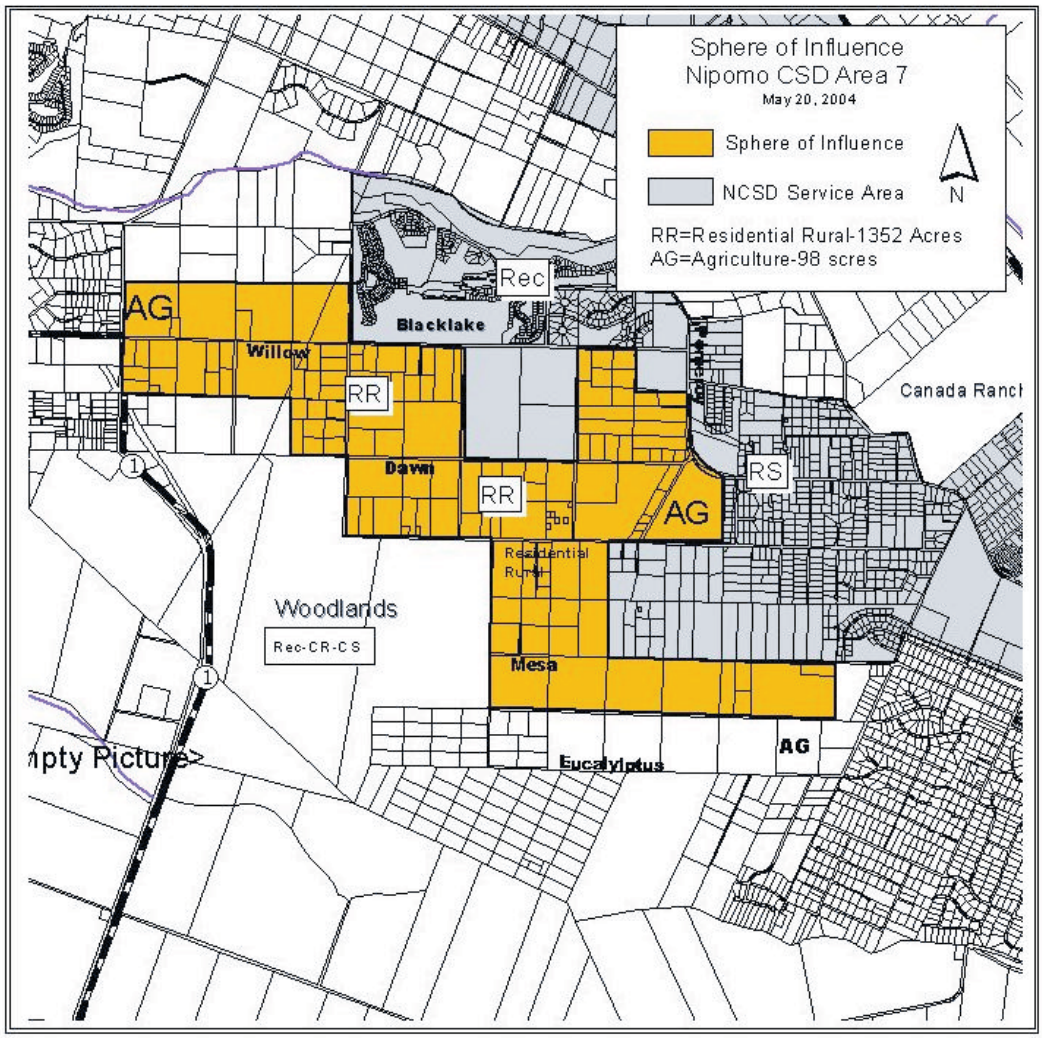
Mitigation LU-2. Area 6 is the Woodlands project and is to be excluded from the Sphere of Influence. The County has approved the Woodlands Specific Plan and EIR and development (including public services) of this project has been provided for in those planning documents.

Figure 5.1-13: Study Area #6



Mitigation LU-2. Area 7 should be included in the Sphere of Influence for the following reasons: 1) The area is the location of the District's Water Wells, 2) the NCSD can implement more comprehensive groundwater basin management practices than can a multitude of private water purveyors, 3) the area is zoned largely Residential Rural (with 2 small agriculture parcels) and a Land Use Ordinance Amendment and Development Plan would be required to change zoning and intensify the land use, 4) this process would require that CEQA be complied with, and 5) community water service here could promote increased clustering in the Residential Rural Land use category and preservation of open space without increasing density.

Figure 5.1-14: Study Area #7



Mitigation LU-2. Area 8 includes the Robertson Land Use Ordinance Amendment and several other parcels in a water poor area of Summit Station and should be included in the District's Sphere of Influence. The County recently approved the Robertson LUO AMENDMENT to enable those included in that area to be annexed into the NCSD. The County's General Plan stipulated that in order to be served with water by the District in this area, a Land Use Ordinance Amendment needed to be processed. The Robertsons and several other property owners filed an application and received approval from the County to receive water services from the NCSD.

Figure 5.1-15: Study Area #8

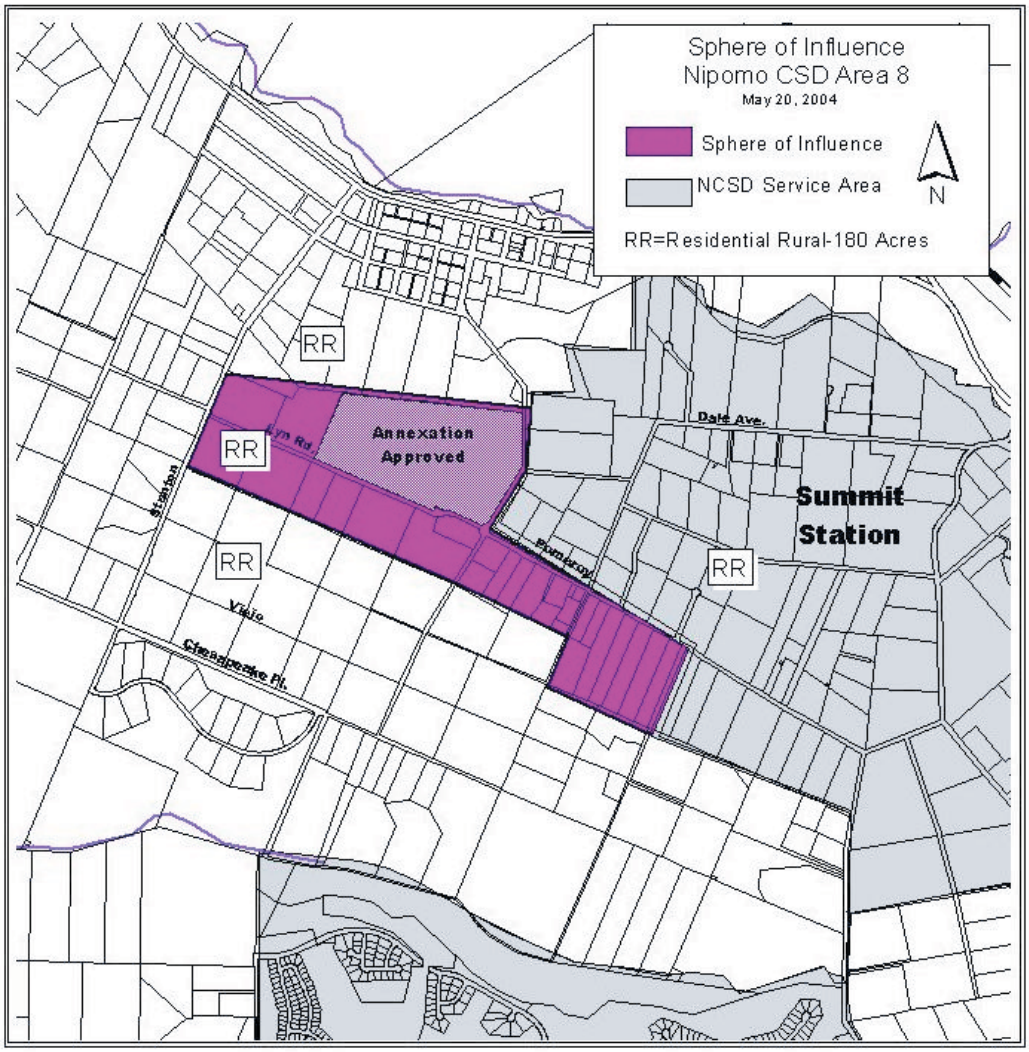


Figure 5.1-16: Recommended NCSD Sphere of Influence

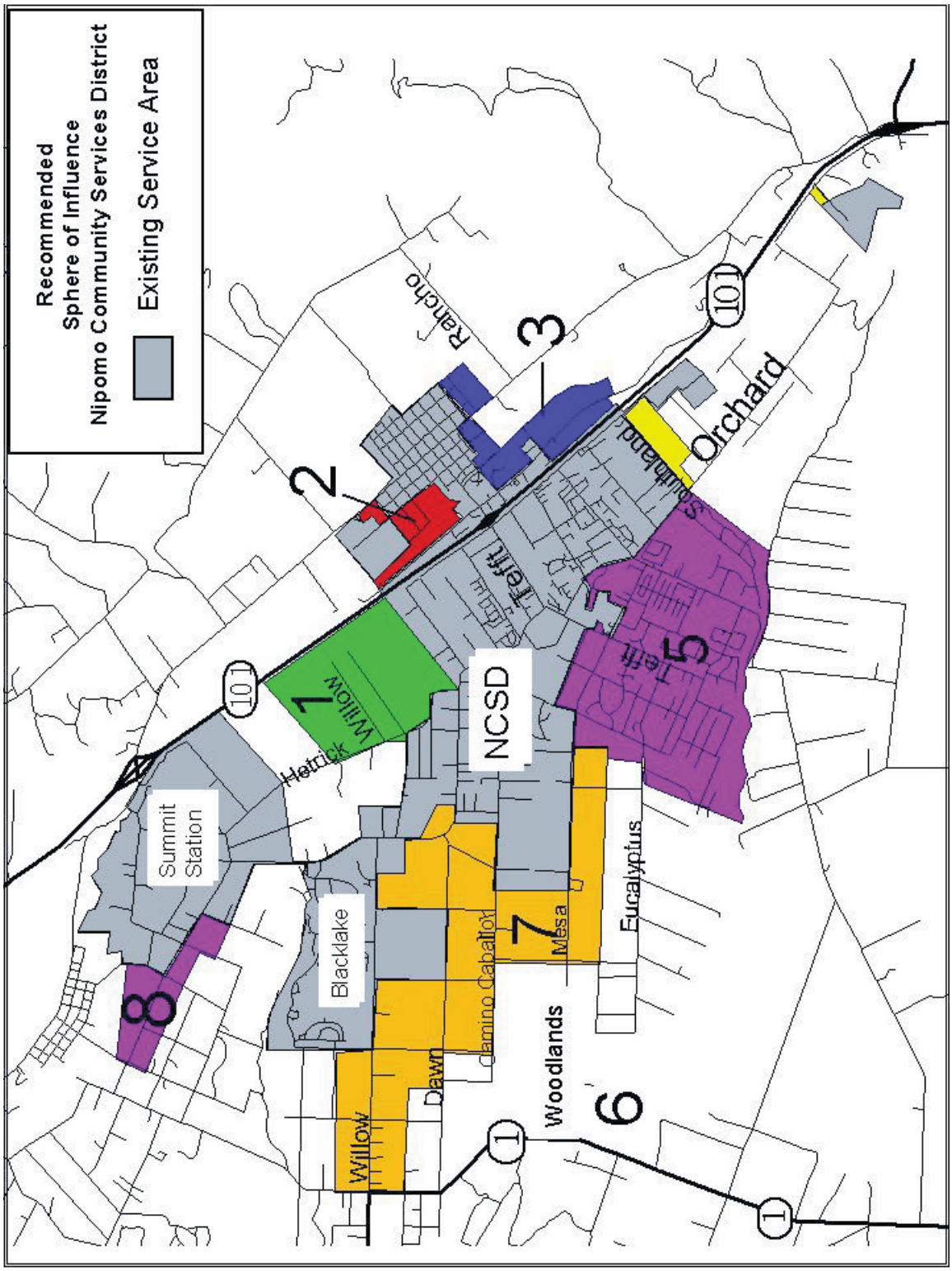
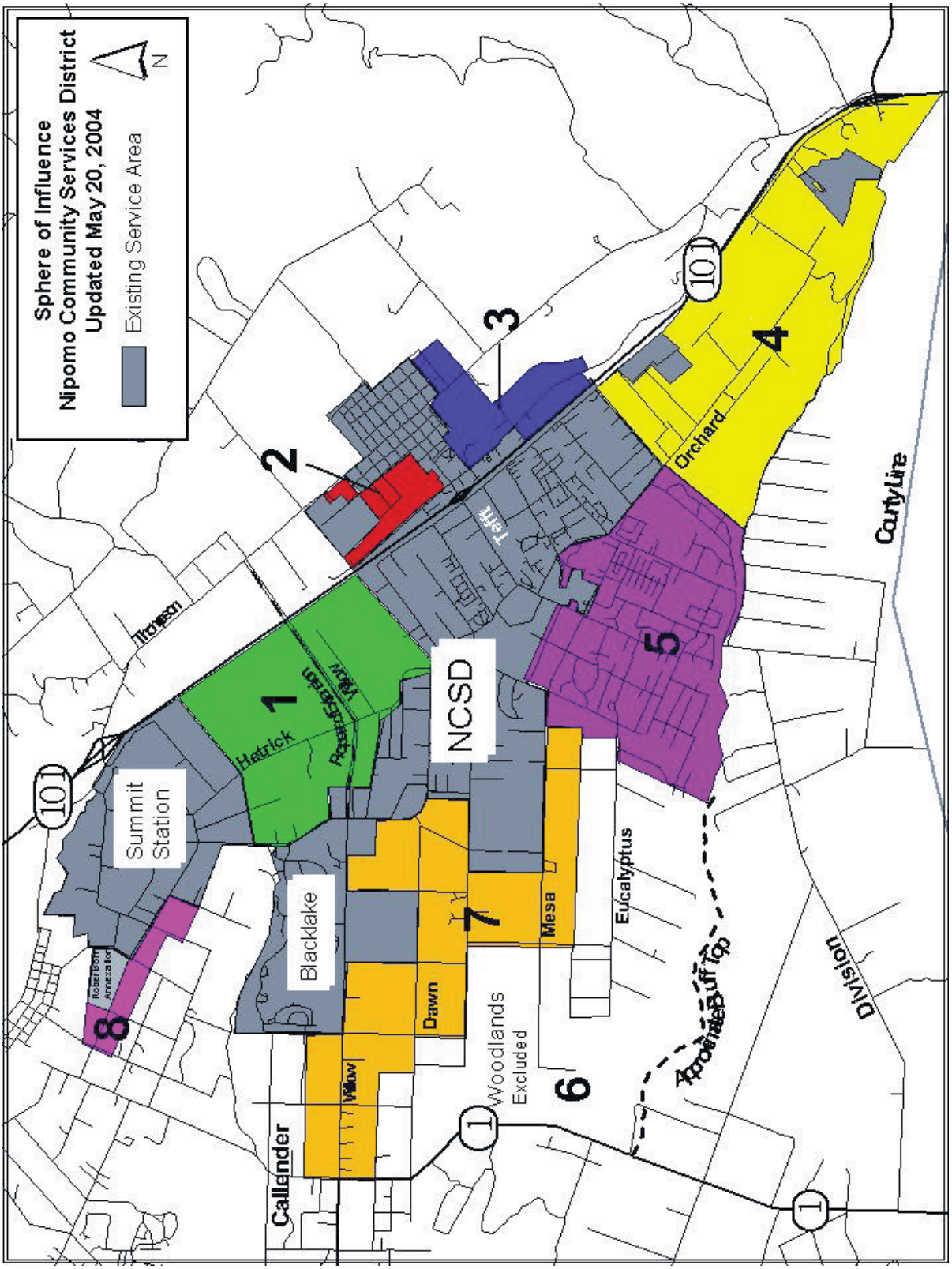


Figure 5.1-16A: Adopted NCSD Sphere of Influence



Mitigation LU-3. The District shall not provide sewer services to Study Areas #5 (Residential Suburban zoning only), #7, and #8. As shown in the table below, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential growth inducing impacts of adding these areas to the District's Sphere of Influence.

Table 5.1-8: Minimum Lot Sizes Allowed (1)

Land Use	Lot Size allowed with Community Water	Lot Size allowed without Community Water	Lot Size allowed with Community Sewer	Lot Size Allowed without Community Sewer
Residential Multifamily Residential Single Family	Community Water is required to develop land in these categories Other applicable Standards: Access, Slope and Sewer tests	Community Water is required for this land use category	6,000 Sq ft.	20,000 sq. ft. with 0-5 min. /inch Leaching Capacity 1 acre with 5+ min/inch of leaching capacity
Residential Suburban	1 acre Other Standards: Slope test	1 acre with comm. sewer 2.5 acres w/o comm. sewer	1 acre	2.5 acres
Residential Rural: 22.04.026	Based on other Standards: Remoteness, Fire Response, Access, and Slope tests	5-acre minimum	5-acre minimum	5-acre minimum
Rural Lands: 22.04.025	Based on other Standards: Remoteness, Fire Response, Access, and Slope tests	20-acre minimum	20-acre minimum	20-acre minimum

1) San Luis Obispo County Land Use Ordinance Chapter 22.04.20-37

F. Residual Impacts

Implementation of the mitigation measures LU-1, 2, as 3 noted above will reduce the following potentially significant impacts identified in the initial study to an insignificant level (Class II Impact): conflicts with the General Plan or zoning; conflicts with other environmental plans or policies, impacts to agricultural resources or operations. Residual growth inducing impacts that may be related to the Sphere of Influence expansion are minimized because a change of zoning through a Land Use Ordinance Amendment is required prior to increasing the density of a particular parcel.

CHAPTER 5.2
POPULATION AND HOUSING

The Initial Study completed for the Sphere of Influence EIR asked three questions with regard to the Population and Housing impacts: 1) Will the project exceed official regional or local population projections, 2) will the project induce substantial growth in an area either directly or indirectly, and 3) will the project displace existing housing, especially affordable housing? The initial Study determined that there were no impacts with regard to questions one and three, however, a potentially significant impact was identified with regard to question number two. This section will focus on addressing the growth-inducing impacts that may be associated with the proposed project.

A. Existing Conditions

According to the 2000 Census, the Nipomo urban area is home to 12,626 residents with 4,146 dwelling units. The NCSD now serves approximately 10,000 to 11,000 residents as compared to an estimated 5,700 in 1990. Over the last 20 years, Nipomo's population has increased by approximately 7,379 people or 140%. From 1980 to 1990, the community of Nipomo increased by 1,862, a 35.5% increase, an average growth rate of 3.55% per year. In the 1990s, Nipomo's population increased by 5,517 residents, a 10-year growth rate of 77.6%. Annual population growth rate for that decade averaged 7.8%.

Table 5.2-1: Historic & Projected Population Growth

	1980	1990	2000	2010	2020
Population	5,247	7,109	12,626	14,006	17,754
10-Year Increase	---	1,862	5,517	1,380	3,748
10-year % Incr.		36%	78%	13%	11%

Source: US Census & Department of Finance

The Nipomo Community Services District serves approximately 10,000-11,000 people that reside within its service boundary. Population growth in the eight Study Areas being considered for inclusion in the Sphere of Influence depends upon the type and density of development that occurs in those areas. If the Study Areas (excluding the already built-out areas) build out as currently zoned, an estimated 8,000 people would be added to those urban and rural areas over the next 20 years.

The Council of Government compiles census data and Department of Finance projections. The projections show a much slower rate of growth for the urban areas of Nipomo: 11% from 2000 to 2010 and 14% for 2010 through 2020, a total of 25% for the 20-year time frame.

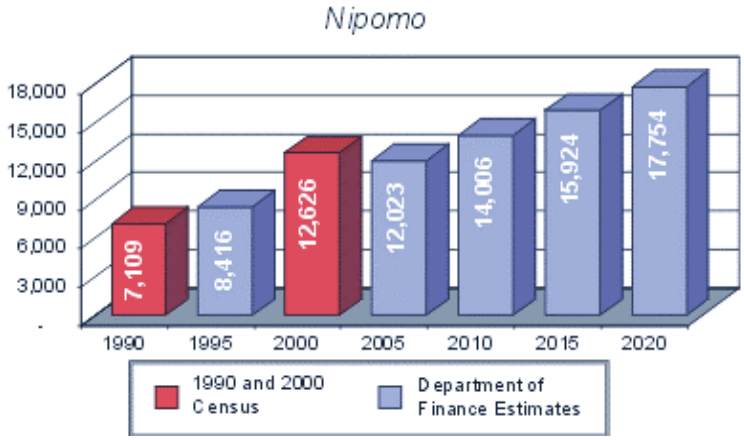


Figure 5.2-1: Nipomo Population Growth

Recent Building Permit Activity

The following is a summary of the building permits that have been issued and finaled for single-family dwellings, multifamily units and mobile homes over the last ten years in the South County Area. This means that the County has performed a final inspection of the building and that the dwelling has been constructed and may be occupied. Residential single-family dwelling units account for the largest proportion of development in the area. Permits have been compiled for the following areas: Rural South County, Nipomo, Los Berros, Calendar-Garrett, Palo Mesa, and Blacklake.

Table 5.2-2: Building Permits Finaled 1993-2003

	SC Rural	Nipomo	Los Berros	Cal-Garrett	Palo Mesa	Blacklake	***Totals***
2002	46	105	0	21	123	1	**296**
2001	48	112	1	4	72	4	**241**
2000	27	119	4	4	23	60	**237**
1999	44	121	1	4	9	34	**213**
1998	71	107	3	5	6	0	**192**
1997	54	75	0	3	14	0	**146**
1996	52	62	0	2	8	0	**124**
1995	60	118	0	2	7	0	**187**
1994	57	137	2	2	16	0	**214**
1993	58	143	0	4	22	0	**227**
Totals	***517***	***1099***	***11***	***51***	***300***	***99***	***2,077***

Source: County Department of Planning & Building

Figure 5.2-2: Finaled Permits, 1993-2003

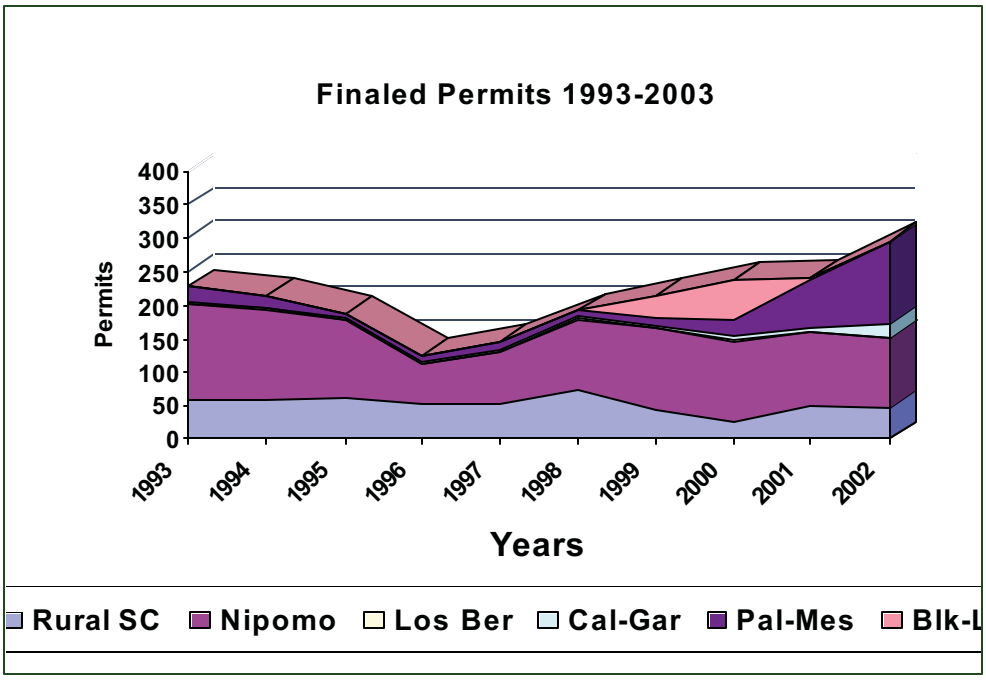


Figure 5.2-3: Projected Nipomo Population Increase

	2000	2010	2020	2030
Population	10,790	13,545	17,003	21,345
10–Year Increase	---	2,755	3,458	4,342
10–Year % Incr.		25%	25%	25%

Source: NCSD Water–Sewer Master Plan

As part of the NCSD's Water and Sewer Master Plan, a population projection was prepared based on the assumption of a 2.3% population growth rate. This analysis estimated number of residents within the District is 10,790 in 2000. The growth rate is then projected to increase at 2.3% each year.

Consistent with statewide growth rates, San Luis Obispo County has grown steadily over the last decade, although at a slower rate than the rest of the state. Analysis of the increase in the number of dwelling units each year provides an indication of the actual growth rates within the unincorporated portions of the county (refer to Table III-1). As the table below shows, over the past decade the increase in the number of completed units countywide has averaged approximately 1.4 percent within the unincorporated portions of the county. While this average is well below the allowable 2.3 percent growth rate established by the Growth Management Ordinance, growth has not been evenly distributed throughout the county, and certain communities have provided a disproportionate share of dwelling unit increases. Please note that Nipomo was the second fastest growing community in the County based on percentage increase in new dwelling units over the last decade.

Table 5.2-4: Dwelling Unit Increases

Community or Planning Area [1]	Dwelling Units 1990	Dwelling Units 2001	New Dwelling Units 1990-2001	Percent Increase 1990-2001	Average Percent Increase per Year
Templeton	1100	1710	610	55.45	5.04
Nipomo					
Rural El Pomar	1710	2525	815	47.66	4.33
Rural Adelaida	650	886	236	36.31	3.30
Paso Robles	7599	9422	1823	23.99	2.18
Pismo Beach	4548	5586	1038	22.82	2.07
Rural South County	2510	3066	556	22.15	2.01
Heritage Ranch	1047	1252	205	19.58	1.78
Cambria	3081	3712	631	20.48	1.86
Arroyo Grande	6059	6957	898	14.82	1.35
Atascadero	8875	10096	1221	13.76	1.25
San Miguel	451	506	55	12.20	1.11
Morro Bay	5694	6364	670	11.77	1.07
Rural Salinas River	3101	3458	357	11.51	1.05
Rural Los Pilitas	709	786	77	10.86	0.99
Oceano	2433	2692	259	10.65	0.97
Grover Beach	4941	5421	480	9.71	0.88
San Luis Obispo	17887	19464	1577	8.82	0.80
Rural Nacimiento	761	828	67	8.80	0.80
Cayucos	2133	2316	183	8.58	0.78
Santa Margarita	488	518	30	6.15	0.56
Los Osos	6097	6283	186	3.05	0.28
Total County Unincorporated	84260	97470	13210	15.68	1.43

Notes:
[1] Communities are ranked according to their percentage increase in dwelling units between 1990 and 2001.
Source: San Luis Obispo County Department of Planning and Building, Annual Resource Summary Report, 2002

B. Thresholds of Significance

The proposed project would represent a significant impact to population and housing if it were to cause a substantial increase in development activity in the future and increase growth rates past the adopted county rate.

C. Project Impacts

The proposed Sphere of Influence Update and Municipal Service Review for the District would not directly generate any new population or housing, thereby not exceeding any regional or local population projections. Expanding the District's Sphere of Influence may cause an increase in population by inducing growth in areas where public services had not been previously available. If, however, the growth would be inconsistent with the existing South County Area Plan, a Land Use Ordinance Amendment might be proposed to increase the density of a particular property or area.

Although the proposed Sphere of Influence Update and Municipal Service Review does not generate any new population or housing, the proposed project could represent the first step in the development of the areas within the SOI. Future development of these areas could adversely impact population and housing.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act (CEQA). Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan for serving that area. A Land Use Ordinance Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The proposed project could, however, represent the first step in development of undeveloped property in the SOI. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above. These discretionary approvals would require the preparation of additional environmental documentation (CEQA) to address any potential land use and planning impacts.

The Final EIR represents the first-tier environmental document for these related actions. Once the EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

> Impact PH-1: The project may indirectly be growth-inducing because it removes obstacles to growth by increasing the opportunity for a property, or area, to receive public/community services such as water and sewer. Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas because of the extension of public services (water and sewer).

Impact Discussion PH-1

The proposed project would not directly induce any significant population or housing growth in the area. The proposed project could, however, represent the first step in development of undeveloped areas within the SOI by extending public services to

these areas. Future development of these properties could result in the generation of additional population and requests for zone changes that increase the number of houses constructed in a given area. The precise nature and extent of future development in those areas within the SOI cannot be determined at this time.

The SOI will not directly cause a change in zoning, or an increase in density. An increase in density would first require a zoning change in the form of a Land Use Ordinance Amendment or another discretionary permit (Minor Use Permit-Development Plan) that is subject to CEQA. A Land Use Ordinance Amendment would study a variety of land use and environmental issues before being approved or denied by the County Board of Supervisors, including: Community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc. This process entails significant public involvement and the implementation of CEQA.

Title 26 of the County Growth Management Ordinance currently limits the amount of allowable growth in the Nipomo Mesa area stating, " The maximum number of new dwelling units allowed in the Nipomo Mesa area for the period of January 1, 2003 through December 31, 2003, shall not exceed a 2.3 percent increase in the number of existing dwelling units in 2002, resulting in the potential for a Maximum Annual Allocation of 135 new residences in the Nipomo Mesa for the year 2003." This limitation was approved by the Board of Supervisors, and limits the number of units that may be built in 2003.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the

District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development – within the District's SOI/Service Area
- The Woodlands – outside the District's SOI/Service Area
- Maria Vista – within the District's SOI/Service Area
- Knollwood – within the District's SOI/Service Area

The Cumulative Impact of the project on Population and Housing is difficult to predict because of the nature of a Sphere of Influence and the variables involved in the development of land. The Sphere is a plan for the probable physical boundaries of a jurisdiction's service area. The Sphere does not in and of itself establish a land use. The County Board of Supervisors through the approval of Land Use Ordinance Amendments, Specific Plans, Development Plans, and Minor Use Permits makes Land Use and zoning decisions for the Nipomo area. These decisions are subject to environmental review under CEQA.

While the District's Sphere of Influence may provide public services for serving a particular area, it does not guarantee that the area will be annexed into the District. In order for an area to be annexed, the District must document that they have the resources (water and sewer) to serve a particular area. Annexation of a property into the NCSD also includes referrals to other agencies such as the County Planning Department and Agricultural Commissioners office. These agencies typically provide a consistency review with regard to applicable policies and regulations.

E. Mitigation Measures

In order to reduce the growth-inducing impacts to a less than significant level of impact the proposed eight Study Areas to included in the Sphere of Influence are recommended for reduction as shown in the Land Use Section (5.1) of this document. The following mitigation measures are from other sections of this EIR and are applicable to reducing the impacts on Population and Housing:

Mitigation LU-1. The land use entitlement and/or annexation process for a particular property or specific proposed project shall address premature or "leapfrog" development, development outside the URL, potential growth-inducing impacts, availability of water and other public services.

Mitigation LU-2. The proposed Sphere of Influence is reduced from the eight Study Areas to exclude Study Area 6.

Mitigation LU-3. As shown in the table in 5.1-7, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. To decrease the potential growth inducing impacts the District shall not provide sewer service to Study Areas #4 (except for the Southland Specific Plan Area and land zoned Residential Suburban), #5 (Residential Suburban zoning only), #7, and #8.

F. Residual Impacts

Implementation of the mitigation measures noted above will reduce potentially significant impacts related to inducing substantial growth in the area through the possible provision of public service infrastructure (water and sewer) to an insignificant level (Class II Impact).

CHAPTER 5.3
GEOLOGY

The initial study did not identify any impacts that may be associated with geological resources. The following section is a compilation of geological information from several information sources including, the Final EIR for the Lucia Mar Unified School District High School Number Two, the County's Safety Element, the Department of Water Resources – Water Resources of the Arroyo Grande – Nipomo Mesa Area, and the EIR for the South County Area Plan.

A. Existing Conditions

The Nipomo Mesa is the most prominent feature located in this area. The Mesa is bounded on the south by a steep bluff that rises to approximately 200 feet high near the southern boundary of the Nipomo Urban area. The bluff decreases in height as one moves to the west and is only about 40 feet high at Highway 1. The Santa Maria River cuts into the bluff and travels west to the Pacific Ocean near Oso Flaco Lakes.

The northern portion of the Mesa is more irregular in shape and height. It is approximately 350 feet high at Nipomo Hill, 250 feet high east of Los Berros and about 300 feet high along the Dune Lakes to the northwest. Los Berros Creek cuts through the northeast portion of the Mesa. Arroyo Grande Creek shaped the northwest flank of the Mesa.

The surface of the Mesa is underlain by old (by at least 40,000 years) sand dunes that predate the last Ice Age. The dune shapes are still evident in the surface topography of the Mesa. The dunes are characterized by linear ridges and intervening closed depressions. This topography and the sandy soils of the Mesa are an important factor in groundwater recharge.

Blacklake Canyon is designated as a sensitive resource area in the County General Plan and is located on the Mesa. This Canyon was apparently cut by sapping from a

large spring or springs during the last Ice Age. The ponds and marshes in the Canyon support habitat and provide a source of water for wildlife in the area.

Areas having significant geologic hazards are relatively limited in the South County Planning Area. The Combining Designation Maps identify a geologic study area only in the agricultural area of Rancho Suey. This area is located in the southeasterly portion of the planning area. Steep, moderately unstable slopes are also present on the northerly, westerly and southern flanks of the Nipomo Mesa. These slopes are composed of wind-blown sand with a high angle of natural repose, and landslide hazards are minimal.

The Arroyo Grande-Nipomo Mesa study area lies within a west-northwest-trending region of the southern central coastal area of California that forms a structural and geomorphic transition between the adjoining north-northwest-trending Coast Ranges Geomorphic Province to the northeast and the west-trending Transverse Ranges Geomorphic Province to the south. Nitchman (1988) and Namson and Davis (1990) have described this area as an active fold and thrust belt.

This region developed as the result of two temporally distinct tectonic regimes that operated during Cenozoic time: (1) a late Oligocene to late Miocene phase characterized by right lateral strike-slip faulting, with concurrent subsidence of fault-bounded blocks forming marine depositional basins (Hall, 1978, 1981; Blake et al., 1978; Stanley and Surdam, 1984), followed by late Miocene to early Pliocene continued strike-slip faulting, but with shortening between faults forming large-scale folds (Hall, 1978, 1981; Stanley and Surdam, 1984); and (2) late Pliocene to Holocene north-northeast crustal shortening accommodated by displacement along a new generation of parallel west-northwest-striking reverse and thrust faults and local folding, and by uplift, subsidence, or tilting of intervening crustal blocks (Nitchman, 1988; Clark et al., 1994; Vittori et al., 1994; Lettis et al., 1994).

Three geologic depositional basins-Pismo, Santa Maria, and Huasna Basins-created by these tectonic regimes underlie the study area. These basins contain thick,

mostly marine sedimentary Tertiary deposits that uncomfortably lie on a basement of Jurassic-Cretaceous Complex.

The triangularly shaped Santa Maria Basin opens toward the west and extends offshore to the Hosgri fault zone. The basin is bounded on the north by the San Rafael Mountains and is in contact with the mountains along the largely concealed system of the Santa Maria River-Foxen Canyon-Little Pine faults. On the south, the basin is bounded by the Santa Ynez Mountains of the Transverse Ranges and is in contact with the mountains along the Santa Ynez River fault.

The Pismo Basin, smaller than the Santa Maria, is flanked by strike-slip faults and trends west-northwest. The basin is bounded on the northeast by the West Huasna fault zone and on the southwest by the Santa Maria River fault (Hall, 1981; Heasler and Surdam, 1984; Stanley and Surdam, 1984). The basin extends west offshore to the Hosgri fault zone (Heasler and Surdam, 1984; Kablanow and Surdam, 1984; Clark et al., 1994). The study area overlies the southern portion *of* the basin.

The Huasna Basin lies between the West Huasna fault zone on the west and the East Huasna fault zone on the east (outside the study area) (Hall and Corbato, 1967; Heasler and Surdam, 1984; Kablanow and Surdam, 1984). The Huasna Basin underlies only three percent of the study area at the upper watershed of Tar Spring Creek and east of the West Huasna fault zone.

Rock Types

Rocks in the study area are predominantly marine sediments and pyroclastics, which range in age from Jurassic to Holocene. The lithologic units are grouped into three categories: (1) basement complex, (2) volcanic rocks, and (3) sedimentary rocks.

Basement Complex

The oldest rocks found in the study area are those referred to as basement complex. These rocks include the Jurassic Franciscan and Knoxville Formations and unnamed Cretaceous strata. The basement complex unconformably underlies the younger Tertiary and Quaternary deposits. Outcrops are found along an area

between the West Huasna and Edna faults near Lopez Reservoir, along Los Berros Creek, and in the southern end of the Nipomo Valley near the junction of Highways 101 and 166. These rocks are grouped with Tertiary formations.

The Franciscan Complex is notable for its vast extent throughout the Coast Ranges of California and its enigmatic character. The complex is a heterogeneous assemblage of both marine and continental metasedimentary materials. The predominant rock is graywacke, but shale, altered mafic volcanic rock, chert, and minor limestone are also present (Woodring and Bramlette, 1950; Worts, 1951; Hall and Corbato, 1967; Hall, 1973; Hanson, et al., 1994).

Regional Faulting and Seismicity

Several faults in the region are considered geologically active or potentially active and are capable of causing significant ground motion in the vicinity of the project site. An active fault is defined by the California Division of Mines and Geology (CDMG) as a fault which has "had surface displacement within Holocene time (about the last 11,000 years). A potentially active fault is a fault with evidence of surface displacement during Quaternary time" (last 2 million years) (Hart, 1988). A review of geologic hazard zones or applicable zoning and building regulations appearing in the latest edition of the San Luis Obispo County Seismic Safety Element to General Plan is incorporated into this report.

Principal known active faults or fault zones with surface expression near the site include the San Andreas Fault System, Coast Range-Sierran Block, Hosgri Fault Zone, Los Alamos, Santa Lucia, and the Los Osos faults. Also located near the site are the potentially active Wilmar/Santa Maria River faults, Oceano fault, Pecho fault, Oceanic-West Huasna Fault Zone, San Luis Bay fault, and the Casmalia-Orcutt-Little Pine fault.

The southwestern margin of the San Luis Range is bordered by a complex zone of late Quaternary reverse faults that separates the San Luis Range from the subsiding onshore Santa Maria Valley to the Southwest. Major structures within this zone include the Wilmar, San Luis Bay, Pecho, and Oceano faults (Lettis, 1990). Because

each of these faults lies partially or wholly offshore, and because onshore reaches have poor geomorphic expression or are buried beneath extensive alluvial and eolian deposits, structural and behavioral fault characteristics have been identified by direct or indirect methods. The locations, displacements, and slip rates for the San Luis Bay and Wilmar Fault. Faults are based upon disruption of late Quaternary marine terraces. This data is supported by shallow borehole data, lithologic logs, analysis of water and oil well data, and analysis of onshore and offshore geophysical data (Lettis, 1990).

There are two magnitudes of earthquakes that are commonly used in the analysis of ground motion. The Maximum Credible Earthquake (deterministic) is the largest rational and believable earthquake that can occur within the presently known tectonic framework. The Maximum Probable Earthquake (probabilistic) is the maximum earthquake that is likely to occur during a 100-year interval (CDMG, 1975). It is to be regarded as a probable occurrence, not as an assured event that will occur at a specific time. The postulated magnitude should not be lower than the maximum that has occurred within historic time.

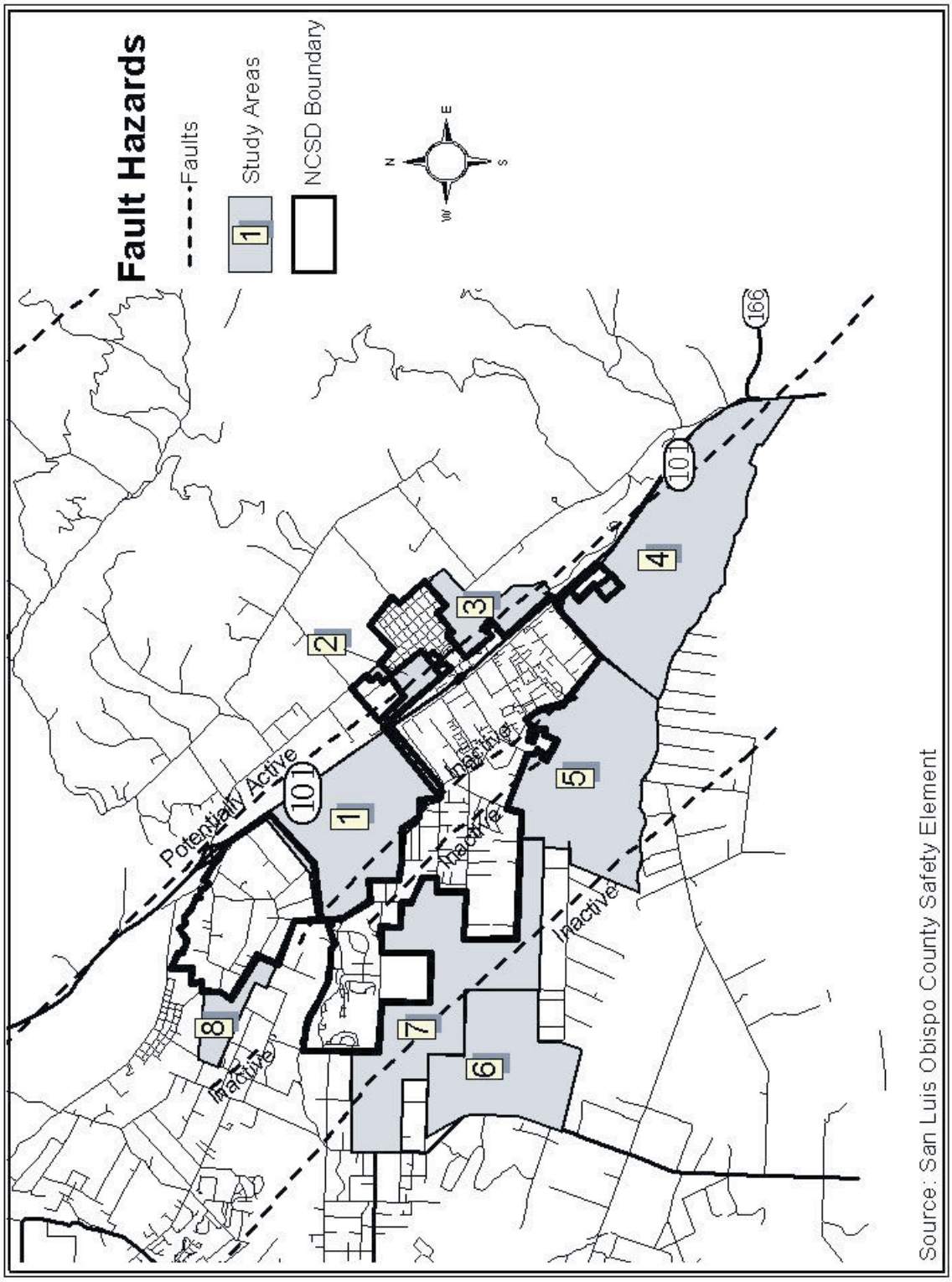


Figure 5.3-1: Fault Hazards

B. Thresholds of Significance

The proposed project would represent a significant geologic impact if it exposed people to hazardous geologic conditions.

C. Project Impacts

Expanding the District's Sphere of Influence would not expose people to hazardous geological conditions (Class IV-No Impacts). Although the proposed Sphere of Influence Update and Municipal Service Review does not expose people to risk of a geologically related event, the proposed project could represent the first step in the development of the areas within the SOI. Future development of this property could adversely impact geological resources in these areas. Future discretionary approvals such as Specific Plans, Land Use Ordinance Amendments, Conditional Use Permits, Tract and Parcel maps, and Annexations, etc., would require the preparation and certification of additional environmental documentation to address these potential geological impacts on a site-specific basis. This Program EIR represents the first-tier environmental document for these related actions. Once the Program EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

The proposed project would not directly result in any changes in land use for the involved properties. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. The above-listed discretionary approvals would also require the preparation of additional environmental documentation (CEQA) to address any potential land use and planning impacts.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative Impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

E. Mitigation Measures

No mitigation measures are necessary because the Sphere of Influence will not expose people to hazardous geologic conditions.

F. Residual Impacts

Impacts related to geological problems are not considered to be significant (Class III Impact). Establishing the Sphere of Influence would not cause the types of geological problems evaluated in the initial study.

CHAPTER 5.4
WATER

The groundwater resource in the Nipomo area has been and continues to be a topic of debate and discussion. This section of the Program EIR intends to compile and summarize the existing and relevant database regarding the groundwater resource. It should also be noted that the groundwater basin is in the process of being adjudicated and that the Court may ultimately allocate water to the various Nipomo HSA users, including the Nipomo Community Services District. From the studies that have been completed to date, it is obvious that as growth and development continues in the Nipomo area the groundwater resource will become a less viable source of water. It is also just as apparent that the District may not be able to increase (and may be required by the courts to decrease) their extraction of groundwater from the Nipomo HSA.

A. Existing Conditions

A number of studies have been performed regarding the Santa Maria Groundwater Basin and the Nipomo HSA over the last several years. These studies are incorporated herein by reference and include:

- Water Resources of Arroyo Grande – Nipomo Mesa, 2002, Department of Water Resources
- Nipomo Community Services District-Urban Water Management Plan, April 2003
- Water and Sewer System Master Plan 2001 Update, Boyle Engineering Corporation for the NCSD
- Water Resources Management Study for the Woodlands, Cleath and Associates, 1996
- San Luis Obispo County Master Water Plan, 2001
- Annual Resource Summary Report, County of San Luis Obispo 2000-2003
- Draft Water Resources Evaluation, Nipomo Mesa Management Area, August, 2002

- Woodlands Specific Plan-Final Environmental Impact Report, December, 1998, County of San Luis Obispo
- 1998, EIR for The Woodlands Specific Plan
- 2002 Supplemental EIR for the GMO Amendment
- Ordinance No. 2957 amending the GMO adopted December 18, 2001
- Addendum to the 1998 EIR approved on December 17, 2002
- County Resolution No. 2002-556 approving the Vesting Tentative Tract Map for Tract 2341-The Woodlands
- Resolution No. 2002-554 making a determination and verification that sufficient water is available pursuant to Government Code 66473.7 for Tract 2341 for The Woodlands
- Environmental Assessment of Water Resources Availability: Bartleson Development Plan
- Water Resources Evaluation-Nipomo Mesa Management Area, SAIC, May 28, 2003
- Final Decision Phase III Trial, Superior Court of California County of Santa Clara
- Nipomo Mesa Groundwater Resource Capacity Study

The following section is based on the information found in the above studies and is a summary of that data.

Groundwater is the only source of water currently used by the NCSD to serve the approximately 10,000-11,000 people in the Nipomo area. Water is pumped by the District from their wells located in the Nipomo HSA of the Santa Maria Groundwater Basin. The District also has three wells located in the Nipomo Valley area on the east side of Highway 101. These wells are located outside the Nipomo HSA and are used by the NCSD on an intermittent basis. Two of the wells (Savage, Hermreck) are on standby and one is active (Church).

The Santa Maria Groundwater Basin underlies more than 280 square miles (181,790 acres) in the southwestern corner of San Luis Obispo County and the northwestern corner of Santa Barbara County. Only a portion of the groundwater basin is within San Luis Obispo County, about 61,220 acres. Within the San Luis Obispo County, the main Santa Maria Basin underlies about 49,910 acres; Arroyo Grande Valley Sub-basin, 3,860 acres; Pismo Creek Valley Sub-basin, 1,220 acres; and Nipomo Valley Sub-basin, 6,230 acres.

Within San Luis Obispo County, the main Santa Maria Basin is bounded on the north and east by the Wilmar Fault, separating it from Arroyo Grande Valley, Pismo Creek Valley, and Nipomo Valley Sub-basins. The western boundary of the basin is the Pacific Ocean, although the basin is hydrologically continuous offshore beneath the ocean. On the south, the county line with Santa Barbara County forms a political boundary within the basin, but it has no hydrological physical significance to the groundwater system.

The Arroyo Grande Valley Sub-basin is bounded by the alluvial contact with older geologic units between Lopez Dam and the Wilmar Fault. The Pismo Creek Valley Sub-basin is bounded by the alluvial contact with older geologic units between the southern boundary of Edna Basin, where bedrock narrows the creek channel, and the Wilmar Fault. The Nipomo Valley Sub-basin is bounded on the north and east mainly by the contact of the older alluvium and Orcutt Formation with older geologic units and is separated from the main basin on the west by the Wilmar Fault. The southern boundary of the sub-basin, which is the watershed boundary for Nipomo Creek, is the study area boundary.

The potentially water-bearing sediments of the groundwater basin are underlain by bedrock. The bedrock base of the groundwater basin is vertically displaced across the Oceano, Santa Maria River, and Wilmar Faults.

Groundwater occurs within the pore spaces in the semi-consolidated to unconsolidated sediments filling the basin to a maximum thickness of about 1,600 feet under the Santa Maria River. In the main groundwater basin, these deposits

include the Squire Member of the Pismo Formation; the Careaga, Paso Robles, and Orcutt Formations; alluvium; and dune sands. These sediments consist of discontinuous sedimentary layers or lenses of varying composition, texture, and thickness, ranging from clays to boulders.

The main groundwater basin is considered a composite aquifer system of unconfined conditions, with localized semi-confined to confined conditions and perched zones. Discontinuous clay layers separate the multiple aquifer zones. The most productive and developed aquifers are in the alluvium and Paso Robles Formation. Aquifers in the Squire Member of the Pismo Formation and the Careaga Formation have, over time, become more important.

In Arroyo Grande Valley and Pismo Creek Valley Sub-basins, groundwater occurs in the alluvium, ranging in thickness from negligible to a maximum of about 175 feet in Arroyo Grande Valley Sub-basin. Groundwater is mainly unconfined. In some parts of the sub-basins, the alluvium may be saturated only during rainfall.

In Nipomo Valley Sub-basin, groundwater occurs in the older alluvium, which covers the floor of the valley up to about 90 feet thick, thinning to negligible thickness toward the eastern edges of the sub-basin. Groundwater in the older alluvium is unconfined with local semi-perched conditions. The older alluvium stores a notable amount of groundwater and continues to supply some wells, although the older alluvium may be saturated only during rainfall at the eastern edges of the sub-basin. The bedrock formations underlying the older alluvium have, over time, become a more important source of groundwater supply in Nipomo Valley Sub-basin.

Both natural and incidental sources recharge groundwater in the main Santa Maria Basin. Stream infiltration, deep percolation of direct precipitation, and subsurface inflow are sources of natural recharge. Incidental recharge to the basin includes deep percolation of urban and agricultural return water, treated wastewater returns, and septic tank effluent.

Stream infiltration from Arroyo Grande Creek, regulated by Lopez Dam since 1969, and from unregulated Pismo Creek recharges the Tri-Cities Mesa-Arroyo Grande Plain portion of the main groundwater basin. Stream infiltration from Santa Maria River, regulated in part by Twitchell Dam since 1958, recharges the Santa Maria Valley portion of the main basin. The amount of recharge is related to the availability of stream flow.

Recharge to the groundwater basin by deep percolation of direct precipitation is intermittent, occurring during and immediately following periods of sufficient precipitation and varying from year to year depending on amount and frequency of rainfall, air temperature, land use, and other factors. Because no surface water flows into the Nipomo Mesa, deep percolation of direct precipitation is the major source of natural recharge.

Unfortunately, even after a great deal of study there remains uncertainty with regard to the extent of water available from the groundwater basin in the Nipomo area. The NCSD has taken following recent actions to manage this situation by: Completing an alternative water supply study in 2001, drafting an Urban Water Management Plan, and adopting an annexation policy that addresses the supplemental water situation on a specific, case-by-case basis.

The following section is from the Municipal Service Review prepared for the NCSD's Sphere of Influence Update and summarizes the key studies completed in regard to the groundwater resource:

Water Resources of Arroyo Grande–Nipomo Mesa Area, State of California Department of Water Resources, 2002

This study was completed in 2002 by the Department of Water Resources and contracted for by the County of San Luis Obispo. It provides a comprehensive analysis of the groundwater supply and demand for the Nipomo area. It contains extensive information about the Santa Maria Groundwater Basin and associated sub-areas in San Luis Obispo County. The study provides information about the geology in the area, water demand and supply, hydrology, water quality, and the

overall water budgets. It uses past data to estimate the future water supply and demand through 2020. Potential land use and population estimates are used to project future water use. This study makes several statements regarding the groundwater basin that are relevant to the water situation:

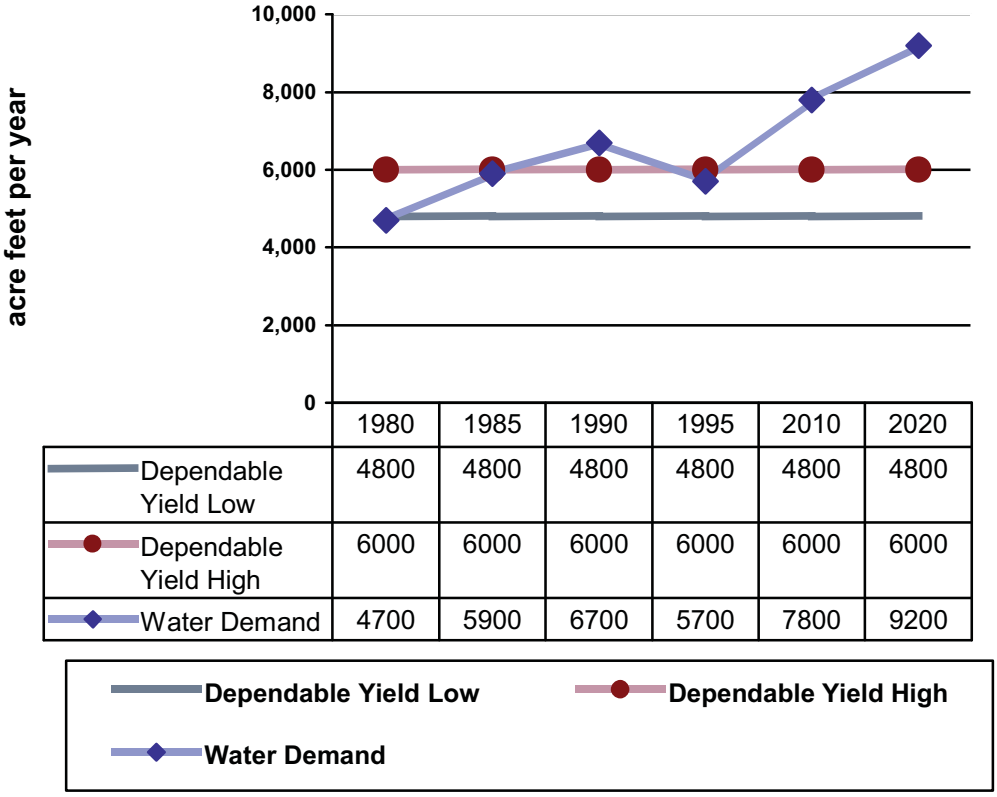
> ***"In the Nipomo Mesa, the projected increase in urban extractions is the major factor contributing to projected deficiencies in 2010-2020 (ES-21)."***
>
> ***"This study refrains from finding that the Santa Maria Groundwater Basin within San Luis Obispo County is currently in overdraft because of the consistent subsurface outflow to the ocean and no evidence of sea water intrusion (ES-22)."***
>
> ***"Pumping depressions and declines in groundwater levels in some wells in some parts of the Nipomo Mesa portion of the basin do not imply that a condition of overdraft exists in the entire groundwater basin, but are more likely indicative of the dynamics of the groundwater system and sources of recharge in the mesa (ES-22)."***
>
> ***"Projected extractions are within the range of dependable yield estimates, with the exception of the Nipomo Mesa in 2020 (ES-22)."***
>
> ***"Supplies appear adequate (in the study area) to meet water demands through water year 2020 (page 30)."***

In reviewing the study with regard to the Nipomo HSA (which is a sub-area of the Santa Maria Basin), it is apparent that future demand will outpace the dependable yield of the groundwater supply. The question is when will this occur? The chart/table below shows the dependable yield of the Nipomo HSA along with the projected demand as calculated by the DWR study. The dependable yield ("safe yield") of a groundwater basin is an estimate of how much water can be safely extracted over a period of time without causing adverse effects to the basin. The study defines dependable yield for the Nipomo Mesa groundwater basin to be 4,800

to 6,000 acre-feet per year. Overdraft of the groundwater basin may occur when extractions exceed this dependable yield for a period of time.

Figure 5.4-1

Dependable Yield and Water Demand [1)]
Nipomo Mesa Hydrologic Subarea



	1980	1985	1990	1995	2010	2020
Dependable Yield Low	4800	4800	4800	4800	4800	4800
Dependable Yield High	6000	6000	6000	6000	6000	6000
Water Demand	4700	5900	6700	5700	7800	9200

1) Water Resources of the Arroyo Grande-Nipomo Mesa Area, Department of Water Resources, 2002

While the study shows that the Nipomo HSA is projected to encounter deficiencies in 2010 (or earlier), it refrains from indicating that there is, or will be, an overdraft situation for the Nipomo HSA. It also states that due to the geology of the area, the sub-area receives a large amount of recharge in wet years. Using the dependable yield calculated by the study and the projected demand, the chart above appears to show that more water will be withdrawn than will be recharged over the next ten years and beyond. It is reasonable to assume that the groundwater sub-area is

heavily relied on to provide domestic water resources and will be used even more so as growth and development continues.

It should be noted that other water experts dispute the condition of the groundwater basin and that studies have been prepared and approved that document the various positions.

> ***"The projected deficiencies in the water budgets do indicate the need for continued planning, improved data, periodic data, periodic reevaluation, of the water budgets, artificial recharge programs, and expanded use of recycled water (ES-22)."***

The study does provide valuable data and information regarding water demand and supply as well as the dependable yield of the groundwater basin resources for the Nipomo Mesa Area. It also provides a basis for the conclusion that the Nipomo HSA should not be viewed as a reliable and sustainable source of water for future growth in the Nipomo area. The District has stated that the Nipomo HSA is in overdraft in their comment letter dated April 24, 1998 regarding the Woodlands project dated April 24, 1998:

> ***"In 1989 the District board of Directors reviewed a number of groundwater studies and declared that the Nipomo Basin was in overdraft condition."***

The District re-affirmed this position in a Memorandum of Agreement between the County and the District that was adopted by the District on August 27, 2003 and states:

> ***"Whereas, all water rights in the Nipomo HSA are being litigated and it is generally accepted that the HSA is at least under stress, if not in overdraft"***

It also provides a basis for the conclusion that the Nipomo HSA should not be viewed as a reliable and sustainable source of water for future growth in the Nipomo area except for projects (such as the Woodlands) that have already been studied and approved by the appropriate permitting authorities.

Nipomo Community Services District Urban Water Management Plan, April 2003

The NCSD has prepared an Urban Water Management Plan to help manage the water supply and demand in the District's Service Area. The plan covers only the area within the Districts current service boundary and includes information regarding Water Supply, Water Use, Water Demand Management Measures, Water Shortage Response, Supplemental Water Supplies and Wastewater Collection and Treatment. The NCSD is in the process of reviewing and considering the Plan and changes will likely be made. The District's production capacity from existing wells is shown in the plan as follows:

Table 5.4-1: Existing Production Capacity

Source	Production Capacity – Gallons Per Minute (GPM)	80% of Capacity – Acre Feet Per Year (AFY)
Town Wells	3,300	4,200
Blacklake Wells	750	950
Total	**4,050**	**5,150**

An important consideration is the ongoing groundwater adjudication case filed in 1997. While the District has the capacity to pump more than adequate quantities of water, the Court's decision regarding the Nipomo HSA could limit the amount of water the NCSD will be able to legally pump. It should be noted, however, that in the Court's February 2004 tentative decision it was found that the Santa Maria Valley Groundwater Basin was not in overdraft. Further, the Court did not find that the Nipomo HSA was "stressed" or otherwise in imminent danger of being in overdraft. This decision was derived after an evaluation by the Judge of many studies provided by both the plaintiffs and defendants. The Court stated the following regarding the Nipomo Mesa and its relationship to the entire Santa Maria Groundwater Basin:

> "Some wells in the Nipomo Mesa area show lowering of water levels that may result from a pumping depression or other cause, and there may be some effects

in that portion of the basin that are not shared basin-wide, but that is not sufficient, in any event, to demonstrate basin-wide overdraft."

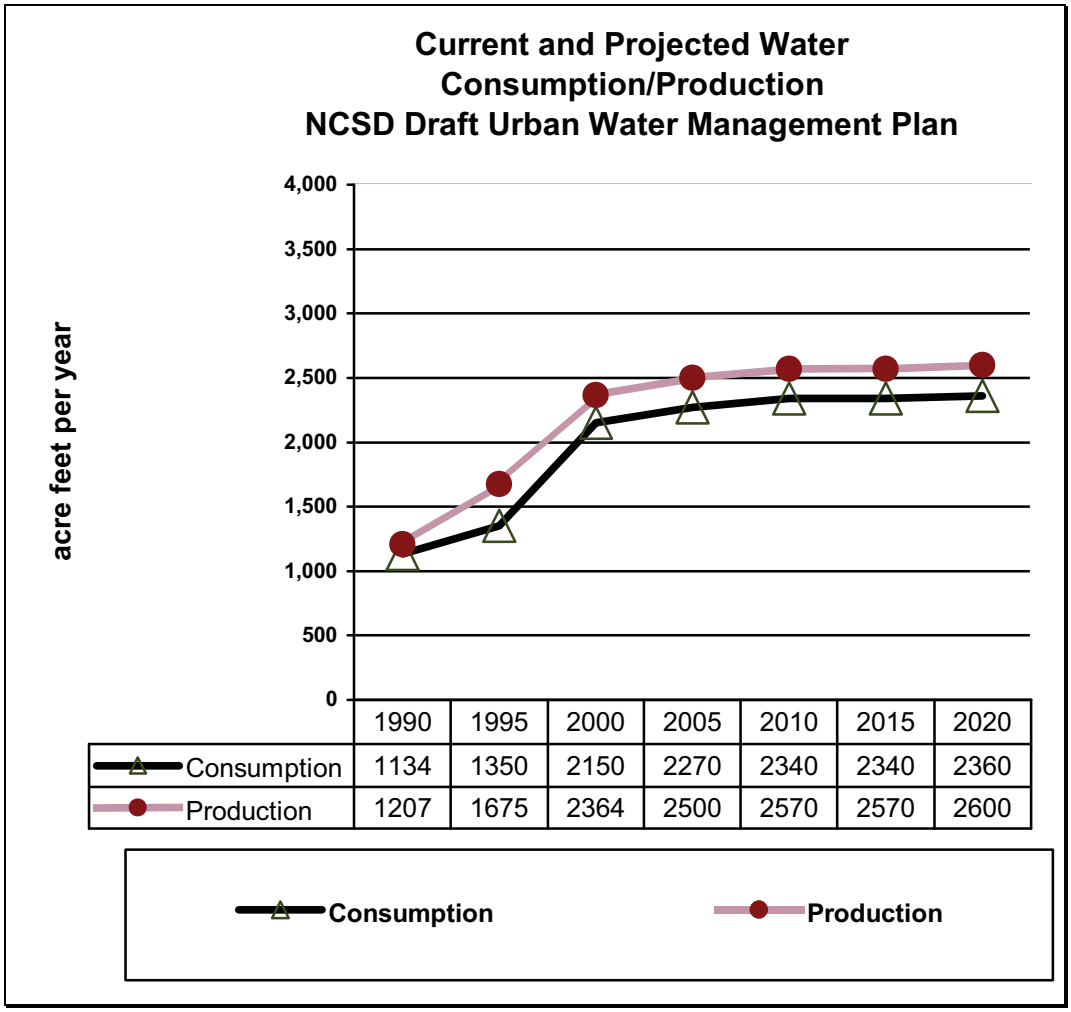
The following table and chart shows the District's current and projected water consumption and production as shown in their Urban Water Management Plan, 2003.

Table 5.4-2: Current and Projected Water Consumption-Production[1]

Town/Blacklake	1990	1995	2000	2005	2010	2015	2020
Consumption (AFY)	1134	1350	2150	2270	2340	2340	2360
Production (AFY)	1207	1675	2364	2500	2570	2570	2600
Unaccounted Water (AFY)	73	325	214	300	230	230	240
Surplus (% of Total Production)	6%	19%	9%	12%	9%	9%	9%

1) Urban Water Management Plan

Figure 5.4-2: Water Production vs. Consumption



The Urban Water Management Plan also states that the Nipomo HSA of the Santa Maria Groundwater Basin is in an overdraft situation and that increased groundwater extraction in recent years has created a groundwater depression in the area. Given the ongoing adjudication process, and the evidence that points to a questionable groundwater resource in the Nipomo HSA, the availability of increased quantities of groundwater from the NHSA to the NCSD is very unlikely. This leads to the conclusion that water resources that are outside the Nipomo HSA must be developed if the District is to expand its service area. The Urban Water Management Plan identifies several such sources as wells that are currently offline and located outside the defined Nipomo HSA and shown in the following table and figure:

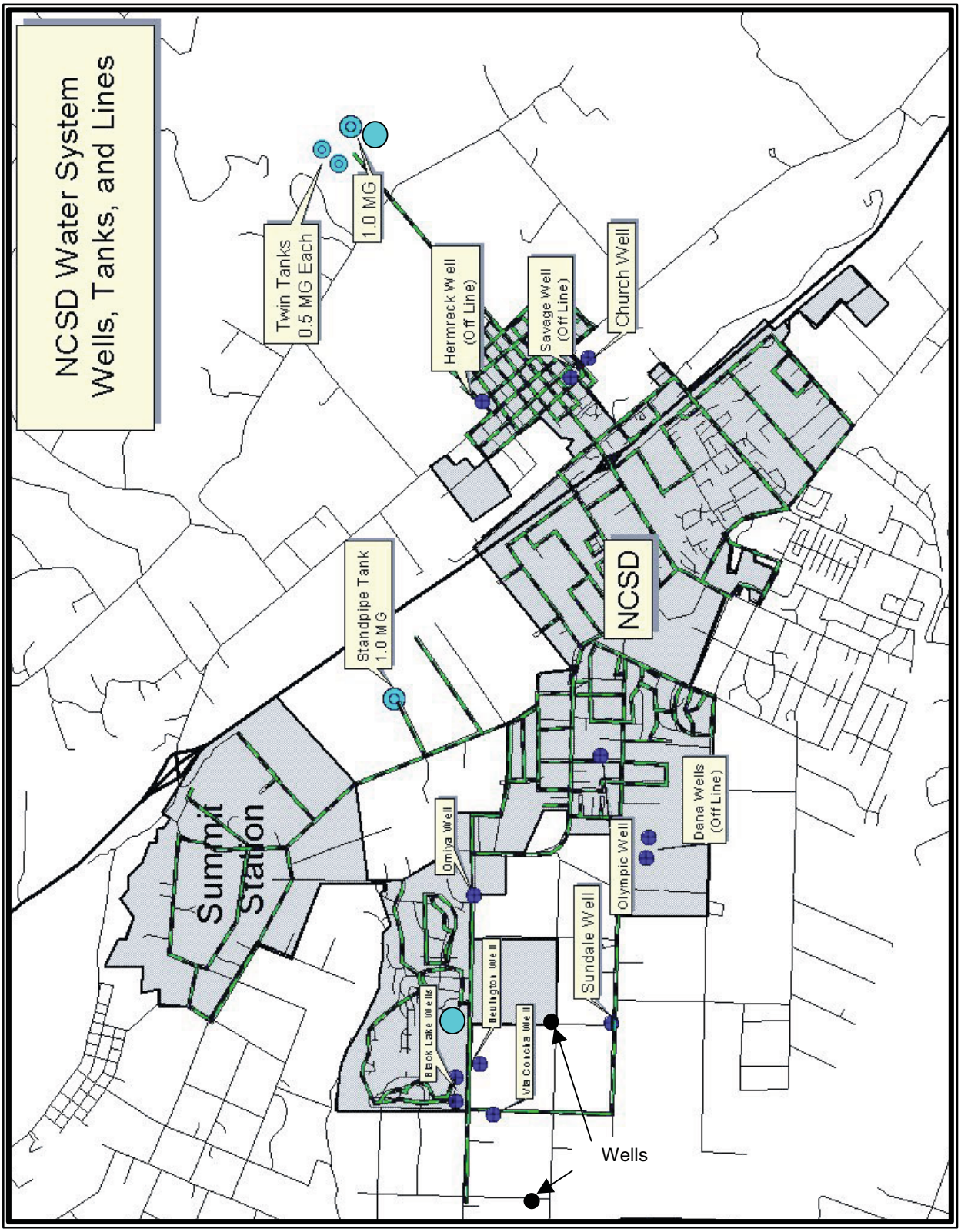
Table 5.4-3: Potential Water Supply in District[1]

Future Production (Outside Sub-area)	**Gallons Per Minute (GPM)**	**Acre Feet per Year (AFY)**
Hermreck Well	250	300
Savage Well	100	100
Church Well	150	200
Retrofit Program	100	100
Total Estimated Future Production	**600**	**700**

1) Urban Water Management Plan

Adjudication of the basin could result in the NCSD being allocated its current water demand of around 2,400 acre-feet per year or lower. The 700 acre-feet per year of future water production available from wells currently off-line brings the amount of available water to an estimated 3,100 AFY or less. It should be noted that the wells on east side are in a fractured geologic structure (hard rock) that could be unreliable in terms of long-term production. This water supply scenario may appear to be adequate to serve the existing service area. Increasing the areas of service, however, depends on a supplemental water source being added by the District. The District's new annexation policy requires annexations to the NCSD to either have a supplemental water source or to pay a fee for development of such a water supply ($10,000 per unit). Another scenario is that adjudication results in the NCSD being allocated substantially less than what it currently pumps from the sub-area. This would leave the NCSD with less water and consequently a decreased capacity to serve areas outside the existing boundary. Alternatively, the adjudication process may lead to the conclusion that the District may have no limitations with regard to how much water they may pump. Figure 5.4-3 shows the District's water infrastructure pipes, wells and storage tanks.

Figure 5.4-3: NCSD Water Infrastructure



Evaluation of Water Supply Alternatives, Kennedy/Jenks, NCSD, 2001

As the title implies, this study evaluates the water supply alternatives that may be available to the District. The first water alternative analysis was completed for the District in 1994. The most recent study was completed in October 2001 and is an update and expansion of that first analysis. The objective of the most recent study is to provide more current information and evaluate a wider range of supply alternatives. The study identifies a broad range of water supply alternatives and then recommends that several alternatives be reviewed in further detail, including:

- Water Conservation (500-1000 AFY)
- Inter-tie with the City of Santa Maria (2000-3000 AFY)
- Desalination of blowdown water, produced water, and/or recycled and groundwater exchange with the Tosco Refinery (1,300 AFY)
- Recycled water delivery to a groundwater exchange with agricultural users (500-1000 AFY)
- Hard rock drilling (500-1000 AFY)

The study indicates the existing demand based on average consumption of a population of 10,790 people currently served by the NCSD. The existing demand distribution areas already being served by the NCSD is broken down as follows:

Table 5.4-4: Current Demand

Land Use or Water User	Water Demand (AFY)
Residential	1,423
Non-Residential	68
Nipomo Regional Park	46
Brassica Nursery	19
Other large users / Unaccounted for	335
Main Water System total	1,890
Blacklake Water System	450
Total	**2,340**

The study projects water demand for the Nipomo area at build-out of 5,890 AFY (includes Woodlands) and a current demand of 2,340 AFY. The Alternatives Study evaluates water sources that might be used to make up this deficient. The table below comes from the study:

Table 5.4-5: Projected Demand at Build-Out

Land Use or Water User	Water Demand (AFY)
Residential-Including Blacklake	3,278
Non-Residential	132
The Woodlands	1,640
Nipomo High School	81
Nipomo Regional Park	46
Brassica Nursery	19
Other large users / Unaccounted for	693
Total	**5,890**

The Study assumes that the NCSD will ultimately serve the Woodlands as well as other surrounding areas currently not within the District's service boundaries. The NCSD's Urban Water Management Plan assumes service to only those areas within the NCSD's existing boundary: approximately 80-100 additional connections. The Alternatives Study also assumes a larger eventual service area for NCSD and addresses that by analyzing a full range of water resource alternatives. The Alternatives analysis is a useful long range planning study that gives the NCSD information about various water options.

The feasibility of these water supply options is currently in question. The NCSD is pursuing negotiations with the City of Santa Maria, and a preliminary study regarding desalination was funded in this year's budget. Supplemental water sources outside the Nipomo HSA are still in the planning stages and could take several years to fully develop. This uncertainty suggests that future annexations should be contingent upon the NCSD providing a documented and reliable supplemental water source

Water Code section 10910 (SB 610) lists the following criteria for identifying existing water supply entitlements:

- Written contracts or other proof of entitlement to an identified water supply
- Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system
- Federal, State and Local permits for construction of necessary infrastructure associated with delivering the water supply
- Any necessary regulatory approvals required to convey or deliver the water supply.

This part of the water code also calls for a Water Assessment for certain projects. It would be prudent for the type of Water Assessment called for in 10910 to be completed by the District prior to annexing properties into the District Boundaries.

Water and Sewer System Master Plan 2001 Update, Boyle Engineering

Nipomo Community Services District Board of Directors authorized this Water and Sewer Master Plan update in November of 2000. The purpose was to update the 1995 Plan with current information regarding existing District customers and future development scenarios that would likely expand the District's service area. The 2001 Plan adopted by the NCSD Board of Directors evaluates several key service issues:

- Water Demands and Sewer Loading
- Description of Existing Water System
- Description of Existing Sewer System
- Design Criteria
- Analysis of Existing Water System
- Analysis of Existing Sewer System
- Evaluation of Future Water System
- Evaluation of Future Sewer System
- Recommended Improvements
- Recommendations for Water Service to Summit Station

This study provides information for decision makers to proceed with a capital improvement plan that prioritizes future projects for the District based on anticipated growth in the Nipomo area. The Update also makes recommendations with regard to how to best serve the Summit Station area, which has experienced low water pressures for many years.

The Plan Update provides the NCSD with an understanding of the strengths and deficiencies of the water and sewer systems and recommends improvement to correct potential or existing problems. In Chapter 11 of the update the improvements are prioritized based on urgency of need and potential benefits. Chapter 11 of the update breaks the improvements into the following two sections: Improvements to Meet Existing Needs, and Improvements to Meet Future Needs. It also includes cost estimates for the various improvement projects.

San Luis Obispo County Master Water Plan, 2001

The County Water Master Plan inventories the existing water supplies and future demand for the County of San Luis Obispo. It also provides analysis of water supply alternatives and identifies potential water deficiencies. The County defines the Nipomo Mesa area as Water Planning Area 6 and identifies a number of water purveyors in the area, including the NCSD, Rural Water Company, and the Cal Cities Water Company. The table below shows the smaller private water purveyors operating in the Nipomo Mesa area:

Table 5.4-6: Private Water Purveyors in Nipomo Area

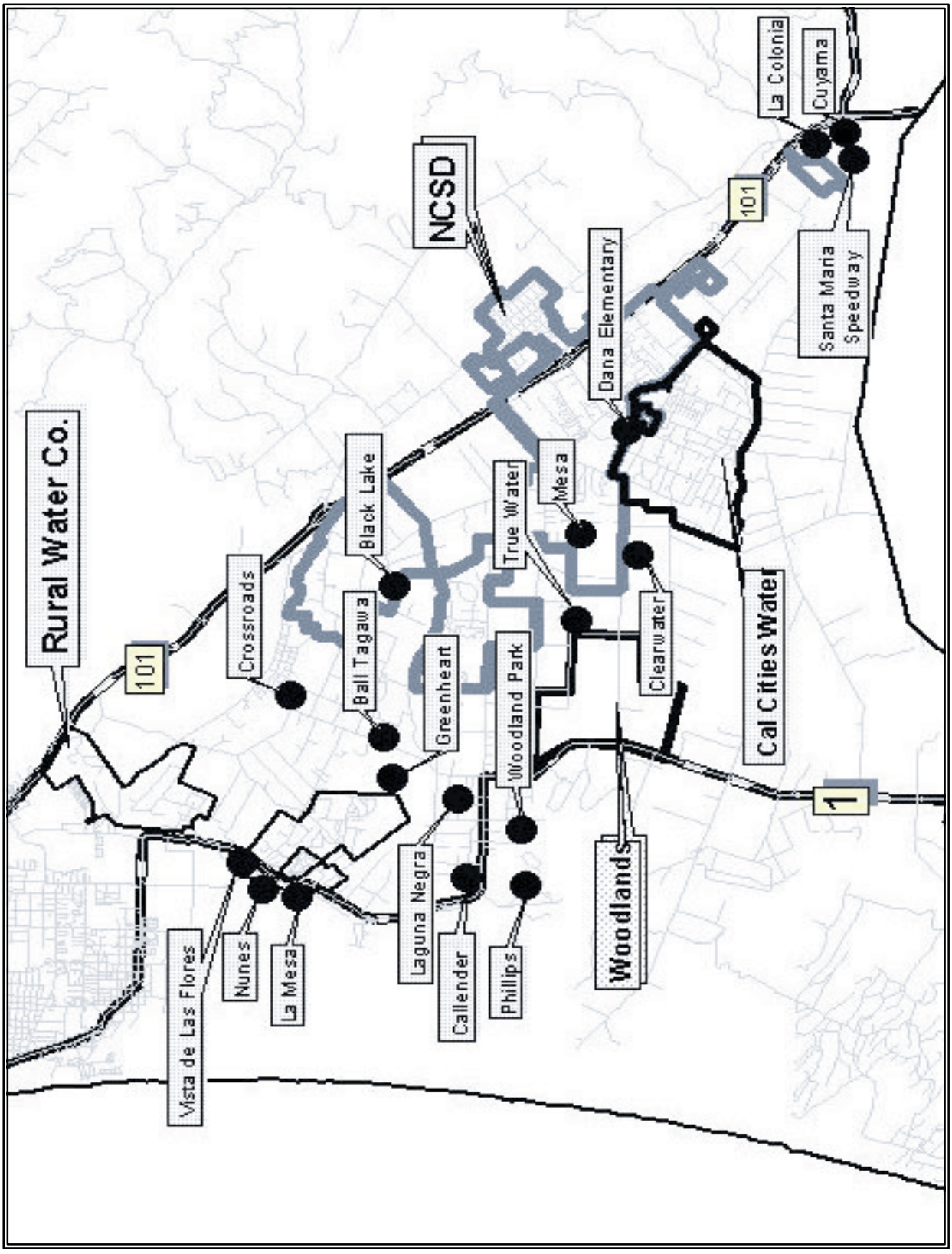
Arroyo Grande Mushroom Farm	Blacklake Canyon Water Supply
Calendar Water Assn.	Country Hills Estates
Greenheart Farms	Heritage Lane Mutual Water Company
Hetrick Water Company	Ken Mar Gardens
La Mesa Water Company	Rancho Nipomo Water Company
Guadalupe Cooling	Clearwater Nursery
Cuyama Lane Water Company	Dana Elementary School
La Colonia Water Association	Laguna Negra (Tract 610)
Mesa Mutual Water Company	Rim Rock Water Company
Santa Maria Speedway	Speeding, Inc.
True Water Supply	

This is important because private water purveyors continue to proliferate as development proposals that require community water systems are approved. Figure 4 shows the water purveyors in the Nipomo Area. Also contributing to increased water use is the approval of residences that are served by individual wells. The County's Master Water Plan States the following for the Nipomo Mesa Water Planning Area:

> ***"Urban demands may be understated. Nipomo will see considerable growth within the planning horizon. Competition for groundwater is increasing. The new DWR study indicates problems on the Mesa. Several mutual companies and development potential make management a challenge."***

The following excerpt from the San Luis Obispo County Water Master Plan describes the process the County is completing to evaluate water resources from a supply and demand standpoint.

Figure 5.4-4: Nipomo Area Water Purveyors



The County of San Luis Obispo is updating the County Master Water Plan (MWP). This document will serve to help policymakers, planners and the public understand the long-range availability of water resources throughout the County. This work was planned as a comprehensive, three-phased process:

- Phase I Data Compilation
- Phase II Conclusions and Policy Recommendations
- Phase III Supplemental Studies and Ongoing Review

The Phase I document is an inventory of existing information, reasonable conclusions and missing data. Included herein are current and future water needs, and current and possible water supplies. Some of these needs and supplies were computed using reasonable deductions and some are severely limited by a lack of adequate data. Significant effort has been spent to make this document as comprehensive as possible.

The County's Master Plan shows the existing and projected water needs for the Nipomo Mesa area as shown in the following in the following table:

Table 5.4-7: Existing and Projected Water Needs[1]

Land Use or Water User	Existing Demand (AFY)	Projected Demand
Urban	2,820	5,030
Agricultural	28,590	23,860-31,770
Rural	3,800	5,940
Total	**35,210**	**34,830-42,740**

1) San Luis Obispo County Master Water Plan, Table A

As land transitions from agricultural use to rural residences, water use typically decreases because agriculture uses have higher demand for water than do residential. It is difficult to project how much water demand will decrease due to the conversion of agriculture land to residential or other less water intensive uses.

Annual Resource Summary Report, County of San Luis Obispo 2000-2003

The County Department of Planning and Building prepares an Annual Resources Summary Report that summarizes the resource situation (including water) of Nipomo and other unincorporated areas of the County. The Report rates the capability of unincorporated communities to provide public services to the areas they serve. The Annual Report uses a Level of Severity rating system to assess water resources and delivery systems in the County areas. The rating system for water includes evaluating the available supply and the production and distribution system for a particular jurisdiction.

The following categories are defined:

- **Level of Severity I:** When projected water demand over the next nine years equals or exceeds the estimated dependable supply.
- **Level of Severity II:** When projected water demand over the next seven years equals or exceeds the estimated dependable supply.
- **Level of Severity III:** When projected water demand equals or exceeds the estimated dependable supply.

The following table summarizes the findings of the Annual Resource Summary Report for the last four years for the Nipomo area:

Table 5.4-8: Annual Resource Summary Report

Year	Level of Severity	Comments
2002	II	County staff is evaluating the DWR study and did not incorporate information in this years' Resource Summary Report. The Summary Report recommends preparation of a Resources Capacity Study by the County in conjunction with the NCSD and Southern California Water Company. Limits the number of units built in the Nipomo Mesa to 2.3% of the number existing units as of December 31, 2001.
2001	II	Report recommends completion a resource capacity study for the Nipomo Mesa Area based on DWR groundwater basin study and limits the growth rate to 2.3%.
2000	II	Report recommends completion a resource capacity study for the Nipomo Mesa Area based on DWR groundwater basin study and limits the growth rate to 2.3%.
1999	II	Report recommends completion a resource capacity study for the Nipomo Mesa Area based on DWR groundwater basin study and limits the growth rate to 2.3%.

The County has started work on a resource capacity study for the Nipomo area that will use the recently released (November 2003) Department of Water Resources study as an information source for completing the report.

The Woodlands Environmental Impact Report, 1998; Water Resources - Wastewater Section and Water Resources Management Study for The Woodlands, Cleath and Associates, 1996

This EIR for the Woodlands project was completed in 1998 and was adopted by the Board of Supervisors. The Woodlands project is located on the West Mesa adjacent to Highway 1, east of Highway 101, and includes 45 holes of golf, 1320 residential units, a 500-room resort, a nine-acre commercial village core, 22 acres of business park, and a 12-acre public park. The Water Resources Management Study for The Woodlands is found in Appendix H of the Woodlands Specific Plan Final

Environmental Impact Report. The purpose of this study was to evaluate the impacts to water resources in the area from the proposed development on the property. All of these land uses would require water service.

The study provides a good deal of information regarding the existing conditions in the area including, site background, geology and hydrogeology, water resources, and proposed project conditions. The study also completes a groundwater-modeling program and identifies the potential impacts on ground water from the project. Data gathered for the groundwater basin shows long term stable conditions with periodic cycles of declines and then recovery to near historic high levels in most of the basin. The EIR concludes that the Santa Maria Groundwater Basin is not considered to be in an overdraft condition and that impacts from the Woodlands project to water resources will not be significant.

2002 Supplemental EIR for the GMO Amendment:

This Supplemental Environmental Impact report was prepared in response to a request to amend the County Growth Management Ordinance to allow the residential portion of the Woodlands Specific Plan to be developed within a 15-year time frame. Environmental Science Associates (ESA) prepared this document for the SLO County Department of Planning and Building. The new information available since the 19978 EIR did not alter the conclusions of that EIR. In 1998, the EIR did not find that the groundwater basin underlying the project site was in an overdraft condition. The review of the new studies confirmed that extraction of groundwater required for a full build-out of the Woodlands SP within the 15-year time frame would pose less than significant impact on regional groundwater resources. No new mitigation measures for this impact are necessary. The 1998 EIR found that potential cumulative impacts of the proposed new development in the Nipomo Mesa area to be potentially significant and provided several conservation mitigation measures to minimize the impact. These measures would remain the same. The EIR states that the levels of existing water pumping does not adversely impact the basin. Even though the proposed project would be accelerated to be completed in 10-15 years from 27 years, the effect on groundwater resources would be the same.

The effects of this project on other wells in the surrounding area were not considered because the Santa Maria Groundwater Valley Basin has not been found in overdraft. There is no indication of seawater intrusion in the Nipomo HSA. The DWR report states that a new regional groundwater-monitoring plan be implemented to figure future trends with more reliable data. Implementation measures set forth in the 1998 EIR would minimize the cumulative impact to be made by the Woodlands project.

Ordinance No. 2957 amending the GMO adopted January 8, 2002:

This ordinance by the Board of Supervisors amends both the text of Part I and Part II of the Land use Element of the SLO County General Plan and the official Land use Element Maps adopted as Board of Supervisors Resolution # 2001-546. Therefore the changes are adopted as part of Section 22.01.022 of the Land Use Ordinance. The SLO County Board of Supervisors passed this ordinance unanimously on December 18, 2001.

Addendum to the 1998 EIR approved on December 17, 2002:
Woodlands Tract Map and Development Plans: EIR Addendum 2002
This document sets forth proposed mitigation measures and/or minor changes to the previous EIR. They do not reduce or change the conclusions of the original EIR. The SLO County Planning and Building Department, Environmental Division prepared this document. Once these measures and changes are satisfied a subsequent or supplemental EIR was not considered necessary. These are the thirteen (13) Minor Project modifications listed. The Environmental Analysis commentary is listed after each. One road access entry into the NE section of the project has been added onto Camino Caballo near Sun Dale Way. Several cul-de-sacs have been eliminated or shortened, and additional bike and pedestrian easements proposed. Some residential lots were relocated closer to the business park. Changes to the shape of the butterfly habitat area. An on-site composting facility has been added to the project. The existing nine acres of Central Coast Scrub is proposed to be replaced off-site. 93 acres of “natural area” have been included as part of the golf course ownership. The estimated scope of work for grading has increased. Issues that may be affected by grading are air quality,

archaeology, drainage, erosion, and sedimentation. Additional tree removal in Phase IIB is proposed along the southerly project edge. The residential multi-family lot near the village center is 5.7 acres rather than 4.0 acres. Addition of sound walls for the read or side yards for 36 lots along Mesa Road (within the project). The entire village center has been forwarded to Phase 1A. The applicant has changed the proposal haul routes for tree removal.

A variety of environmental issues were addressed in this document, including traffic, air quality, and biological resources. Water resources were given specific focus. These are the following Environmental Issues:

1. The 1998 EIR gave four (4) mitigation measures for water resources; no new measures were required with the 2001 Supplemental EIR.
    a. Measure 4.1-6a requires the applicant to participate in a toilet retrofit program on a 1:1 basis or propose a comparable water saving program.
    b. Measure 4.1-6b requires the applicant to develop a master water conservation education program.
    c. Measure 4.1-6c requires the project to use low water usage techniques in landscaping, including drip systems, use of native plants, limiting turf, and selection of golf course turfs that have low water needs.
    d. Measure 4.1-6d requires a survey of surrounding wells that may be affected by the Woodlands on-site well water pumpage.

County Resolution No. 2002-556 approving the Vesting Tentative Tract Map for Tract 2341 for the Woodlands:

This resolution by the Board of Supervisors reverses the SLO County Planning Commission's decision to disapprove the PH Property Development Company's application for a vesting tentative tract map for Tract 2341. The SLO County Board of Supervisors approved the resolution on December 17, 2002. The original decision to deny the project by the SLO County Planning Commission was overturned and the request was approved. The addendum to the 1998 EIR and the 2002 Supplemental EIR prepared for this project was approved as complete and

adequate. Conditions of Approval set forth in Exhibit B include the following categories: Access and Improvements, Trails, Golf Cart Circulation, Drainage, Utilities, Plans, CDF/County Fire, CCR's, Biological resources, and Misc.

Resolution No. 2002-554: Resolution Reversing the Decision of the Planning Commission and Approving the request of PH Property Development Company for a Determination and Verification that a Sufficient Water Supply is Available Pursuant to Government Code §66473.7 for Tract 2341:

This resolution by the Board of Supervisors reverses the SLO County Planning Commission's decision to deny PH Property Development Company's determination and verification that a sufficient water supply is available pursuant to Govt. Code § 66473.7 for tract 2341-The Woodlands. The County Board of Supervisors approved the resolution on December 17, 2002. The original decision by the SLO County Planning Commission to deny the project based on a lack of reliable water supply was overturned and the request was approved. The Board's decision was based on staff reports, submittals, and presentation of the applicant. The following evidence was presented in connection with the Woodland's vesting tentative map, Woodlands Specific Plan EIR, documents leading to the approval of amendment to the Growth Management Ordinance as it relates to the Woodlands, the 1991 EIR and 1994 Second revised Addendum for the South County Area Plan Update, the 2000 DWR Draft report: "Revised Final Draft/Subject to Revision, Water resources of the AG-Nipomo Mesa Area", the 2002 Dept. of Water resources final report: "Water resources of the AG-Nipomo Mesa Area", 1998 EIR, 2002 Supplemental EIR, and the 2002 DWR Report. This decision allows water to be provided to the subdivision through the pumping of groundwater.

Environmental Assessment of Water Resources Availability: Bartleson Development Plan:

The purpose of this study is to determine the water supply available to the Bartleson project under reasonably foreseeable variations in climactic conditions. The Morro Group, Inc. prepared the document: more specifically Dr. Donald O. Asquith, an engineering geologist, prepared the water resources section. This report was prepared for the SLO County Department of Planning and Building. The simulation

done as part of this report shows that the existing distribution of agricultural pumping in the Los Berros Creek demonstrates that there would be a major impact on water availability with a recurrence of the dry cycle of the '20s and early '30s. This potential impact could be the result of increased agricultural pumping for the fractured tuff reservoir in upper Los Berros Creek, and probably to some extent from the increased pumping from this reservoir in upper Nipomo Valley. The simulation of conditions with implementation of the proposed project indicates that this condition would be increased by about three percent (3%) for a recurrence of the prolonged drought period of the '20s and '30s. The effect would be far less for more typical dry periods of a few years such as occurred during the drought of 1987-1991. This increase would not be significant in the context of the potential for significant impacts on the Los Berros Creek corridor that resulted from the expansion of agricultural pumping from Obispo fractured tuff reservoir in the area.

Water Resources Evaluation-Nipomo Mesa Management Area, SAIC, May 28, 2003:

This document is a detailed hydrologic inventory of the Nipomo Mesa Management Area and estimates the change in groundwater in storage between 1975-2000. This document also estimates current and future water production, production safe yield, consumptive safe yield, and the effects of land use conversion on water supply in the area. Science Applications International Corp.-Water Resource Division prepared the report. The NMMA showed a cumulative change in groundwater storage between 1975-2000 of minus 18,540 acre feet, not including the 2720 acre feet of root zone deficit that occurred at the end of the study period. The water balance for the year 2000 shows a deficit of 4690 acre-feet (not including the aforementioned root zone deficit). The NMMA's land use is predicted to grow in the urban and golf course uses (6540 to 8320 acres and 660 to 850 acres, respectively), the native vegetation district is where the growth will occur. According o this document, consumptive use of production has exceeded consumptive safe yield annually since 1986. Groundwater in the NMMA is located in porous spaces in sedimentary deposits like (from oldest to youngest): the Squire Member of the Pismo Formation, the Careaga, Paso Robles, and Orcutt Formations, the alluvium

and the dune sands. The volume of groundwater in storage has decreased more on the north side of the Santa Maria River fault than on the south side. The cumulative subsurface inflow was-14110 acre-feet from 1975-2000. The period of 1975-2000 saw 8% more rainfall than an average 25-year period. The SAIC's estimate of total groundwater recharge due to deep percolation of precipitation is 25% greater than the estimates made by DWR. The assumed water demand for the Highlands project is approximately 31 AFY. This document is a consolidation of technical memos.

Proposed/Revised Draft Partial Statement of Decision-Santa Maria Groundwater Litigation – Case # CV 770214: Superior Court of the State of California, County of Santa Clara

This Partial Statement of Decision prepared by Superior Court Judge, the Honorable Jack Komar, is in regard to the Santa Maria Groundwater Litigation case being considered by the court. The following is a brief summary of the decision and does include interpretive legal analysis. The Court has considered a variety of water resource studies and analysis as evidence to come to its conclusions. This case could have implications for users of the Santa Maria Groundwater Basin. The Statement of Decision, which has yet to be signed by the Judge, draws several conclusions:

The key question as to whether the basin is in overdraft or not is considered by the court. The Statement of Decision states the following:

1) "The Court finds based on all the evidence presented in this phase of the trial that the Basin is not presently and has not historically been in a state of hydrologic overdraft."

2) "The Appropriators (including the NCSD) have not established by any standard of proof either the Basin's safe yield or that long-term extractions from the Basin have exceeded any such safe yield so as to manifest overdraft conditions."

These statements indicate the Courts determination that the Santa Maria Groundwater Basin is not in overdraft.

The Court also addressed the question of whether there are sub-basins or sub-areas of the Santa Maria Groundwater Basin that are in overdraft. In this case the judge referred to the Nipomo Mesa area specifically.

> "The court found that the evidence provided did not establish by credible evidence under any standard of proof, that sub basins or sub-areas were in a condition of overdraft. The court does affirm its previous finding that the Basin is a single hydrologic unit for purposes of the determinations of overdraft in this phase of the case."

The Court determined that the evidence provided to date does not show that sub-areas or sub-basins are in a state of overdraft. The Court affirmed its previous finding that the Basin is a hydrologic unit for purposes of determining overdraft for this case.

The Partial Statement of Decision document contains more details about the Courts' decision and is available for review.

Nipomo Mesa Groundwater Resource Capacity Study:
S.S. Papadopulos & Associates, Inc.

The Nipomo Mesa Groundwater Resources Capacity Study was completed for the County of San Luis Obispo by S.S. Papadopulos & Associates, Inc (Study). The stated objective of the study is to:

> "…distill relevant information from the Department of Water Resources (DWR) report and other water resource assessments of the Nipomo Mesa and vicinity, present an assessment of groundwater resources of the Nipomo Mesa, make recommendations for managing the groundwater resources including appropriate level of severity of depletion of the groundwater resource as part of the County's Resource Management System."

The Papadopulos study reviewed the DWR study and water studies conducted for Nipomo area EIRs. The Study indicates that the DWR assessment of groundwater conditions on the Mesa is the more accurate reflection of actual conditions. The Study also concludes that because of limitations inherent in the computer models used in the EIR studies, these studies tend to overestimate the sustainable yield of the groundwater basin and underestimate future groundwater declines and potential for seawater intrusion. The Study also determines that since current and projected pumping beneath Nipomo Mesa exceeds inflow (natural recharge plus subsurface inflow), the Nipomo Mesa portion of the Santa Maria Groundwater Basin is currently in overdraft and projections of future demand indicate increasing overdraft.

The Study indicates that there is a time lag of many decades between heavy groundwater pumping three miles from the coast and the appearance of evidence of seawater intrusion related to such pumping. The consequences of heavy pumping in the 1960s and 1970s may still result in seawater intrusion in the future, even though there is currently no evidence of intrusion.

The Study's evaluation of the DWR analyses, projections and water budget estimates indicate that groundwater pumping in the Nipomo Mesa area is in excess of the dependable yield and that overdraft conditions have existed and are expected in the future. The Study also determines that DWRs findings indicate that a Level of Severity III is the appropriate Resource Management System severity level for groundwater beneath the Nipomo Mesa area.

The Study identifies several responses to this situation. Management response to these findings could include increased use of recycled water, increased importation of supplemental water, implementation of additional conservation measures and appropriate limits on development. The Board of Supervisors will be considering a response in the near future.

B. Thresholds of Significance

The Sphere of Influence could be affected significantly if any of the following circumstances impinged on the water supply:

- Changes in absorption rates, drainage patterns or the rate and amount of surface runoff.
- Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of ground water recharge.
- Substantial reduction in the amount of groundwater otherwise available for public water supplies.

C. Project Impacts

Although the proposed Sphere of Influence Update and Municipal Service Review does not directly increase water demand, the proposed project could represent the first step in the development of the areas within the SOI. Future development of these Study Areas could adversely impact water resources.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area.

The proposed project would not directly result in any changes in land use for the involved properties. The proposed project could, however, represent the first step in development of undeveloped property in the SOI. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above. These discretionary approvals would require the preparation of additional environmental documentation (CEQA) to address any potential land use and planning impacts.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas by providing public services (water and sewer). While in this case the NCSD does not control land use decisions (the County), the provision of public services can affect the intensity and type of land development in a particular area, indirectly causing impacts on water resources. The Initial Study and comments regarding the NOP identified the following water impacts as potentially significant:

- Changes in absorption rates, drainage patterns or the rate and amount of surface runoff;

- Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of ground water recharge; and

- Reduction in the amount of groundwater otherwise available for public supplies.

Comments from the Save the Mesa organization regarding the Notice of Preparation indicated that a substantial reduction in the amount of groundwater otherwise available for public use should be studied as a potentially significant impact. This topic will be studied as a potentially significant impact.

Impact W-1. The proposed Sphere of Influence may indirectly cause changes in absorption rates, drainage patterns or the rate and amount of surface runoff by encouraging the development of properties within this area.

The SOI may indirectly induce the development of areas because of the provision of public services to the proposed areas. This development could lead to the following changes:

- Absorption rates due to an increase in "hardscape,"
- drainage patterns, or
- the rate and amount of surface runoff.

The expansion of the SOI would not directly cause any of the above-listed impacts to occur, but may indirectly cause development to be induced. The above-mentioned impacts cannot be quantified at this point in time because it is unknown how much area would be developed within the SOI.

Impacts to absorption rates, drainage patterns, and surface runoff are addressed in the planning and development process administered by the County of San Luis Obispo. This process includes a full review of the issues associated with impacts to absorption, drainage patterns and the rate/amount of surface runoff. Chapter Five of the County's Land Use Ordinance (LUO) provides specific standards and regulations for development including the following:

22.05.032(a) Drainage Plan Required: The requirements of this section apply to all projects and activities required to have land use permit approval. Drainage

plans are reviewed and approved by the County Engineer. Drainage plans are to be submitted with or be made part of the Plot Plan, Minor Use Permit, Site Plan, Development Plan or grading permit application for a project that: criteria 1-9.

The LUO lists nine criteria or circumstances that would require a drainage plan. According to these criteria, most types of development would be required to submit a drainage plan. The LUO also addresses the issue of groundwater recharge:

22.05.035-Groundwater Recharge (a) Requirements. Groundwater recharge elements must be included in the project design to mitigate the impacts on recharge caused by the reduction in the permeability of soil areas on the site except when the following site characteristics exist.

The LUO lists five conditions under which the Groundwater Recharge requirements would not have to be met. These include a high groundwater table, impervious soils on the entire site, known geologic stability, runoff will not occur from the site, or Federal or State regulations prohibit recharge.

The South County Area Plan identifies the following area-wide standard with regard to ground water recharge areas:

2. ***Groundwater Recharge Areas.*** *New development shall be located to preserve existing natural drainage areas and aquifer recharge areas and shall incorporate natural drainage systems in new developments to aid in groundwater recharge.*

The proposed SOI would not cause direct impacts to absorption, drainage or runoff. The extent of the impacts is unknown and cannot be quantified at this point in time. The County would mitigate these impacts at the time of development. Based on this and the standards and regulations found in the County Land Use Ordinance, the impact is reduced to a less than significant level.

Impact W-2. The proposed Sphere of Influence may indirectly cause a change in the quantity of ground waters, either through direct additions or withdrawals or

through substantial loss of ground water recharge by encouraging the development of properties within the Sphere area.

The SOI may indirectly induce the development of areas because of the provision of public services to the proposed areas. This development could lead to increased use of the groundwater basin known as the Nipomo HSA of the Santa Maria Groundwater Basin. Development could also lead to the loss of recharge areas. The expansion of the SOI will not directly cause any of the above action to occur. Also, the above-mentioned impacts cannot be quantified at this point in time because it is unknown how much area would be developed within the SOI.

There is disagreement over the condition of the groundwater resource under the Nipomo Mesa. Some believe that the groundwater resource is currently in overdraft. Others opine that the resource has an adequate recharge capability that can sustain the groundwater in the long term. In reviewing the studies summarized in the Existing Setting of this chapter, it appears that the groundwater resource will not be able to sustain growth and development in the years to come. This will necessitate the development of supplemental water sources by the District. The District believes that the groundwater basin (Nipomo HSA) would not be an available resource in the future and is planning for the development of other water sources.

The District is not planning to use the groundwater resource in the Nipomo HSA to supply water for future users. The District recognizes the groundwater basin is being stressed at a minimum, and probably in overdraft. The Groundwater Basin is in the process of being adjudicated by the Courts. This process will result in specific water allocations for the users of the groundwater resource in the Nipomo HSA. Although the exact allocation of water from groundwater is unknown at this time, the District is likely to have its allocation reduced from current supply levels of approximately 2,400 afy. This possible reduction has caused the District to take several actions:

- Adopted an annexation policy that requires the applicant to either 1) have access to a water source that does not impact the Nipomo HSA or 2) pay an

in-lieu fee for the future development of a supplemental water source by the District.

- Consider a more aggressive water conservation program that may include a more tiered rate structure, a mandatory conservation plan, certified water plans for residential single family and Multi-family projects, hiring a part-time water conservation coordinator to implement public information program, and preparation of quarterly reports regarding well production, water storage, water consumption and trends;

- Complete the preparation of the Urban Water Management Plan of the District. This plan is being completed to comply with the Urban Water Management Planning Act Water Code 10610-10657. (Implementation of the District's Urban Water Management Plan in its current form does not call for the implementation of water conservation measures and does not take into account added Spheres of Influence areas.)

Impact W-3. The proposed Sphere of Influence may indirectly cause a substantial reduction in the amount of groundwater otherwise available for public water supplies by encouraging the development of properties within this area.

This impact was originally categorized as a "less than significant impact" in the Initial Study. Comments received by the Save the Mesa organization requested that this impact be studied as a "Potentially Significant Impact" and it will be studied as such.

The groundwater resource found in the Nipomo HSA is undergoing litigation/adjudication at this point in time. A substantial change in the availability of this water source to the public will occur when the Judge allocates water to the various users of the resource currently involved in the litigation. As discussed earlier, this will likely be a reduction in the amount of water available to the District and other users. It is highly unlikely that the Court will allocate more of the groundwater resource than is currently being used by the District. It is far more likely

that the allocation will be less than what the District currently pumps from the Nipomo HSA.

Currently, development that is outside the District's Sphere of Influence service area is served either by private water wells or private water companies using wells. Development in the Nipomo area is approved by the County based the ability of a particular site to provide for its own water source or obtain a "will serve" commitment from a water purveyor. For example, the Cal Cities Water Company is a private water company that provides service for all of Study Area Five. Another example would be the private property owner who develops a residence on their land using an individual well. This is often the case in the development of individually owned rural parcels of land of one acre or more.

The NCSD is a public water provider and makes water service available to the public within their service area. Also, the NCSD is a public agency established under the California Government Code 61600. The Government Code and other applicable laws (Brown Act, CEQA, etc.) establish the rules and regulations for operating such a public agency. The NCSD is subject to these and other laws in managing the water resource and providing services to their customers. As a public agency, the policies and decisions of the District are made with participation and involvement of interested public and users of their services. Voters living within the Service Area of the District elect the Board of Directors.

The District can provide for enhanced management of the groundwater resource through a public entity rather than the continued proliferation of individual wells and private water companies. Some of the potential advantages of having a public agency responsible for managing the groundwater resource include:

- Implementation of a coordinated, area-wide Urban Water Management Plan that will provide for the efficient use of the groundwater resource;

- Increased accountability of the public agency to the people they serve. Private Water Companies and individual well owners have limited public

involvement and agency oversight in the management of the groundwater resource.

- More involvement and oversight by other state and local agencies in the management of the groundwater resource, i.e. Regional Water Quality Control Board, Department of Water Resources, County Public Works, Environmental Health, and Planning.

Some of the potential disadvantages of a public agency managing the groundwater resource may include the changing dynamics of local decision making, too much local focus without consideration of more regional issues, and less flexibility in the provision of water to new developments in the area.

Analysis of the District's water situation indicates that while the District may be able to obtain supplemental water sources sometime in the future, there is uncertainty surrounding the availability of the potential sources. The District has completed studies with regard to alternative water sources and identifies the City of Santa Maria, hardrock drilling on the east side of Highway 101, and desalination as potential future water sources. An agreement with the City of Santa Maria appears to be the most likely to occur, although no documentation is evident. Also it should be noted that hard rock drilling can be an unreliable source of water and should not be relied on for a long-term water supply. The pipeline to the District from the City is expected to be hung from the Highway 101 Bridge over the Santa Maria River when improvements are made to the bridge by Caltrans beginning in 2008.

As mentioned, adjudication of the groundwater basin is a key factor that may or may not constrain the District from using increased amounts of the groundwater resource (Nipomo HSA) for its customers. At some point in the future, the Court will allocate a share of the groundwater resource to the involved parties. The following table shows the District's current and future water demand within its existing boundaries and the additional water demand projected to serve the eight Sphere of Influence Areas if they were to be built out under the current zoning:

Table 5.4-9: Water Demand within Existing Boundary plus Projected Demand of all 8 Study Areas at Build-Out under Existing Zoning

	Acre Feet Per Year (AFY)
NCSD Existing Boundary at Build-Out (estimated)	2,700
Study Area #1	289
Study Area #2	2
Study Area #3	284
Study Area #4	106
Study Area #5 – water provided by Cal Cities Water	0
Study Area #6 – Woodlands-Private Mutual Water Co.	0
Study Area #7	212
Study Area #8	28
Total Demand	**3,621**
Potential Water Supplies (Urban Water Mgt Plan-NCSD)	**Acre Feet Per Year (AFY)**
Groundwater Within the Nipomo HSA (1)	2,400
Wells on east side of Highway 101(2)	1,100
Other Potential Sources (3)	2,600
Total Supply Planned by the District	**6,100**

1) Current supply. Adjudication could reduce this amount of water.

2) Fractured geologic structure may be an unreliable long-term, municipal water source.

3) Assumes well site near Santa Maria River, purchase from other agencies and desalination. These supplies are in the "idea" stage and have not been documented as a viable, "wet" water source.

The water supply section of the NCSD's Urban Water Management Plan does not provide documentation regarding the status of acquiring the sources that are mentioned above. In fact, all of the sources that are listed as part the District's future supply are either in the preliminary planning stages (desalination) or may not be a viable, long-term, municipal water source (hard rock-fractured structure drilling). It appears unrealistic at this point in time that the District has access to a reliable and sustainable future water supply of 6,100 acre feet. The table below considers these assumptions and shows two other water supply scenarios for the District:

Table 5.4-10: Alternative Water Supply Scenarios

Potential Source	Scenario #1	Scenario #2
Groundwater	2,100	2,400
Water Conservation	500	500
City of Santa Maria	0	1,000
Desalinization	0	0
Recycled Water Delivery	0	0
Hard Rock Drilling	100	300
Totals	**2,700**	**4,200**

Based on the projected demand of 3,621 acre feet needed to serve all eight study areas under existing zoning, the NCSD may be able to serve these areas if Scenario #2 depicted in the above table is realized in the next 20 years. However, these water sources are in the early planning stages and the District has yet to implement an effective water conservation program.

While the District has indicated its commitment to providing adequate water service to these areas, documentation verifying the availability of future water supplies has not yet been provided. If Scenario #1 is realized for the 8 Study Areas, the District would have a projected water deficit of 945 acre-feet. If Scenario #2 comes to pass, the District will have an excess of 555 acre-feet. This being the case it would be prudent for the District to provide verifiable documentation of a water source being

available for an annexation prior to the annexation being approved. This documentation should be provided in a format consistent with the Guidebook for Implementation of Senate Bill 610. This guidebook provides a legislatively approved process for documenting water supplies and builds on the Urban Water Management Plan prepared by the District.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as "two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the Nipomo area has been driven by land use approvals at the County level. The approvals often anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

If all eight Study Areas are developed under current zoning and then annexed to District the water demand is estimated to be approximately 900 acre feet per year not including the Woodlands. This estimate is based on the current land use zoning. The Woodlands is not envisioned to be part of the District; however, the water demand for the Woodlands at build-out is estimated to be approximately 1,600 acre-feet per year. The Woodlands use of the groundwater resource has already been approved through the development of a private water company.

According to the Urban Water Management Plan, the total cumulative water demand for the area under current conditions is approximately 2,500 acre feet per year at build-out within the District's current service boundary and Sphere of Influence. This could occur without the expansion of the Sphere of Influence or annexation of properties into the District. Table 5.4-2 contains water consumption and production projections from the District's Urban Water Management Plan.

The cumulative impacts of the Sphere of Influence on water depend on several factors, including:

- Future Land Use decisions by the County of San Luis Obispo;
- Adjudication of the groundwater resource by the Court;
- Proposed Annexations under the Districts recently adopted annexation policy
- Development of supplemental water sources by the District

Future Land Use Decisions

The County of San Luis Obispo has land use authority in the Nipomo Area. The Sphere of Influence by definition is "a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission". Land use decisions and the Sphere of Influence are indirectly linked because the provision of public services such as water and sewer can encourage more urban land uses in a rural area such as the Nipomo Mesa. The degree to which the Sphere of Influence causes this type of urbanization, however, is unknown because of the influence of the other factors mentioned above. Before an area zoned Residential Rural (5-acre lot minimum) can increase density, the County Board of Supervisors must approve a Land Use Ordinance Amendment. This amendment includes a comprehensive analysis of the land use and resource issues associated with such a proposal. Land Use Ordinance Amendments are also analyzed under the California Environmental Quality Act (CEQA). Also, the District has provided service to rural areas in the past that have not transitioned into more urban land uses. An example of this includes the Summit Station and area.

Adjudication of the Groundwater Basin

The outcome of this Court action will have a significant impact on the amount of water that the District and other users are allowed to pump from the Nipomo HSA. The Court is in the process of evaluating the water data and information provided by the various users of the groundwater resource. At some point in the future, the Court will allocate a share of the groundwater resource to the involved parties. This process will most likely result in a reduction of the amount of water available to the District. This action will take place regardless of the size of the Sphere of Influence and the District will be limited in the amount of water it may pump from the groundwater resource.

Development of Supplemental Water Source

The District has been negotiating with the City of Santa Maria for additional water. The negotiations are ongoing and the District expects to enter into an agreement in the near future. However, no documentation related to this water source has been submitted to LAFCO and the status of the agreement is unknown. The community has twice voted down State Water initiatives. Desalinization would likely not be available for 10-15 years and is at the preliminary stage of development. Hard Rock drilling on the east side of Highway 101 may not be a reliable long-term municipal water source.

E. Mitigation Measures

Mitigation W-1. Prior to LAFCO approval of any annexation, the District shall:

1) Implement a water conservation program that decreases water use by 15% based on per connection water consumption. Annexations shall only be approved if the District provides documentation that certifies a 15% decrease in water use has occurred since the approval date of the Sphere of Influence. Conservation measures shall be implemented at the District's discretion.

2) Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1,000 acre-feet for the

expanded Sphere of Influence. The Urban Water Management Plan prepared or updated by the District shall be prepared consistent with the State of California's Urban Water Management Plan Act. A Registered Professional Engineer specializing in water resource planning shall certify that the Plan is consistent with the State's Urban Water Management Plan Act.

Mitigation W-2. Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source outside the Nipomo Hydrologic Sub-Area and provide documentation that an agreement is in place to deliver such water by January 1, 2009. Documentation shall be consistent with Section 5, Step Two, Documenting Supply, of the SB 610 Guidebook dated October 8, 2003. A Registered Professional Engineer specializing in water planning shall review and certify such documentation.

The following mitigation measures are from other sections of this DEIR and are applicable to reducing the impacts to water:

Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas exclude Study Area 6.

(Please see LU-2 in the Land Use section 5.1 for the reduced Sphere of Influence. This would result in reduced water demand for the District's Sphere of Influence.)

Mitigation U-2. Prior to approval of any annexation, subject to the definition of a project set forth in Water Code 10912 definition of a "project", the District shall submit a Water Assessment pursuant to the procedures found in the Guidebook for Implementation of SB 610 and SB 221, using only the steps applicable to SB 610.

F. Residual Impacts

Even with the above mitigation measures, the water impacts of expanding the Sphere of Influence are significant and unavoidable (Class I), especially considering

continued rapid growth and the District's lack of a documented future water supply. Also, it is unknown if a 15% reduction in water use can be achieved through the implementation of conservation measures. The ability of the water agreement to obtain a supplemental water source to serve the area in the Sphere is also unclear. A statement of Overriding Considerations will need to be prepared with regard to these impacts.

CHAPTER 5.5
AIR QUALITY

The following discussion of air quality issues is based upon several previously certified Final Environmental Impacts Reports completed for major projects in the Nipomo area and are incorporated by reference into this document. Those EIR's include:

- South County Area Plan, Environmental Impact Report, May 1991
- Woodlands Specific Plan, Environmental Impact Report, December, 1998
- Willow Road/Highway 101 Interchange, Environmental Impact Report, April, 1999
- Lucia Mar Unified School District High School #2, Environmental Impact Report, November, 1998

Also used in the preparation of this section is the Clean Air Plan adopted by the Air Pollution Control District in March 2002 and the CEQA Air Quality Handbook prepared in April 2003. The scope of this analysis is programmatic and qualitative, relying on existing information and future growth projections for the area. Consistency with the Clean Air Plan will be determined by evaluating the following questions:

- Are the population projections used in the plan or project equal to or less than those used in the most recent CAP for the same area?
- Is the rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?
- Have all applicable land use and transportation control measures and strategies from the CAP been included in the plan or project to the maximum extent feasible?

The APCD has permit authority over many "direct" sources of air contaminants, such as power plants, gasoline stations, dry cleaners and refineries. The District does not, however, exercise permit authority over "indirect" emission sources. Indirect sources are facilities and land uses, which do not emit a significant amount of pollution themselves, but attract or generate motor vehicle trips, which result in emissions of ozone precursors and fine particulate matter. Emissions from these sources are typically addressed through the land use planning process under the guidelines and statutes of CEQA.

The District normally acts as a responsible or commenting agency under CEQA, reviewing and commenting on projects that have the potential to cause adverse impacts to air quality. Under CEQA statutes and guidelines lead agencies are required to seek comments from each responsible agency and any public agency that has jurisdiction by law over resources that may be affected by a proposed project (CEQA 21153 and 15366). For most urban development proposals, this typically involves projects where vehicle trip generation is high enough to cause emission levels capable of hindering the District's efforts to attain and maintain the state health-based air quality standards. While the Sphere of Influence for the Service District is a contributing factor in the development of an area, it is not, however, the deciding factor with regard to an area's eventual development. It is in this context that local jurisdictions and planning bodies can make critical decisions that affect their future environment and that of neighboring communities as well. The proposed Sphere of Influence may encourage growth and development of an area sometime in the future, but it will not directly cause an increase in vehicle trips.

A. Existing Conditions

Climate is a key element in the air quality of an area. The climate of San Luis Obispo County can be generally characterized as Mediterranean, with warm, dry summers and cooler, relatively damp winters. Along the coast, mild temperatures are more the rule throughout the year due to the moderating influence of the Pacific Ocean. This effect is diminished inland in proportion to distance from the ocean or by major intervening terrain features, such as the coastal mountain ranges. As a result, inland

areas are characterized by a considerably wider range of temperature conditions. Maximum summertime temperatures average about 70 degrees Fahrenheit near the coast, while inland valleys can reach the high 90's and 100's. Minimum winter temperatures range from the low 30's along the coast to the low 20's inland.

A persistent high-pressure area that commonly resides over the eastern Pacific Ocean largely dominates regional meteorology. Seasonal variations in the strength and position of this pressure cell cause seasonal changes in the weather patterns of the area. This Pacific high-pressure cell remains generally fixed several hundred miles offshore from May through September, enhancing onshore winds and opposing offshore winds. During the spring and early summer, as the onshore breezes pass over the cool water of the ocean, fog and low clouds often form in the marine air layer along the coast.

From November through April, the Pacific high tends to migrate southward, allowing northern storms to move across the County. About 90% of the total annual rainfall for the area is received during this period. Winter conditions are generally mild, with intermittent periods of precipitation followed by mostly clear days. Rainfall amounts can vary considerably among the different regions in the County. In the coastal plain and along the coastline, annual rainfall averages 16 to 28 inches. The Nipomo Mesa area averages approximately 18 inches of rainfall on an annual basis.

Airflow around the County plays an important role in the movement and dispersion of pollutants. The speed and direction of local winds are controlled by the location and strength of the Pacific high-pressure system and other global patterns, by topographical factors, and by circulation patterns resulting from temperature differences between the land and sea. In spring and summer months, when the Pacific high-pressure system attains its greatest strength, onshore winds from the northwest generally prevail during the day. At night, as the sea breeze dies, weak drainage winds flow down the coastal mountains and valleys to form a light, off shore breeze.

In the fall, onshore surface winds decline and the marine layer grows shallow, allowing an occasional reversal to a weak offshore flow. This, along with the diurnal alternation of land-sea breeze circulation, can sometimes produce a "sloshing" effect. Under these conditions, pollutants may accumulate over the ocean for a period of one or more days and subsequently be carried back onshore with the return of the sea breeze. Strong inversions can form at this time, trapping pollutants closer to the ground surface.

This effect is intensified when the Pacific High weakens or moves inland to the east. This may produce a "Santa Ana" condition in which air, often pollutant-laden, is transported into the County from the east and southeast. This can occur over a period of several days until the high-pressure system returns to its normal location, breaking the pattern. The breakup of this condition may result in relatively stagnant condition and a buildup of pollutants off shore. The onset of the typical daytime sea breeze can bring these pollutants back onshore, where they combine with local emissions to cause higher pollutant concentrations. Not all occurrences of the "post Santa Ana" condition lead to high ambient pollutant levels, but it does play an important role in the air pollution meteorology of the County.

Air Quality

Air pollutant concentrations are primarily determined by the amount of pollutant emissions in an area and the degree to which these pollutants are dispersed in the atmosphere. The stability of the atmosphere is one of the key factors affecting pollutant dispersion. Atmospheric stability regulates the amount of vertical and horizontal air exchange, or mixing, that can occur within a given air basin. Restricted mixing and low wind speeds are generally associated with a high degree of stability in the atmosphere. These conditions are characteristic of temperature inversions.

Airflow around the County plays an important role in the movement and dispersion of air pollutants. Temperature inversions at levels of 500 to 1,000 feet are common throughout the study areas, and may even occur as low as 250 feet. The presence

of inversions is important when considering air quality because they form a " lid" on the vertical movement of air, and subsequently the vertical dispersion of pollutants.

Air Quality Management

The California Clean Air Act (CCAA), adopted in 1988, requires that all Air Pollution Control Districts (APCDs) and Air Quality Management Districts (AQMDs) adopt and enforce regulations to achieve and maintain the State ambient air quality standards for the area under its jurisdiction. The CCAA requires non-attainment districts to develop and adopt an Air Quality Management Plan (AQMP) or Clean Air Plan (CAP). The AQMP/CAP must include emission reduction strategies and control measures sufficient to demonstrate that California air quality standards will be attained by the "earliest practicable date". As a demonstration of progress toward attainment, the CCAA requires that emissions of non-attainment pollutants be reduced by at least 5% per year (compared to 1987 emission levels) until the standards are achieved. The Act identifies transportation control measures as an essential element of the attainment plan.

San Luis Obispo County has been designated a non-attainment area for the State standards for ozone and "dust" (i.e., particulate matter or PM10). The San Luis Obispo County Air Pollution Control District is the agency charged with developing and updating the Attainment Plan for this County. Updates to these plans must be performed every three years until attainment is reached.

Pursuant to the requirements of the law, San Luis Obispo County adopted an updated version of the County's Clean Air Plan (CAP) in March 2002 to demonstrate attainment of the State standards. The 2002 CAP is intended to provide guidance to the Air Pollution Control District, the County, and other local agencies on how to maintain the State standard for ozone. The 2001 CAP contains 34 control measures designed to reduce ozone precursor emissions from a wide variety of stationary mobile sources.

Monitored Air Quality

Air quality at any location is dependent on the regional air quality and local pollutant sources. Regional air quality is determined by the release of pollutants throughout basin. Existing data indicates that mobile sources are the major source of the emissions. Motor vehicles account for approximately 40 percent of reactive organic (ROG) and nitrogen dioxide (NOX) emissions; the primary chemical components when combined with sunlight create ozone. Vehicles cause approximately 60 percent of monoxide (CO) emissions.

The nearest air quality monitoring station to the project area is the Nipomo Monitoring Station located at the Regional Park near Tefft Street. The data collected at this station is considered to be most representative of the air quality experienced in the project area. The Nipomo Monitoring Station collects air quality data for nitrogen dioxide (NO2), sulfur dioxide (SO2 and particulate matter, PM I0). All data for carbon monoxide (CO) is collected at the Marsh Street Monitoring Station, San Luis Obispo. The air quality monitoring data available for these pollutants are shown in Table 11, Air Quality Levels-Measure San Luis Obispo County Ambient Air Monitoring Stations.

Monitored ozone levels have not exceeded the State standards in past six years at the Nipomo Monitoring Station. Ozone is a secondary pollutant caused by the chemical reactions between other pollution elements. These elements include hydrocarbons and nitrogen dioxide. This chemical interaction to create Ozone requires sunlight. Pollutants emitted from upwind areas react during transport to produce the oxidant concentrations experienced in the Nipomo area.

Carbon monoxide (CO) and nitrogen dioxide (NOX) are important pollutants that are attributed mainly to motor vehicles. High levels of CO and NO2 commonly occur near roadways and freeways. NOX is measured at the Nipomo Monitoring Station, and CO is measured at the Marsh Street Monitoring Station. Both have remained below both Federal standards.

The particulate matter (PM 10) levels measured at the Nipomo Monitoring Station have exceeded the state standards in the last three years. From 1994 through 1996, the PM 10 State standard for particulates was exceeded in 1994 and 1995 at the Nipomo Monitoring Station. PM 10 levels in the area are generally from the following sources: grading operations, dirt roads, and motor vehicles. In addition, while these sources are contributors to the PM 10 exceedences in the area, the APCD has recently approved a project to study other possible sources of PM 10 and 2.5 in the Nipomo Mesa area. The following table shows the data gathered from the Nipomo Regional Park Monitoring Station for Ozone-State and Federal Standard and Particulate Matter 10.

Table 5.5-1: Data from the Nipomo Monitoring Station, 1999-2003

Year	Pollutant	Standard Exceedance	Highest Concentration
2003	Ozone (State.09 ppm)	No	.074 ppm
	Ozone (Fed .12 ppm)	No	.065 ppm.
	PM_{10} (50 ug/m^3)	Yes	57 ug/M^3
2002	Ozone (State 09 ppm)	No	.080 ppm
	Ozone (Fed .12 ppm)	No	.069 ppm
	PM_{10} (50 ug/m^3)	Yes	55 ug/M^3
2001	Ozone (State 09 ppm)	No	.085 ppm
	Ozone (Fed .12 ppm)	No	.080 ppm
	PM_{10} (50 ug/m^3)	Yes (2X)	60/52 ug/M^3
2000	Ozone (State 09 ppm)	No	.078 ppm
	Ozone (Fed .12 ppm)	No	.066 ppm
	PM_{10} (50 ug/m^3)	No	48 ug/M^3
1999	Ozone (State 09 ppm)	No	.089 ppm
	Ozone (Fed .12 ppm)	No	.076 ppm
	PM_{10} (50 ug/m^3)	No	41 ug/M^3

Sulfur Dioxide (SO2) is a primary pollutant generated by industrial uses and motor vehicles. SO2 levels measured at the Nipomo Monitoring Station have also remained below both State and Federal standards in the years monitored.

According to the monitored data shown in the table below, Air Quality Levels Measured at the San Luis Obispo County Ambient Air Monitoring Stations, no State or Federal standards were exceeded for the remaining criteria pollutants at the Marsh Street Monitoring Station in San Luis Obispo.

Table 5.5-2

AIR QUALITY LEVELS MEASURED AT THE SAN LUIS OBISPO AIR MONITORING STATION

Pollutant	California Standard	National Standard	Year	Maximum Level	Days State Std. Exceeded
Ozone	0.09 ppm for 1 hr.	0.12 ppm for 1 hr.	2001 2000 1999	0.08* 0.08	0* 0
	0.09	0			
Particulates PM10**	50 ug/m3 for 24 hr.	150 ug/m3 for 24 hr.	2001 2000 1999	39* 44 42	0* 0 0
Particulates PM10[3] (Annual)	30 ug/m3 AGM[2]	50 ug/m3 AAM[1]	2001 2000 1999	17/18 18/19 15/17	No No No
CO	20 ppm for 1-hour	35 ppm for 1-hour	2001 2000 1999	3.2* 3.6 5.3	0* 0 0
CO	9.0 ppm for 8-hour	9 ppm for 8-hour	2001 2000 1999	2.0* 2.3 3.1	0* 0 0
NOx	0.25 PPM for 1-hour	0.053 PPM AAM	2001 2000 1999	.054* .051 .064	0* 0 0

** PM10 samples were collected every 6 days. Calculated days is the estimated number of days that a measurement would have been greater than the level of the standard had measurements been collected every day.

* Data presented are valid, but incomplete in that an insufficient number of valid data points were collected to meet EPA and/or ARB criteria for representativeness

1. Annual Arithmetic Mean
2. Annual Geometric Mean
3. Levels Shown for Annual PM10 are AGM/AAM

Local air quality is a major concern along roadways. Carbon monoxide is a primary pollutant. Unlike ozone, carbon monoxide is directly emitted from a variety of sources. The most notable source of carbon monoxide is motor vehicles. For this reason, carbon monoxide concentrations are usually indicative of the local air quality generated by a roadway network and are used to assess the impacts of roadways on the local air quality. Comparisons of levels with State and Federal carbon monoxide standards indicate the severity of the existing concentrations for receptors in the project area. The Federal and State standards for carbon monoxide are presented in Table 5.4-3, "Federal and State Carbon Monoxide Standards."

Table 5.5-3: Federal and State Carbon Monoxide Standards

	Averaging Time	Standard
Federal	1 hour	35 ppm
	8 hours	9 ppm
State	1 hour	20 ppm
	8 hours	9 ppm

A summary of the sources and health effects of these criteria pollutants is presented below.

Ozone

Ozone is not directly emitted or created by any one source but is the result of a photochemical reaction between sunlight, oxides of nitrogen (NOx), and reactive organic gases (ROG). Fuel combustion from mobile sources such as automobiles, trucks, trains, and aircraft are the greatest contributor of NOx and ROG emissions. Other sources of NOx and ROG include off-shore oil and gas seeps, pesticides, fires, paint, and solvents, oil and gas extraction and processing facilities, residential fuel use and consumer products. In the upper atmosphere, ozone provides important protection against harmful ultraviolet radiation. When located in the lower

atmosphere, ozone is harmful in a number of ways. Ozone is a pungent, colorless gas that causes eye and respiratory irritation, reduces resistance to lung infection, and may also cause damage to vegetation and untreated rubber.

Particulate Matter -10 Microns

PM 10 refers to particulates of 10 microns in diameter or less. There are several sources of PM10 including, but not limited to: the combustion of fuels, agricultural operations, mineral extraction and processing, construction activities, and road building. Particulates of such a small size can cause damage directly to the respiratory system and can contain absorbed gases, which may also adversely affect lung functions. PM 10 particulates can also reduce visibility.

Sulfur Dioxide

Sulfur Dioxide results from the combustion of sulfur or sulfur-containing fuels. Fuel combustion is the primary source, while chemical plants, sulfur recovery plants and metal processing facilities are also minor contributors. Sulfur dioxide levels are usually highest during wintertime. SO2 can damage vegetation and manmade materials, can cause lung irritation, reduce visibility, and when humidity levels are high, sulfur oxides can react with water vapor to produce sulfuric acid, a major component of acid rain.

Odors

On August 4, 1989, the County of San Luis Obispo Air Pollution Control District Hearing Board found that petroleum-related odors emitted during the operation of the Unocal facility caused a nuisance for nearby residents. Most of the complaints came from residents who lived within one mile of the Unocal facility. The complaints regarding odor from the Unocal facility received by the APCD are shown in the following table:

Table 5.5-4

CONOCO/PHILIPS ODOR COMPLAINTS, 1989-2002

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1989	6	11	26	17	19	25	58	23	27	35	22	39
1990	21	18	25	21	28	50	41	17	74	24	34	8
1991	11	19	32	6	8	14	11	19	22	43	25	21
1992	19	11	19	22	4	4	25	24	22	75	26	14
1993	3	4	4	4	4	4	3	2	14	16	9	3
1994	7	3	3	2	2	17	3	8	1	2	6	0
1995	1	1	4	2	0	0	3	1	2	2	8	4
1996	4	0	3	0	1	4	2	2	0	3	1	0
1997	0	1	0	1	5	1	6	2	7	10	2	0
1998	2	0	0	0	0	1	0	0	0	1	1	0
1999	1	0	0	0	0	0	3	2	1	0	0	0
2000	0	0	0	0	0	0	0	1	1	0	0	0
2001	0	0	0	0	0	0	1	0	4	0	0	0
2002	0	0	0	0	0	0	2	2	1	0	0	1

As a response to the problem, the APCD issued an Order for Abatement to Unocal. The abatement stipulates several measures to be enacted for odor control and has been amended several times since its issuance. District staff continues to regularly patrol the Nipomo Mesa and Conoco/Phillips Refinery neighborhoods for odor surveillance. Several evaluations of the odors generated by the facility have been prepared by Odor Science and Engineering, Inc. (OSE). Their September 17, 1993 report shows that odors from refinery sources are not as widespread in their impacts or as intense following the completion of Unocal's odor mitigation projects. The APCD recognizes that an operation such as the refinery can never be expected to be completely odor free, but works with the operator to reduce offsite impacts of potential odor sources.

B. Thresholds of Significance

A project will have a significant impact if it would "violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation or expose sensitive receptors to substantial pollutant concentration." The following discussion of air quality issues compares long term project "operational" related emissions to established Air Pollution Control District thresholds of significance for various pollutants. The expansion of the SOI does not cause short-term construction-related impacts.

C. Project Impacts

Expanding the District's Sphere of Influence would not directly impact the air quality in the Nipomo area. The proposed project could, however, represent the first step in development of areas within the SOI. Future development of this property could adversely impact air resources in these areas.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;

- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan for serving that area. A Land Use Ordinance Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above. These discretionary approvals would require the preparation of additional environmental documentation (CEQA) to address any potential land use and planning impacts.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas by providing public services (water and sewer) to those areas. While in this case the NCSD does not control land use decisions (the County does), the provision of public services can affect the intensity and type of land development in a particular area. During the NOP/Initial Study comment process the APCD commented that the project may

violate air quality standards, or contribute to an existing or projected air quality violation and that a potentially significant impact may occur. This impact will be studied as a potentially significant impact as requested by the APCD.

Impact AQ-1. Expansion of the Sphere of Influence could contribute to a violation air quality standards, or to an existing or projected air quality violation, by encouraging development in areas where development does not currently exist and therefore causing an increase vehicle trips and vehicle emissions.

The eight Study Areas being analyzed for inclusion in the Sphere of Influence are largely rural in character and include large lot residential land uses (5 to 20-acre lots and larger), a built-out residential suburban area, agricultural uses and several greenhouses.

The provision of water and sewer services from the NCSD to these areas could cause an increase in the number residences and may result in increases of private vehicle commuter traffic to places of employment in outlying cities. The South County Area Plan, as amended, causes impacts to air quality related to land use. The provision of public services by the NCSD may remove a barrier toward increased density and development in an area. The Sphere of Influence, however, also represents an area that may be served as currently zoned without an increase in density. If this is the case then the Sphere of Influence has no impact on Air Quality in a particular area. In fact, a benefit to air quality may be achieved due to the reduced need for individual well pumps and septic systems in a particular area.

Pollutants of concern in the Nipomo Area are primarily oxides of nitrogen and reactive organic gases as these are precursors of ozone that are generated primarily by motor vehicle trips that may increase as a result of build-out under the proposed South County Area Plan. Also of concern are the exceedences on the State's PM 10 standards. These exceedences may increase due to continued development in the area.

The following table shows the various approvals needed for each area. This is important to note because, typically, the land use approvals have been granted by the County prior to annexation of an area into the District. Annexation is normally a response to an already approved project.

Table 5.5-5

AREA	EXISTING LAND USE	LAND USE APPROVALS NEEDED
1	420 acres of Agriculture 462 acres of Residential Rural 200 acre Cañada Ranch Specific Plan	• To increase density, or move the URL, a Land Use Ordinance Amendment to change zoning would be required. • Possible approval of Tract or Parcel Map by County • Conditional Use Permit approval may be needed for land use projects • Specific Plan approval for Cañada • Annexation to the District • All approvals are subject to CEQA
2	132 Acres Agriculture	• To increase density and move the URL, a Land Use Ordinance Amendment would be required. • Possible approval of Tract or Parcel Map by County • Conditional Use Permit approval may be required for some land use projects • Annexation to the District • All approvals are subject to CEQA
3	91 acres of Residential Single Family 84 acres of Residential Suburban	• Conditional Use Permit approval may be required for land use projects. This area is within the URL and is envisioned by the County to receive urban services. • Annexation to the District

AREA	EXISTING LAND USE	LAND USE APPROVALS NEEDED
		• To increase density in this area, a Land Use Ordinance Amendment to change zoning would be required. • Possible approval of Tract or Parcel Map by County • All approvals are subject to CEQA
4	Southland Specific Plan 1,173 acres of Rural Lands 104 acres Commercial Service Maria Vista-Residential Suburban	• To Increase Density, a Land Use Ordinance Amendment to change zoning would be required • Conditional Use Permit approval may be required for some land use projects. • Possible approval of Tract or Parcel Map by County • Specific Plan approval for Southland • Annexation to the District • All approvals are subject to CEQA
5	Residential Single Family (RSF) Residential Suburban (RS)	• The RSF area is already developed. To Increase Density a Land Use Ordinance Amendment to change zoning from RSF to RMF would be needed. • The RSF area already receives sewer service from the county. The County contracts with the NCSD to process the effluent from this area. • The RS area is largely built out and community water is provided by Cal Cities Water Co. The provision of sewer services to the area might allow for a limited number of secondary units on some lots. • A Conditional Use Permit (minor Use Permit-Development Plan) approval may be required by the County for these units.

AREA	EXISTING LAND USE	LAND USE APPROVALS NEEDED
		• Annexation to the District • These approvals are subject to CEQA
6	Woodlands Specific Plan Area	• The Woodlands has already been approved with an EIR and mitigations.
7	1,325 acres of Residential Rural x 1 unit/5 acres=	• To increase density, a Land Use Ordinance Amendment to change zoning from RR to RS or RSF is required. • Conditional Use Permit approval for land use development/projects is usually required. • Annexation to the District would be required. • Approvals are subject to CEQA
8	334 acres of Residential Rural x 1 unit/5 acres =	• To increase density, a Land Use Ordinance Amendment to change zoning from RR to RS or RSF is needed. • Conditional Use Permit approval for land use development/projects is usually required. • Annexation to the District would be required. • Approvals are subject to CEQA

It is difficult to identify the air quality impacts of expanding the NCSD's Sphere of Influence on Air Quality for the following reasons:

1. The Sphere of Influence (SOI) will not change the existing zoning or density allowed on a particular parcel, and would therefore not increase population.

2. The SOI relates to public services that may (or may not) be provided by the NCSD to a particular area.

3. The SOI may cause a property owner to seek an increase in density by filing an application for a Land Use Ordinance Amendment, however, the possible location or origin of such proposals are unknown.

The balance to the above discussion is that the Sphere of Influence may represent the first step toward development by proposing that an area be provided public services from the District. It is fairly clear that any significant increase in density proposed in the Study Areas would come from a General Pan Amendment that was fully evaluated by the County and studied pursuant to CEQA. CEQA discourages speculation regarding the impacts of a project. CEQA also discourages deferring study of an impact to a later date, however, unless deferral can be clearly tracked through a process that will ensure adequate analysis of an impact at a more appropriate time. The above table shows the future steps needed for development of properties in the Sphere of Influence Study Areas.

The proposed Sphere of Influence Update and Municipal Services Review will not directly generate any air pollutants or increase vehicle miles traveled and will, therefore, not violate any air quality standards or contribute to an existing or projected air quality violation. It would be speculative to project or estimate the changes in land uses that may occur in the future. The levels of air pollutants that might be attributable to the expansion of the SOI are unknown and dependent upon other factors such as the type of land use, number of vehicle trips, and possible mitigation measures. Proposed development projects would be required to identify impacts to air quality and mitigate any potentially significant impacts or adopt a statement of overriding considerations.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior

expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level.

The expansion of the District's Sphere of Influence may represent a contributing step in the development of the cumulative projects listed in the Land Use Section of this document. Development of these cumulative projects listed in that section would impact air quality conditions in the project area on both a short-term and long-term basis. The long-term cumulative air quality impact in the area would result from increased traffic volumes in the project area.

E. Mitigation Measures

The following mitigation measures are from other sections of this EIR and are applicable to reducing the impacts on Air Quality:

Mitigation LU-1. Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed: 1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or Land Use Ordinance Amendment, or 2) Approval by LAFCO of an Outside User Agreement or an Annexation.

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

Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6.

Mitigation LU-3. The District shall not provide sewer services to Study Areas #4 (except Southland Area and residential Suburban Zoning), #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8 found in Chapter 5.1, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential growth inducing impacts of adding these areas to the District's Sphere of Influence.

Table 5.5-6: Minimum Lot Sizes Allowed[1]

Land Use	Lot Size allowed with Community Water	Lot Size allowed without Community Water	Lot Size allowed with Community Sewer	Lot Size Allowed without Community Sewer
Residential Multifamily Residential Single Family	Community Water is required to develop land in these categories Other applicable Standards: Access, Slope and Sewer tests	Community Water is required for this land use category	6,000 Sq ft.	20,000 sq. ft. with 0-5 min. /inch Leaching Capacity 1 acre with 5+ min/inch of leaching capacity
Residential Suburban	1 acre Other Standards: Slope test	1 acre with comm. sewer 2.5 acres w/o comm. sewer	1 acre	2.5 acres
Residential Rural: 22.04.026	Based on other Standards: Remoteness, Fire Response, Access, and Slope tests	5-acre minimum	5-acre minimum	5-acre minimum
Rural Lands: 22.04.025	Based on other Standards: Remoteness, Fire Response, Access, and Slope tests	20-acre minimum	20-acre minimum	20-acre minimum

1) San Luis Obispo County Land Use Ordinance Chapter 22.04.20-37

F. Residual Impacts

As stated earlier, expanding the District's Sphere of Influence is a contributing factor to the development of an area. By limiting the size of the Sphere of Influence, the potential for growth induced air quality impacts are decreased. Degree of limitation is unknown since the future development in the area cannot be known at this time. It can be assumed that air quality impacts must studied and mitigated as part of future discretionary project applications considered by the County and the APCD prior to development within the Sphere of Influence. Those land use approvals that might be needed are shown in an earlier table provided in the impact discussion. Combined with the fact that it cannot be known for certain what the long-term (operational) air quality impacts may be for expanding the SOI make this a Class 2 impact, potentially significant adverse impacts which can be reduced through mitigation.

CHAPTER 5.6

TRANSPORTATION–CIRCULATION

The NCSD is not responsible for the construction, repair and maintenance of roads in the Nipomo Area. The County Department of Public Works is responsible for the roads and circulation in the Nipomo area. The proposed Sphere of Influence Update and Municipal Service Review could contribute to increased vehicle trips or congestion in the area. The SOI can increase the likelihood of development in an area by enabling a property or properties to receive public services upon annexation to the NCSD. The precise nature, density and extent of future development and the associated impacts in those areas within the SOI cannot, however, be determined at this time.

A. Existing Conditions

This section summarizes the existing conditions of the Nipomo Area streets and roads, which are maintained by the County. The key sources of information include the following documents and are incorporated into this document by reference:

- Woodlands Specific Plan Final Environmental Impact Report, December 15, 1998
- South County Circulation Study, September 2000, Updated August 2002 prepared by the County Public Works Department
- Annual Resource Summary Report, Resource Management System, 2002
- 2001 Regional Transportation Plan and Environmental Impact Report, San Luis Obispo Council of Governments

The routes of regional significance include Highway 101, State Highways 1 and 166, Thompson Road, Tefft Street, Pomeroy Road, Orchard Avenue, Willow Road, and Division Street. The area is served by three interchanges with Highway 101 at Thompson/Los Berros Road at the north end, Tefft Street in the

center and Route 166 at the south end. Figure 5.6-1 from the South County Circulation Study shows the transportation network in Nipomo with Primary and Minor Arterials, Collectors and Local roads. According the Council of Governments Regional Transportation Plan, residents of the Nipomo area split their travel directions with about 50% of people traveling north to the Five Cities area and San Luis Obispo and about 50% traveling south to Santa Maria.

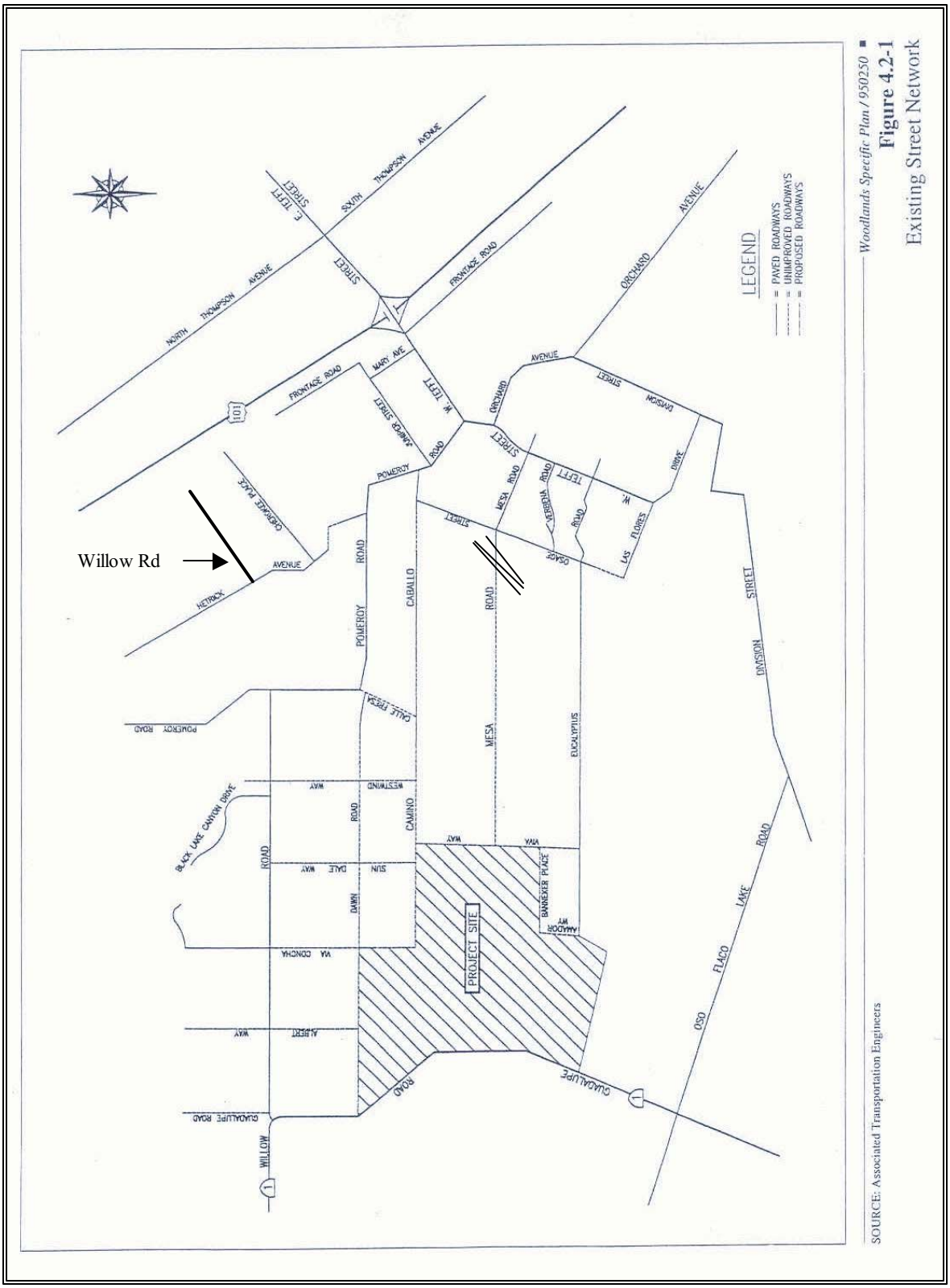
Woodlands Specific Plan Environmental Impact Report

The following is a description of the circulation system for the Nipomo area from the Woodlands Environmental Impact Report that was certified by the County Board of Supervisors in 1998:

> *The circulation system adjacent to the project site is comprised of regional highways, arterials, collector and local streets. The principal components of this street network are discussed in the following text. Figure 4.2-1 illustrates the existing street network within the project study-area. U.S. Highway 101 is a multi-lane highway which serves as the principal inter-city route between Los Angeles and San Francisco, and provides access to many of the communities within San Luis Obispo and Santa Barbara Counties. Within the study-area, Highway 101 contains four travel lanes. Access to the Nipomo area via Highway 101 is currently provided at Tefft Street with a full interchange, which has recently been improved.*
>
> *Tefft Street is a primary arterial roadway within the Nipomo area. Tefft Street extends from Dana Foothill Road at the northeast to Las Flores Drive at the southwest. The roadway varies in width from two- to four-lanes. The section of Tefft Street extending from Highway 101 to just south of Orchard Avenue is four-lanes wide with a left-turn median and bike lanes. The posted speed limit along this roadway section ranges between 35 and 45 miles per hour. This four-lane section serves small businesses and residential uses. A two-lane section with a center left-turn median and bike lanes exists from just south of Orchard Avenue to*

south of Verbena Street. The roadway becomes a 20-foot, two-lane undivided roadway without median or bike lanes from Verbena Street to Las Flores Drive. The posted speed limit along the two-lane section of Tefft Street is 45 miles per hour. The two-lane section serves abutting residential uses. The intersections of Tefft Street with Pomeroy Road, Orchard Avenue, Mary Avenue, and U.S. 101 ramps are controlled by 3-stage traffic signals. The remaining Tefft Street intersections are controlled by side-street stop signs.

Figure 5.6-1: Existing Street Network



WillowRoad is an undivided, arterial roadway that begins at Pomeroy Road on the east and extends west to Guadalupe Road. At Guadalupe Road, Willow Road merges with and becomes State Route 1. The intersections along Willow Road are stop sign-controlled. Major intersections have left-turn lanes on Willow Road. The speed limits along the roadway range from 45-55 miles per hour. The roadway section from Pomeroy Road to Guadalupe Road is 40 feet in width with 10-foot travel lanes and 5-foot bike lanes. The section of Willow Road from Guadalupe Road west is approximately 20-25 feet wide without bike lanes. The Willow Road project will extend the road east toward Highway 101 with a full interchange and then terminating at Thompson Road.

Pomeroy Road is a two-lane arterial, undivided roadway with bike lanes from Tefft Street to Willow Road. The posted speed limit on Pomeroy Road from Tefft Street to Hetrick Avenue is 45 miles per hour, and 55 miles per hour from Hetrick Avenue to Willow Road. The roadway width is approximately 40 feet along the entire section from Tefft Street to Willow Road. The intersections along Pomeroy Road are controlled by stop signs on the side street approaches, with the exception of Tefft Street, which is signalized.

Cabrillo Highway (State Route 1) is a two-lane State highway, which serves the agricultural uses within the Santa Maria Valley region, as well as provides a connection between Santa Maria to the south and Arroyo Grande, Oceano, Grover Beach and Pismo Beach to the north. The side street approaches at the intersections along Route 1 are controlled by stop signs, with left-turn channelization provided at major intersections, such as Osos Flacos Lake Road. Adjacent to the project, Route 1 is called Guadalupe Road and is approximately 20 feet wide with a dirt shoulder. North of the project site, Route 1 changes first to Willow Road then becomes Mesa View Drive. The posted speed limit along this roadway ranges from 45-55 miles per hour. The intersection of Route 1 and Halcyon Road, located north of the study area, is controlled with a flashing light and 4-way stop signs.

Local Roadways: There are a number of collector and local streets that provide access to the project site from the north and east. Many of these roadways are not fully improved at this time and do not have any control at cross streets. These roadways include Albert Way, Via Concha, Amador Way, Sun Dale Way, Viva Way, Westwind Way, Calle Fresa, Dawn Road, Camino Caballo, Mesa Road, Banneker Place. The widths of these paved and dirt roadways range from 15-25 feet. Eucalyptus Road, which extends from Tefft Street to the southern area of the project site, has recently been paved to a width of 24 feet.

The final Woodlands EIR contains a detailed analysis of the traffic and circulation impacts that can be expected from the Woodlands development. This traffic analysis addresses a large area in Nipomo because the impacts of the Woodlands project will occur throughout the community. The Woodlands development will construct several road improvements in the area to mitigate the impacts of the project. The Woodlands EIR also sites regional improvements that are expected to help offset the increased traffic from the project, including the Willow Road extension and interchange.

South County Circulation Study, Updated August 2002

The County of San Luis Obispo Public Works Department is responsible for the construction, maintenance and repair of the local streets and roads in Nipomo. In 1987 the County Board of Supervisors adopted the first South County Circulation Study, then called the Nipomo Circulation Study, which was prepared by the County Public Works Department. The South County Circulation Study has been updated on a regular basis with the latest update being completed in August 2002. The Study is used for transportation planning on the Nipomo Mesa and to establish Road Impact Fees. This Study plans for the development that is envisioned in the South County Area Plan. In 1988 the County established a traffic impact fee program for the Nipomo area. The program identified a wide range of projects in two areas of benefit, described as follows:

- **Area 1** – A portion of the Mesa south of Blacklake Canyon and the Willow Road Extension, west of Highway 101 and east of Highway 1.
- **Area 2** – The area west of Highway 101, north of Blacklake Canyon and Willow Road extension, including Calendar Garrett Village and surrounding rural area along Highway 1.

Developments such as Cypress Ridge and The Woodlands as well as the changing nature of the South County area, required that the circulation model used for the South County area be comprehensively revised during the latest update. The study inventoried the land uses in the area, characterized the existing conditions within the study area, developed build-out traffic forecasts using a computerized traffic model, evaluated alternatives to deal with traffic increases, prepared a Capital Improvement Program for constructing projects, and established an Updated Impact Fee Program for improvements.

Figure 5.6-2

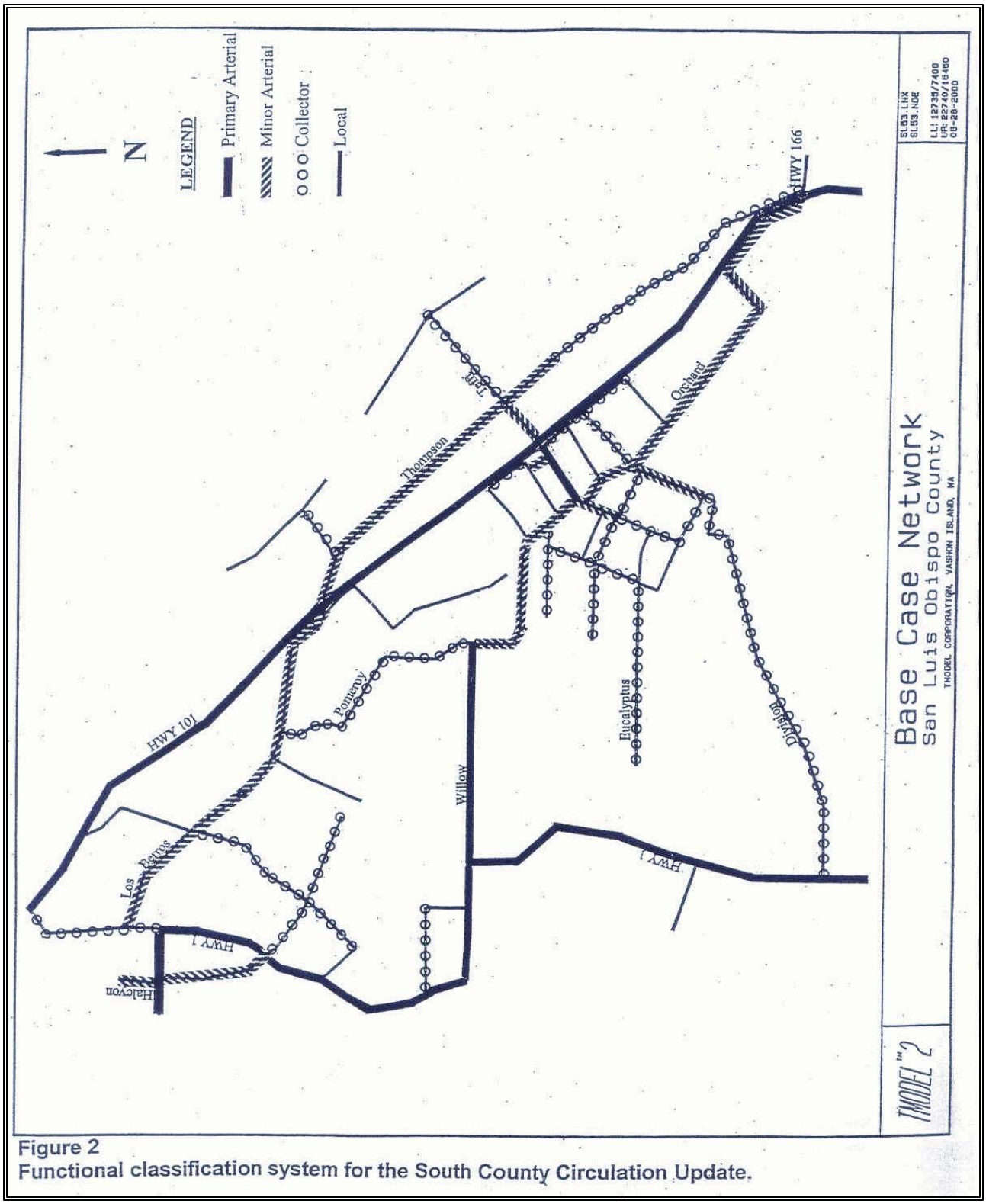


Figure 2
Functional classification system for the South County Circulation Update.

The Study inventories the existing transportation conditions in the Study Areas. The following is an excerpt from the study that summarizes the transportation situation for the South County and Nipomo area:

Circulation Network

The South County area is served by an incomplete network of roads in the rural areas, and many local and collector streets within the Nipomo urban area. The principal arterial route is State Highway 101 running north and south through the length of the study area. The north/south route of State Highway 1 serves the western side of the study area. State Highway 166 enters the study area in the southeast comer and terminates at Highway 101. Highway 166 extends to the east crossing the Coastal Range and connecting to Interstate 5 in the Central Valley.

Highway 1 is specifically mentioned in the California Coastal Act of 1976. The State Legislature's intent is to maintain Highway 1 as a scenic two-lane road in rural areas. This provision applies to all areas outside the Urban Services Line in the current General Plan and Local Coastal Plan. The Coastal Commission has permitted only limited operational improvements in rural areas. The Nipomo Urban Services Line does not come near Highway 1 and none of the Village areas are considered "urban" for purposes of this application.

Traffic Control

Most intersections in the study area are presently stop sign controlled or uncontrolled. Five traffic signals exist in the South County Area. All five are located on Tefft Street at:

- Orchard Avenue
- Pomeroy Road
- Mary Avenue
- Highway 101 Interchange, Oakglen Avenue

Historical Traffic Growth

Historic traffic counts conducted by the County of San Luis Obispo Engineering Department reveal yearly increases in traffic volumes on the roadways in the South County area. The counts show a relatively steady increase in traffic on all roads. On Tefft Street the 1994/95 drop corresponds with the reconstruction of the interchange at Tefft Street and Highway 101. At the same time Orchard Avenue saw an increase in traffic volumes as trips diverted from Tefft Street down Orchard Avenue to avoid the construction.

Also, historically, the people living in the Nipomo area have developed a lifestyle oriented toward Santa Maria. Santa Maria is the employment center and contains much of the shopping for the region. The jobs and services provided in Santa Maria have produced a large volume of southbound traffic on both Highway 101 and Orchard Road. As Nipomo develops, a small portion of trips will remain local, however, Santa Maria will remain the employment center and the travel patterns between Santa Maria and Nipomo is expected to remain strong.

Intersection Level of Service

The analysis of intersection levels of service is based on the delay experienced by drivers, and is calculated separately for each approach leg of an intersection.

Several intersections have at least one approach operating at LOS D, which is the upper limit of acceptable congestion in urban areas. Both the north intersections of Highway 1 and Halcyon. As traffic volumes on area roadways increase, more intersections will be analyzed in terms of stopped delay to motorists. The additional intersections will be determined by the computer traffic modeling process.

The most recent update of the South County Circulation includes traffic forecasts for the area. The model used to forecast future traffic demand uses land uses as a basis for making projections. The projections are used to analyze where improvements will be needed in the future. The build out traffic projections use the following assumptions to project future traffic on the roads in Nipomo:

- Willow Road extension will be constructed
- Six Foot shoulders are constructed on Halcyon
- Woodlands is built-out and roads are constructed as proposed
- Cypress Ridge reaches build-out

The South County area traffic model was used to forecast traffic volumes for the build-out land-use scenario assuming limited changes to the existing roadway network. The model forecasts average (non-holiday) summer weekday PM Peak Hour traffic volumes. The build-out forecasts provide a reasonable basis for evaluating potential future traffic conditions and needs. The build-out forecasts also form a baseline against which the impacts of circulation improvements can be compared. Trip increases at the study area gateways were derived from both historic growth and projected build out volumes. The forecast trips were then distributed among the study area zones and assigned to the existing roadway network to project future traffic volumes. These traffic volumes are substantially higher than the existing traffic volumes, but are roughly in proportion to the increased population forecast for the study area. The highest projected traffic volumes in the area are along Highway 101, with about 75,000 vehicles per day through the Nipomo urban area. The majority of this growth is due to the background increase of through trips.

Build-Out Level of Service

The data presented here corresponds with the potential future levels of service on the existing roadway network with build out traffic volumes. For the build-out scenario on existing roads, traffic on Highway 101 is projected to remain at fairly satisfactory levels of service. Roadways in the study area projected to exceed the current County policy are shown in bold. Traffic volumes at several intersections in the Nipomo urban area will exceed desirable limits at build-out. The evaluation of intersection level of service is based on the amount of delay experienced by drivers on each approach leg.

Nipomo was the second-fasting growing community in the County from 1990 through 2001 in terms of dwelling units (San Luis Obispo County Department of Planning and Building, December 2002). The South County Circulation Study projects that, at build out, without improvements, seven roads will operate at LOS E, and eight intersections will operate at LOS E or F. The Circulation Element of the County General Plan states that, “large-scale and expensive road improvements will be needed to accommodate projected traffic even with transportation demand management and convenient public transit to reduce these projections.” (San Luis Obispo Council of Governments, 2001).

The South County Circulation Study suggests extensive improvements to the area’s roadway circulation system such as:

- Widening roads to add travel or turn lanes for cars
- Adding shoulders to roads to improve automobile travel speed or make room for bike lanes
- Fixing non-standard or geometrically awkward road or intersection alignments
- Adding or improving signalization
- Constructing new streets

The Board of Supervisors recently considered increasing the road impact fees for the Nipomo Area to ensure that the roads maintain a reasonable level of service.

The South County Circulation, updated in August 2002, includes a comprehensive Capital Improvements Projects list for the Nipomo area. This CIP prioritizes the projects, identifies the road, describes the needed improvement, provides a cost estimate, and identifies funding sources.

2002 Annual Resource Summary Report, County Department of Planning and Building

This report identifies roads and streets that may be reaching their capacity as measured by the Level of Service a road or street is capable of sustaining. The criteria by which a road will be rated in the Annual Resource Summary Report is defined as follows:

- ***Level of Severity I:*** *When traffic projections indicate that roadway level of service "D" will occur within* five years.
- ***Level of Severity II:*** *When traffic projections indicate that roadway level of service "D" will occur within two years.*
- ***Level of Severity III:*** *When calculation of existing traffic flows indicates* a *roadway level of service "D".*

The only Nipomo area street to meet the above criteria is Tefft Street west of Mary Avenue. This segment was given a rating of Level of Severity II. This is based on the traffic counts completed by the County Public Works Department. Halcyon Road at the intersection of Highway 1 received a Level of Severity rating of III. This road can affect traffic on the Nipomo Mesa.

B. Thresholds of Significance

The project will have a significant impact if it would “cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system”.

C. Project Impacts

Expanding the District's Sphere of Influence would not cause a substantial increase in traffic. Although the proposed Sphere of Influence Update and Municipal Service Review does not increase traffic substantially, the proposed project could represent the first step in the development of the areas within the SOI. Future development of these areas could adversely impact traffic and circulation in these areas.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan for serving that area. A Land Use Ordinance Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The proposed project could, however, represent the first step in development of undeveloped property in the SOI. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

While in this case the NCSD does not provide services related to the construction and maintenance of roads (the County does), the provision of public services can affect the intensity and type of land development in a particular area, thus increasing the number of vehicle trips. The Initial Study identified increased vehicle trips or traffic congestions caused by the possible growth inducing impacts of expanding the SOI as a potentially significant impact.

Impact T-1. The expanded Sphere of Influence could induce growth that may cause increased vehicle trips and/or traffic congestion**.**

The growth projections are based on current patterns of growth, population projections, and land uses as defined under the current County General Plan. Such growth would have an impact on the circulation system as discussed above but the environmental impact of expanding the SOI will depend on whether or not that expansion changes the amount or nature of development on the mesa in the future. The NCSD provides sewer and water service as well as other services within its service boundary and contracts out for trash service. Expanding the SOI would allow, but not require, the NCSD to expand its service area.

The SOI represents an area adjacent to the service area of a jurisdiction where development might reasonably be expected to occur in the next 20 years. The SOI does not define or identify specific development projects, change or modify zoning, or grant land use entitlements. In order for a property to be annexed into the District, the property is required to be inside the Sphere of Influence" Local Agency Formation Commission, 2003

If the NCSD were expanded, areas that currently lack water and sewer services could receive these services if they are annexed into the District. If they did receive them, it could be feasible to build at higher densities than it would be

without such services. This alone, however, would not allow the area to be built at higher densities than allowed under the current zoning unless the land's zoning designation was changed. Any zoning change would need to be approved by the County in an open hearing and be consistent with the letter and spirit of the County General Plan.

The current zoning constitutes an entitlement to property owners. If the amount of development allowed under the current zoning occurred without the provision of water and sewer services or the roadwork called for under the South County Circulation Study, negative environmental effects such as groundwater and air pollution and traffic congestion could occur.

There are certainly impacts on the circulation system and effects caused by the expansion of the circulation system. The work called for under the South County Circulation Study might create conditions that would, in the future, encourage growth beyond that called for in the current General Plan. While not performing such work may discourage growth, however, it also might not prevent it, and could lead to negative environmental effects such as congestion and increased air pollution.

A more useful approach might be to reduce the negative environmental effects of the growth allowed for under current zoning through other means. One important way of doing this in terms of the transportation system is to encourage greater use of public transit rather than the private automobile. The Action Element of the 2001 Draft Regional Transportation Plan lists several factors as key to the development of a successful public transit system. Among these are intermodality, encouraging land development in areas well served by public transit, convenience and ease of use, and cost effectiveness.

All these are worthwhile objectives but they are applied mostly to bus transit, and are not forecast to capture a large share of overall trips or influence the need for road expansion. While Objective D of the Circulation Element of the County General Plan, South County Area suggests studying "the long range feasibility of a regional light-rail system" , no specific recommendations in that regard are

made. The South County Circulation Study's traffic projections "…do not directly account for increased proportions of transit use in the South County in the future. Transit use is not anticipated to significantly affect the number of vehicle trips projected by the model" (County Engineering Department, 2000). It is assumed that vehicle trips will increase roughly in proportion to population increase. If more of these trips could be diverted onto public transit, however, perhaps LOS on local roads could be kept at an acceptable level without the need for some of the road capacity expansion projects called for in the study.

The transportation and circulation impacts of expanding the NCSD's Sphere of Influence are found to be less than significant for the following reasons:

- The South County Circulation Study provides for the continued development of the circulation system to meet the needs existing and future growth. This study is updated regularly by the Board of the Supervisors and identifies specific improvement projects to enhance the transportation/circulation system.

- The Sphere of Influence for the district is one factor that could promote growth and development in the Nipomo Area. Other, important factors that influence growth include land use zoning, policies established by the South County Area Plan, the growth management ordinance, and the Resource Management System.

The intensification of land use (increased density) in the Study Areas 1, 2, 4, 7, and 8 would require a Land Use Ordinance Amendment reviewed and analyzed by the County Department of Planning and Building and approved by the County Board of Supervisors. Traffic and Circulation issues would be addressed in this process.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor

to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

The Land Use section of this document contains a list of the most recent Land Use Ordinance Amendments and proposed annexations to the District.

E. Mitigation Measures

Transportation and circulation impacts that were to occur from expanding the SOI would be further reduced by the SOI recommended in the Land Use section of this document, and as stated below:

Mitigation LU-1. Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed: 1) Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or Land Use Ordinance Amendment, or 2) Approval by LAFCO of an Outside User Agreement or an Annexation.

These processes shall be subject to the environmental review process consistent with the California Environmental Quality Act (CEQA). Any conflicts between the Sphere of Influence and the General Plan shall be resolved through these processes stated above. Impacts associated with premature or "leapfrog" development, development outside the Urban Reserve Line,

potential growth-inducing impacts, and the availability of public services shall also be addressed and mitigated to the greatest possible degree through these discretionary approval processes.

Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6.

Mitigation LU-3. The District shall not provide sewer services to Study Areas, #4 (except for the Southland Specific Plan Area and land zoned Residential Suburban), #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8 found in Chapter 5.1, access to community sewer service allows for smaller minimum lot sizes and increased density in the Residential Multi-Family, Residential Single Family, and Residential Suburban land use categories. This mitigation will, therefore, decrease the potential growth inducing impacts of adding these areas to the District's Sphere of Influence.

F. Residual Impacts

Implementation of the mitigation measures noted above reduces increased traffic congestion from a potentially significant impact to an insignificant level (Class II Impact).

CHAPTER 5.7

BIOLOGY

The initial study did not identify any significant impacts that may be associated with biological resources. The following section is a compilation of biological information from several sources including, the Final EIR for the Lucia Mar Unified School District High School Number Two, the EIR for the South County Area Plan, the Woodlands Final EIR, and Willow Road Final EIR. Also, a site visit to each study area was conducted with the purpose of identifying and listing the habitat and wildlife within each of the Study Areas. This information is found in Appendix C.

A. Existing Conditions

Regional Location

Nipomo, California is within the California Floristic Province[1], Central Western California Region. The San Luis Obispo coastal region has a Mediterranean climate with habitats including mosaics of upland oak and mixed evergreen forests, dune and strand communities, native and non-native grasslands, upland scrubs, marsh and wetland communities, and riparian scrubs and forests. Nipomo is within a coastal zone landscape, which is defined by two mountain ranges that are located northwest and southeast. These ranges are the Santa Lucia and San Luis Mountains. Even though the aforementioned two mountain ranges are not significantly high in elevation, they are effective climatic barriers between the coastal zone and the inland portion of San Luis Obispo County.

In the vicinity of the eight areas examined, native vegetation consists of coast live oak woodland, chaparral and grassland communities. Agricultural, residential development, and alteration of the natural landscape (plantations) are the primary factors limiting open space and natural communities in this area.

The area's location among rolling hills at the southern end of the Salinas Valley provides a suitable environment for many plants and animals. A plant survey prepared for San Luis Obispo County (Hoover, 1970) identifies the area as a middle-Sonoran vegetation zone with significant wooded hillsides. The following community types appear to be the most plentiful in the planning area:

Riparian Scrub/Riparian Woodland

Riparian scrub and riparian woodland communities are characterized as sparse to dense corridors of vegetation occurring adjacent to stream and rivers or in areas with a high ground water table. The communities extend throughout the planning area. The structure of riparian communities within the planning area is variable and alternates between dense tree thickets (riparian woodland) and open, shrub dominated areas (riparian scrub).

Riparian scrub communities within the planning area are highly dependent upon factors such as seasonal changes in flow rate, the size and nature of the streambank and historical patterns of land use. Riparian scrub communities generally occur along perennial and intermittent streams. They are typically dominated by willows (Salix spp) and other various shrubs. Species such as poison hemlock (*Conium maculatum*), wild blackberry (*Rubus ursinus*), twinberry (*Lonicera involucrate*), and sting nettle (*Urtica holosericea*) often comprise riparian scrub understory.

Oak Woodland

Oak woodland communities extend throughout the planning area. In the planning area, oak woodlands do not form a continuous belt, but occur as a mosaic closely associated with communities such as non-native grassland. The oaks are primarily represented by the live oak *(Quercus agrifolia),* the valley or white oak *(Quercus lobata),* and the blue oak *(Quercus douglasii).* Since oaks are scattered, other plant communities such as chaparral and grassland integrate, and the understory becomes highly variable.

Chaparral

Scrub oaks and foothill pines *(Pinus sabiniana)* form the major part of the chaparral community found on the more exposed, southern-facing slopes. These communities tend to have significant litter with little understory growth, and are adapted to fire. Typical species that occur in association with chaparral include manzanita *(Arctostaphylos* spp.) and poison oak.

Annual Grassland

Annual grassland communities occur in the interior valleys of the Coast Ranges of California and along the central and southern California coast. The majority of grasslands throughout California, as in the planning area, are dominated by non-native grasses that were introduced from the Mediterranean region during the Spanish Colonization period. Grassland communities extend through the planning area, but vary in terms of structure and species, depending on land use. Non-native grasses, native wildflowers, and weedy annual forbs dominate grassland of the planning area. In addition, a few native species of grass may occur as part of the non-native grassland association. Typical non-native grass species include wild oat *(Avena spp.)* and fescues *(Vulpia spp.)* Typical forbs include California poppy *(Eschscholzia californica)* and clarkia *(Clarkia* spp.). Native species of grass include purple needlegrass *(Stipa pulchra)* and slender needlegrass *(Stipa lepida).*

Central Coast Scrub - Mixed Sage Series

Central coast scrub – mixed sage series occurs as scattered patches in several of the study areas. The areas are composed of an almost equal mixture of California sagebrush (*Artemesia californica),* coyote brush *(Baccharis pilularis),* silver bush lupine (*Lupinus chamissonis*), tree lupine (*Lupinus arboreus*), mock heather (*Ericameria ericoides*), coffee berry (*Rhamnus californica*), coast buckwheat (*Eriogonum parvifolium*), croton (*Croton californica*), and deerweed (*Lotus scoparius*).

Most growth of characteristic species in this series occurs in late winter and spring, with flowering concentrated in late spring and early summer.

California Grassland Series

This series comprises a dense to sparse cover of introduced, naturalized grasses associated with numerous species of annual and perennial forbs. The presence of this assemblage of non-native grasses (of Mediterranean and South African origin) is a consequence of permanent alterations to the once widely distributed, pristine perennial grasslands of California. The conversion of native perennial grassland into non-native, predominately annual species has resulted from a combination of (1) invasion by alien plant species, (2) changes in the kinds of animals and their grazing patterns, (3) cultivation, and (4) fire regime (Heady, 1988).

Eucalyptus

Some of the areas are dominated by pure, dense stands of eucalyptus (*Eucalyptus sp.).* Some of the stands are about a hundred years old, and most of the site has been logged and/or burned and trees now on the site have sprouted from stumps or root systems. Most of the trees range between one and five feet in diameter at breast height (dbh) and attain heights between 70-120 feet. Portions of the forest have evenly spaced trees, while other areas are dense with immature trees, second and third growth, snags and deadfalls.

Under story vegetation is inhibited by the low light conditions at the soil surface and thick tree litter (i.e. fallen branches, leaves, fruits, and bark) with allelopathic[1] properties, which prevent the establishment of shrubs (McArthur, 1962). Consequently, the understory is sparse and relatively low in species diversity. Understory species include a mix of non-native grasses including veldt grass (*Ehrharta calycina*), ripgut brome (*Brome diandrus*), slender wild oats (*Avena barbata)*, foxtail fescue (*Vulpia myuros var. myuros)* and various forbs such as pimpernel (*Anagallis arvensis), Italian thistle (*Cardus pycnocephalus), bedstraw (*Gallium aparine),* chickweed *(Stellaria media),* nightshade *(Solanum xanti),*

Bermuda buttercup (*Oxalis pescaprae), and* telegraph weed (*Heterotheca grandiflora*).

Ruderal (Disturbed habitat)

Ruderal vegetation has been significantly disturbed by agriculture, construction, or other land clearing activities. Disturbed habitat occurs throughout the planning area in vacant lots, abandoned fields, roadsides, agricultural fields, parks, and development. Characteristic uncultivated species recorded in disturbed habitats include non-native species such as wild mustard *(Brassica* spp.), wild radish *(Raphanus sativus),* and sweet fennel *(Foeniculum vulgare).*

Varieties of wildlife occur in the vegetative communities in the planning area.

Fish

The creeks in the planning area have highly variable surface water levels; fish are expected to occur only seasonally in area creeks.

Amphibians

Amphibians occur in streams and associated riparian areas within the planning area. Common species include the western toad *(Bufo boreas)* and the Pacific tree frog *(Hyla regina).* Non-native species that may occur in the planning area include the bullfrog *(Rana catesbiana).*

Reptiles

Reptiles occur in nearly all the habitats of the planning area. Common species found in the planning area include the western skink *(Eumeces skiltonianus),* western fence lizard *(Sceloporus occidentalis),* and western rattlesnake *(Crotalus viridus).*

Mammals

Common mammals occurring the planning area include deer, western gray squirrel *(Sciurus griseus),* bobcat *(Lynx rufus),* and Botta's pocket gopher

(Thomomys bottae). There have also been sightings of American badger (*Taxidea taxus*). Mammals occupy all of the different habitats of the planning area.

Regulatory Setting

Clean Water Act of 1977 (CWA)

Regulatory protection for water resources throughout the United States is under the jurisdiction of the Army Corps of Engineers (ACE). Section 404 of the CW A prohibits the discharge of dredged or fill material into waters of the United States without formal consent from the ACE. Delineation of wetlands and other waters of the United States is required to determine acreage affected by dredge spoil or fill disposal. Impacts to biological resources are assessed as part of the permit process by the U.S. Fish and Wildlife Service (FWS). Policies relating to the loss of wetlands generally stress the need to compensate for wetland acreage losses by creating wetlands from non-wetland habitat on at least an acre-for-acre basis.

Section 7 or Section 10 of the United States Endangered Species Act

The United States Endangered Species act provides legislation to protect federally listed plant and animal species. Impacts to listed species resulting from the implementation of a project would require the responsible agency to consult the FWS. Formal consultations must take place with the FWS pursuant to section 10 of the Endangered Species Act with the FWS then making a determination as to the extent of impact to a particular species. If the FWS determines that impacts to a species would likely occur, alternatives and measures to avoid or reduce impacts must be identified. Section 7 also requires determination of environmental impacts, and thorough biological assessment. Section 7 applies to projects in which a federal agency may be involved, either through financial support or project leadership.

State of California Endangered Species Act

The State of California Endangered Species Act mandates that in instances where impacts to a state-listed endangered species would occur, the lead or responsible agency must contact the California Department of Fish and Game (DFG) and enter into formal consultation. Impacts to the state-listed species would be evaluated and identification of mitigation measures would likely be required.

California Department of Fish and Game Code, Chapter 6

This code governs state-designated wetlands, including riparian and stream habitat, and mandates that mitigation be implemented to replace wetland extent and value lost to development. A Section 1603 Agreement is required for any alteration to a stream or lake, as well as to their associated habitats.

The following is a listing of the various species found in the Nipomo area.

Common Name	Scientific Name
Crustaceans	
Long horn fairy shrimp	*Branchinecta longiantenna*
Vernal pool fairy shrimp	*Branchinecta lynchi*
Invertebrates	
Atascadero June Beetle	*Polyphylla nubila*
Reptiles and Amphibians	
Arroyo toad	*Bufo microscaphus californicus*
Hammond's western spadefoot toad	*Scaphiopus hammondi hammondi*
California red-legged frog	*Rana aurora draytonii*
Foothill yellow-legged frog	*Rana boylei*
Coast horned lizard	*Phrynosoma coronatum frontale*
Southwestern-pond turtle	*Clemmys marmorata pallida*
Birds	
American white pelican	*Pelicanus erythrorkynchos*
Double crested cormorant	*Phalacrocorax auritas*
California gull	*Larus califomicus*
California condor	*Gymnogyps californianus*
Northern harrier	*Circus cyaneus*

Swainson's hawk	*Asio flammeus*
Ferruginous hawk	*Buteo regalis*
Merlin	*Falco columbarius*
Bald Eagle	*Haliaeetus leucocephalus*
Golden eagle	*Aquila chrysaetos*
Prairie falcon	*Falco mexlcanus*
Least bittern	*Ixobryckus exilus*
Burrowing Owl	*Athene cunicularia*
Spotted owl	*Strix occidentalis*
Long-eared owl	*Asio otus*
Cooper's hawk	*Accipiter cooperi*
Sharp-shinned hawk	*Accipiter striatus*
Mountain plover	*Charadrius montanus*
Least Bell's vireo	*Vireo bellii pusillus*
Willow flycatcher	*Empidomax traillii*
Purple martin	*Progne subis*
Yellow-breasted chat	*Icteria virens*
Yellow warbler	*Dendroica Reteckia*
Mammals	
San Joaquin kit fox	*Vulpes macrotis mutica*
Townsend's western big-eared bat	*Plecotus townsendii townsendii*
California mastiff bat	*Eumops perotis californicus*

Fish	
Steelhead trout-Central CA	*Oncorhynchus mykiss*
Plants	
San Joaquin woolly threads	*Monolopia congdonii*
Straight-awned spineflower	*Chorizanthe rectispina*
Well's manazinita	*Arctostaphylos wellsii*
Brewer's spineflower	*Chorizanthe breweri*
San Benito fritillary	*Fritillaria viridea*
San Luis Obispo sedge	*Carex obispoensis*
Camel Valley bush mallow	*Malacohamnus palmeri var. involucratus*
Chorro Creek bog thistle	*Cirsium fontinale var. obispoense*

B. Thresholds of Significance

The proposed project would represent a significant biological impact if it were to significantly affect endangered, threatened or rare species or their habitats.

C. Project Impacts

Expanding the District's Sphere of Influence would not have a direct impact on biological resources in the area. Although the proposed Sphere of Influence Update and Municipal Service Review does not significantly impact biological resources, the proposed project could represent the first step in the development of the areas within the SOI. Future development of this property could adversely impact biological resources in these areas.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area. A Land Use Ordinance Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The proposed project could, however, represent the first step in development of undeveloped property in the SOI. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas by providing public

services (water and sewer). While in this case the NCSD does not control land use decisions (the County does), the provision of public services can affect the intensity and type of land development in a particular area. The Initial Study did not identify any potentially significant impacts to biological resources because the Sphere of Influence does not cause a loss of habitat or rare and endangered species.

The proposed Sphere of Influence Update and Municipal Service Review will not directly result in impacts to any endangered, threatened or rare species or their habitats. Unknown, indirect impacts may be caused by the expansion of the SOI because of the potential growth inducing impacts of providing public services such as water and sewer. The SOI can increase the likelihood of development in an area by enabling a property or properties to receive public services upon annexation to the NCSD. Future development of these areas could result in impacts to habitats of endangered, rare or threatened species. However, the precise nature, density and extent of future development and the associated impacts in those areas within the SOI cannot be determined at this time.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area

- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

The Land Use section of this EIR contains a listing of the Land Use Ordinance Amendments being reviewed by the County and proposed annexations.

E. Mitigation measures

No mitigation measures are necessary because implementation of the Sphere of Influence will not significantly impact the biological resources in the area.

F. Residual Impacts

Since the impacts to biological resources are less than significant, there are no residual impacts. Impacts related to biological resources are not considered to be significant (Class III Impact). Implementation of the mitigation measures noted in other sections of the EIR will further reduce impacts to biological resources.

CHAPTER 5.8

ENERGY AND MINERAL RESOURCES

The initial study did not identify any significant impacts that may be associated with energy and resources. The following section is a compilation of geological information from several sources including, the Final ERI for the Lucia Mar Unified School District High School Number Two, the County's Safety Element, the Department of Water Resources - Water Resources of the Arroyo Grande-Nipomo Mesa Area, and the EIR for the South County Area Plan.

A. Existing Conditions

Energy facilities are not found in the eight Study Areas being considered for the District's Sphere of Influence. Mineral extraction activities such as surface mines are not located in these areas with the exception of the sand and gravel mine in Study Area number four. Energy facilities that are nearby include the Conoco/Phillips Refinery and the Unocal Guadalupe Oil Field.

Mining of sand and gravel is allowed in the Santa Maria River if a Minor Use Permit is approved by the County consistent with the regulations and policies in the General Plan.

B. Thresholds of Significance

Since no impacts have been found, no thresholds of significance are necessary.

C. Project Impacts

Expanding the District's Sphere of Influence would not significantly impact energy and mineral resources in the Nipomo Area. Although the proposed Sphere of Influence Update and Municipal Service Review does not significantly impact energy and mineral resources, the proposed project could represent the first step in the development of the areas within the SOI. Future development of this property could adversely impact energy and mineral resources in these areas.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area. A Land Use Ordinance Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The proposed project could, however, represent the first step in development of undeveloped property in the SOI. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas by providing public services (water and sewer). While in this case the NCSD does not control land use

decisions (the County does), the provision of public services can affect the intensity and type of land development in a particular area.

Energy project specific impacts will be studied at the time a project is reviewed by the county. The proposed project will have no direct impact on the availability of known mineral resources that would be of future value to the region and the residents of the State. The proposed Sphere of Influence Update and Municipal Services Review does not conflict with adopted energy conservation programs. The proposed project will not require the use of or directly impact any available non-renewable resources.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

The Land Use section of this document contains a listing of the proposed Land Use Ordinance Amendments being considered by the County as well as a listing of the annexations being proposed for the Nipomo area.

E. Mitigation Measures

The Sphere of Influence will not cause significant adverse impacts to energy resources or facilities and no mitigation measures are required.

F. Residual Impacts

Impacts are less than significant, Class III. Reductions in the Sphere of Influence Study Areas as recommended in the Land Use Section (5.1) of this EIR will further decrease any residual impacts that may be associated with the Sphere of Influence.

CHAPTER 5.9

HAZARDS

The Initial Study did not identify any impacts that may be associated with the risk of accidental explosion or release of a hazardous substances, possible interference with an emergency evacuation plan, creation of a health hazard, exposure of people to existing sources of health hazards, or increased fire hazard. Comments received during circulation of the Notice of Preparation did not identify Hazards as a potentially significant impact that might be caused from expanding the Sphere of Influence.

A. Existing Conditions

Several hazards are identified by the County's Safety Element of the General Plan, including Seismic, Flood, Fire, and other hazards.

Flooding in the community of Nipomo occurs primarily along the Nipomo Creek and its tributaries, such as Deleissiques Creek and Tefft Road Creek. The 100-year floodplain along these creeks encompasses areas adjacent to the watercourses, along with extensive areas located east of Highway 101 between Mehlschau Road to the west and Price Street to the east. Figure 5.9-1 shows the 100-year flood hazard areas. Study Areas #2, 3, and 4 are located within 100-year flood hazard areas.

The County's Safety Element of the General Plan characterizes the area of Nipomo between Highway 101 and 1 as a High Risk fire area. The Olde Towne area of Nipomo is categorized as medium risk. Response times are found to be between five and ten minutes depending on the proximity of an area or site to a fire station. The Fire Response Times are shown in Figure 5.9-2.

Figure 5.9-1: Flood Hazard Areas

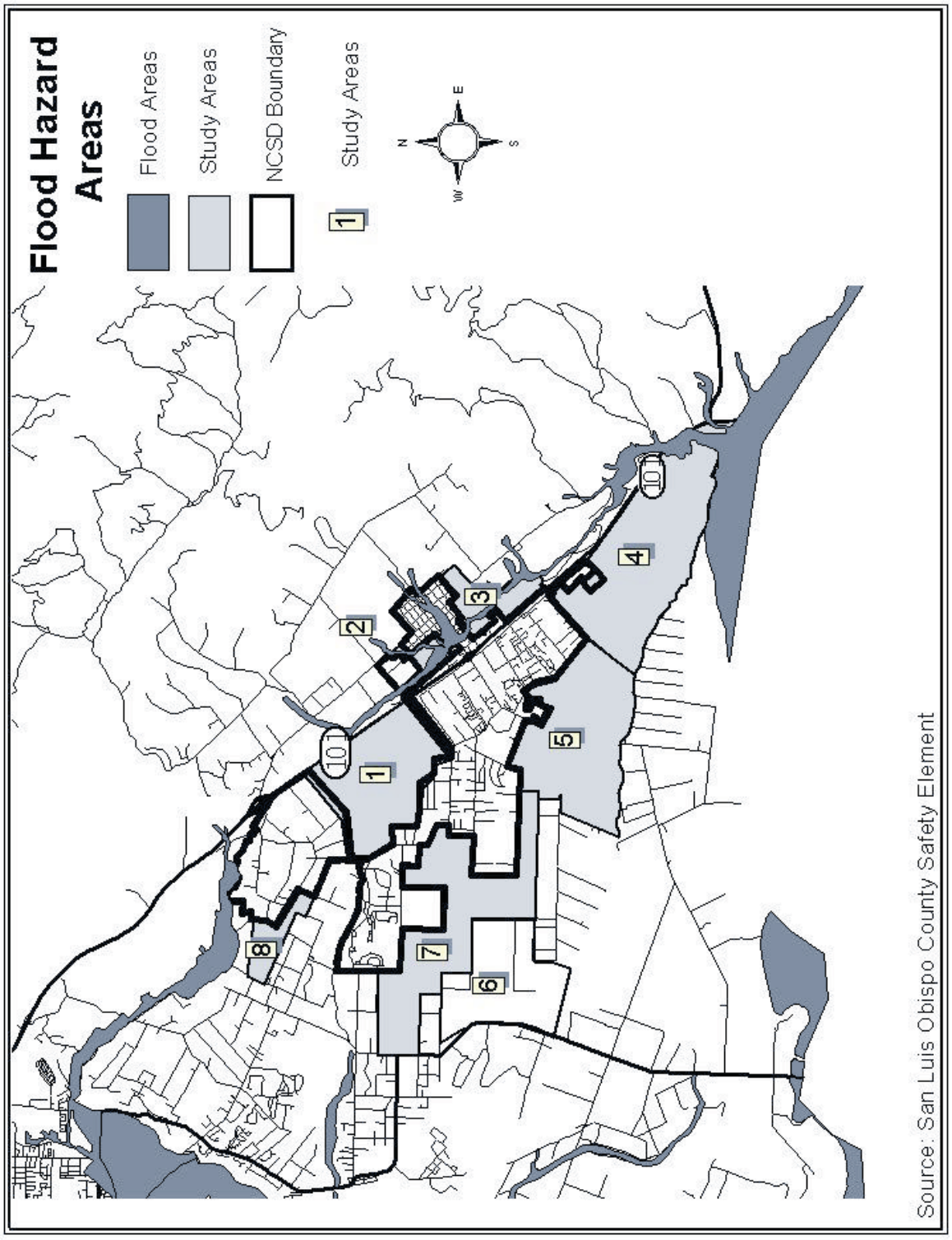


Figure 5.9-2: Fire Response Times

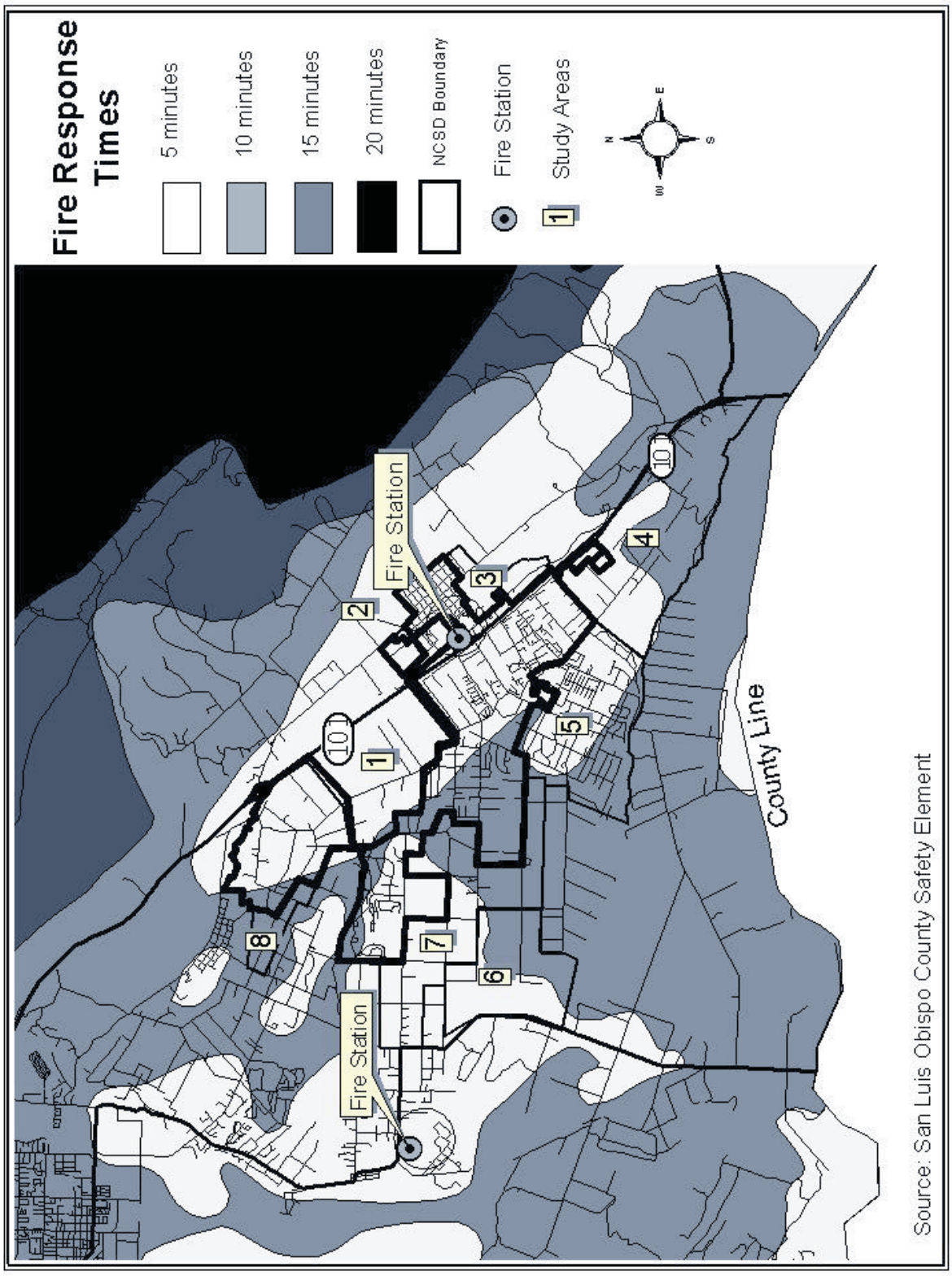
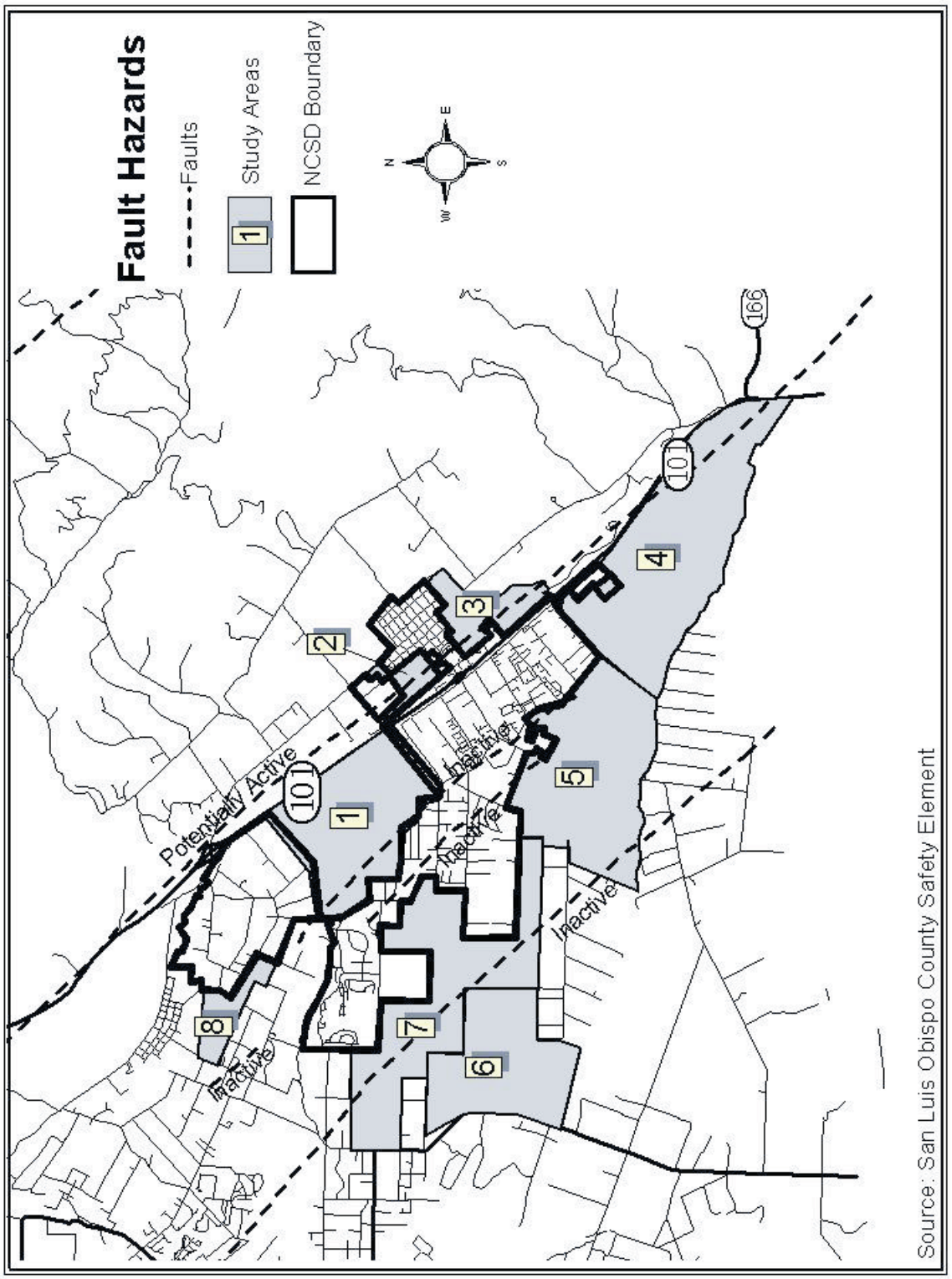


Figure 5.9-3: Fault Hazards



B. Thresholds of Significance

The proposed project would represent a significant impact if it were to expose people to the risk of accidental explosion or release of hazardous materials, interfere with emergency response plans, create a health threat, or increase the fire hazard.

C. Project Impacts

Expanding the District's Sphere of Influence would not expose people to significant hazards. Although the proposed Sphere of Influence Update and Municipal Service Review does not expose people to risk of a related event, the proposed project could represent the first step in the development of the areas within the SOI. Future development of this property could adversely expose people to hazards in these areas.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area. A Land Use Ordinance Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The proposed project could, however, represent the first step in development of undeveloped property in the SOI. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above. Most future development proposed within the SOI are required to prepare a Fire Safety Plan that shows how the development will meet the Uniform Fire Code requirements and reduce the risk of fire hazards.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

While in this case the NCSD does not control land use decisions (the County), the provision of public services can affect the intensity and type of land development in a particular area. Hazard impacts will be analyzed more precisely at the time of development for a particular area. The expansion of the Sphere of Influence does not represent an increased hazard exposure to people and is therefore a Class IV impact.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate

the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

The expansion of the District's Sphere of Influence may represent a contributing factor in the development of the cumulative projects listed in the Land Use Section of this document. Development of these cumulative projects listed in that section could cause an increase in hazard exposure to people in the project area on both a short-term and long-term basis.

E. Mitigation Measures

No mitigation measures are necessary because the expanded Sphere will not expose people to hazardous conditions as identified in the initial study.

F. Residual Impacts

Impacts are less than significant (Class III). Reductions in the Sphere of Influence Study Areas as recommended in the Land Use Section (5.1) of this EIR would further decrease any residual impacts associated with the Sphere of Influence.

CHAPTER 5.10

NOISE

The Initial Study did not identify any impacts that may be associated with expanding the Sphere of Influence and noise. Comments received during circulation of the Notice of Preparation did not identify noise as a potentially significant impact that might be caused from expanding the Sphere of Influence.

The following discussion of noise issues is based upon several previously certified Final Environmental Impacts Reports completed for major projects in the Nipomo area and are incorporated by reference into this document. Those EIRs include:

- South County Area Plan, Environmental Impact Report, May 1991
- Woodlands Specific Plan, Environmental Impact Report, December, 1998
- Willow Road/Highway 101 Interchange, Environmental Impact Report, April, 1999
- Lucia Mar Unified School District High School #2, Environmental Impact Report, November, 1998

Also incorporated by reference is the County's Noise Element of the General Plan and the associated Technical Reference Document. The Noise Element provides regulatory guidance and authority regarding noise impacts from development projects.

A. Existing Conditions

The following is a summary of the County's **Noise Elements Technical Reference Document**. This discussion provides background information about noise, how it is measured and some of the technical issues involved in determining noise impacts.

Noise is often defined simply as unwanted sound, and thus is a subjective reaction to characteristics of a physical phenomenon. The descriptors of community noise in current use are the results of many years of effort to translate objective measurements of sound into measures of subjective reaction to noise. Before

elaborating on these descriptors, it is useful to discuss some fundamental concepts of sound.

Sound is defined as any pressure variation in air that the human ear can detect. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and hence are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second, now called Hertz (Hz) by international agreement.

The speed of sound in air is approximately 770 miles per hour, or 1,130 feet/second. Knowing the speed and frequency of a sound, one may calculate its wavelength, the physical distance in air from one compression of the atmosphere to the next. An understanding of wavelength is useful in evaluating the effectiveness of physical noise control devices such as mufflers or barriers, which depend upon either absorbing or blocking sound waves to reduce sound levels.

To measure sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel (dB) scale was devised.

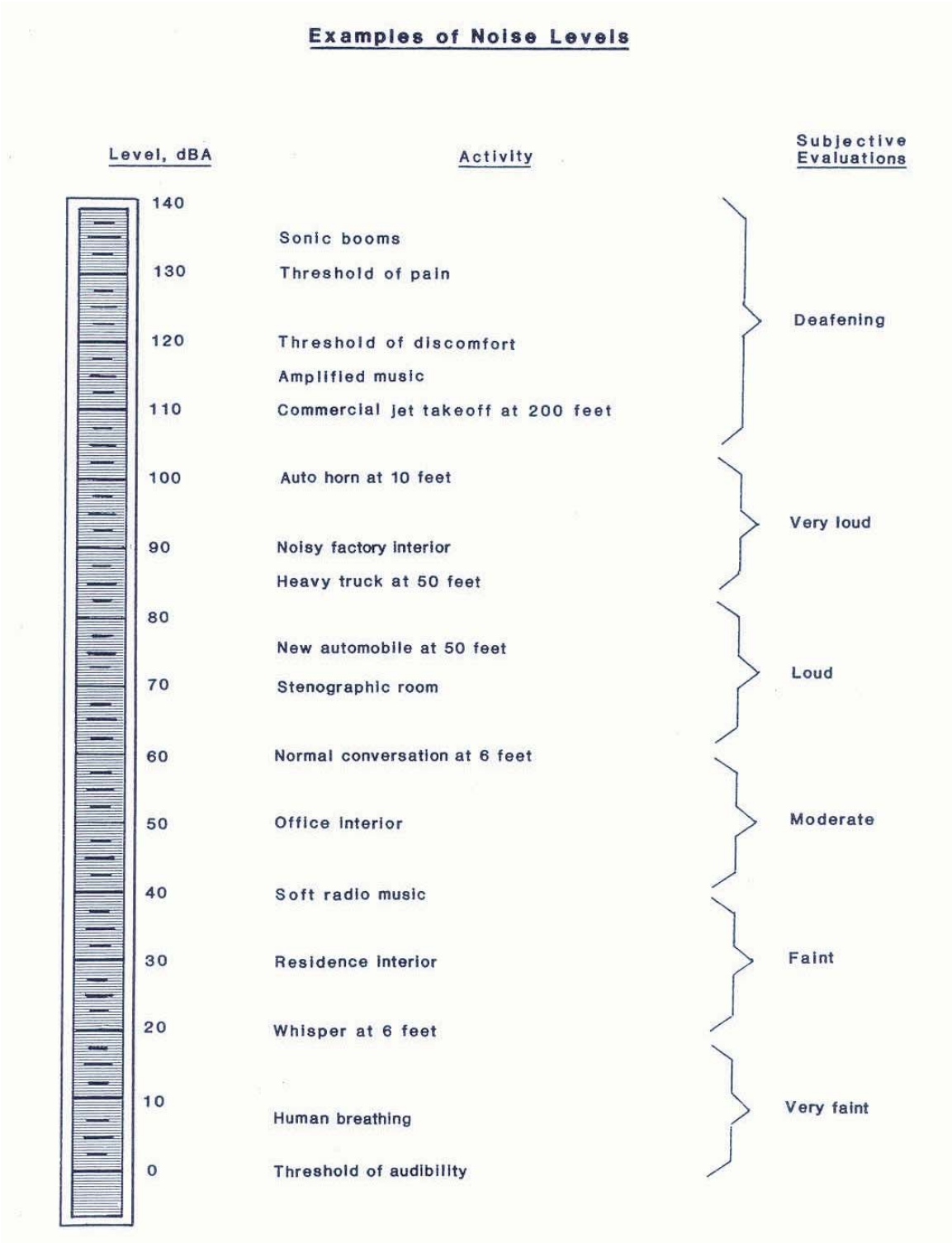
The decibel scale uses the hearing threshold as a point of reference, defined as 0 dB. Other sound pressures are then compared to the reference pressure, and the logarithm is taken to keep the numbers in a practical range. Use of the decibel scale allows a million-fold increase in pressure to be expressed as 120 dB. Another useful aspect of the decibel scale is that changes in levels (dB) correspond closely to human perception of relative loudness.

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. In the range of usual environmental noise levels, perception of loudness is relatively predictable, and can be approximated by weighting the frequency response of a sound level measurement device (called a sound level meter) by means of the standardized A-weighting network. There is a strong correlation between A-weighted sound levels and community response to noise. For this reason, the A-weighted sound level has become the standard tool of

environmental noise assessment. Figure 5.10-1 illustrates typical A-weighted sound levels due to recognizable sources.

See next page for Figure 5.10-1: Examples of Noise Levels.

Figure 5.10-1: Examples of Noise Levels



Noise in the community has often been cited as being a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from the interference with human activities such as sleep, speech, recreation, and tasks demanding concentration or coordination. When community noise interferes with human activities or contributes to stress, public annoyance with the noise source increases, and the acceptability of the environment for people decreases. This decrease in acceptability and the threat to public well being is the basis for land use planning policies directed toward the prevention of exposure to excessive community noise levels. There are also economic effects of community noise, reduced property values and reduced productivity in the workplace due to stress.

To control noise from existing fixed sources, many jurisdictions have adopted community noise control ordinances. Such ordinances are intended to abate noise nuisances and to control noise from existing sources. They may also be used as planning tools if applied to the potential creation of a nuisance, or to potential encroachment of sensitive uses upon noise-producing facilities.

Willow Road/Highway 101 Interchange FEIR

The discussion in the Willow Road Highway 101 Interchange Final Environmental Impact Report provides information about the project specific issues that were addressed during the environmental review process. For a project such as the Willow Road/Highway 101 interchange a noise analysis is prepared and used to identify impacts and potential mitigation. This discussion also provides background regarding the implementation of policies and regulations contained in the County's Noise Element.

South County Area Plan EIR

The discussion in the Environmental Impact Report prepared for the South County Area Plan, which was adopted in 1994, provides background on potential community

noise sources: Highway 101, roads and streets. It also provides for mitigation measures such as increased setbacks, walls or sound conditioning.

Potential impacts to existing residents can be identified and mitigated at such time as traffic improvements are implemented. The County Engineering Department has conducted investigations of increased noise for road improvement projects in Los Osos and on Pomeroy Road, and measures to mitigate increased noise levels have been identified and implemented or are proposed to be implemented at the time of project construction.

B. Thresholds of Significance

The proposed project would represent a significant impact if it were to cause an increase in existing noise levels or expose people to severe noise levels.

C. Project Impacts

Expanding the District's Sphere of Influence would not expose people to adverse noise conditions. Although the proposed Sphere of Influence Update and Municipal Service Review does not expose people to noise related impacts, the proposed project could represent the first step in the development of the areas within the SOI.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area. A Land Use Ordinance

Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

The expansion of the Sphere of Influence will not increase noise or expose people to severe noise levels. This is a Class IV impact or no impact. The Sphere of Influence for the Nipomo Community Services District is a plan for services and does not allow the development of a property or the provision of services without further discretionary actions such as permits needed from the County or an annexation required prior to the District providing service.

The County's Noise Element provides for mitigation of severe noises or increases in noise levels caused by development projects. These mitigation measures are implemented at the time of project development and are established through the project review and CEQA evaluation stages of the permitting process.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that

Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level.

The expansion of the District's Sphere of Influence may represent a contributing step in the development of the cumulative projects listed in the Land Use Section of this document. Development of these cumulative projects listed in that section would impact noise conditions in the project area on both a short-term and long-term basis. The long-term cumulative noise impact in the area would result largely from increased traffic volumes in the project area.

E. Mitigation Measures

The Sphere of Influence will not cause significant adverse impacts related to noise, therefore no mitigation measures are required.

F. Residual Impacts

Reductions in the Sphere of Influence Study Areas as recommended in the Land Use Section (5.1) of this EIR will decrease any residual noise impacts associated with the Sphere of Influence. Impacts related to noise are less than significant, Class III.

CHAPTER 5.11

PUBLIC SERVICES

The Initial Study identified impacts to public services such as fire, police schools, and maintenance of public facilities, including roads, as potentially significant impacts. The following discussion of public services issues is based upon several previously certified Final Environmental Impacts Reports completed for major projects in the Nipomo area and are incorporated by reference into this document. Those EIRs include:

- South County Area Plan, Environmental Impact Report, May 1991
- Woodlands Specific Plan, Environmental Impact Report, December, 1998
- Willow Road/Highway 101 Interchange, Environmental Impact Report, April, 1999
- Lucia Mar Unified School District High School #2, Environmental Impact Report, November, 1998

Also used in the preparation of this section are the South County Circulation Study, the Municipal Service Review and the South County Area Plan.

The maintenance of roads is addressed in the Transportation-Circulation section of this EIR.

Sheriff Services

A. Existing Conditions

Law enforcement services for the Nipomo area are provided by the County of San Luis Obispo, Sheriffs Department from their Oceano Substation located on Highway 1 in Oceano. The Substation provides for a total staff of 23 patrol deputies and one supervisor. The Nipomo area is patrolled by one to two vehicles. The precise number of cars and officers on patrol varies from day-to-day depending on employee absences, jail check-ins, and other administrative duties. The California Highway Patrol provides traffic enforcement in the project area. On a Countywide basis, the

Sheriffs Department maintains a ratio of approximately 0.6 officers per 1000 population.

Emergency response times to the service area of the Oceano (South) Sheriff's Substation depend on a variety of factors which influence emergency and non-emergency calls. The location of the call and its priority (i. e. emergency status) determine the length of time for a law enforcement response. It is the Sheriff's Department objective to have a patrol car in the vicinity of the Nipomo area most of the time. If a patrol car is in the vicinity, an emergency response time of three to five minutes can be expected. If a patrol car must be dispatched from a more distant location, increased response times of approximately 10 minutes or greater could be anticipated.

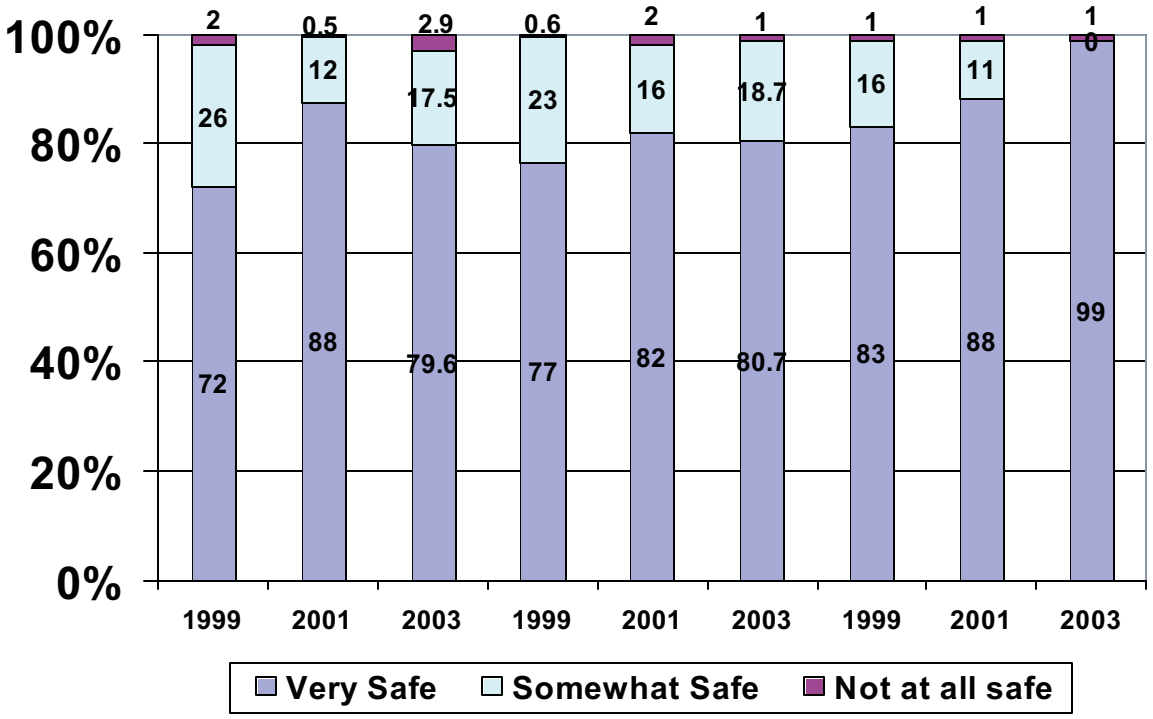
The construction of the South Station in Oceano brings the Sheriff closer to Nipomo and other unincorporated South County areas, improving response times. The sub-station is located at 1681 Front Street, Oceano and serves the communities of Oceano, Nipomo, Huasna, rural Arroyo Grande, New Cuyama, and Lopez Lake, totaling 950 square miles. South Station deputies work in a large area and handle a high volume of calls for service. The County is divided into three areas. Although each substation is a separate entity responsible for law enforcement duties in its area, they all work together to coordinate the provision of law enforcement services. The Sheriff's Department goal in the South County is to provide a 10-minute response time for high priority, life-threatening calls for service.

The California Crime Rate for the unincorporated areas of the County is the lowest in the State compared with other counties with a population of 100,000 or more. The statewide average for serious crimes per 100,000 people is 3,187; the County's crime rate was at 603/100,000 people.

The following charts characterize the effectiveness of the Sheriff's Department's efforts in providing law enforcement services in terms of crime rates. The Action for Healthy Communities completed a telephone survey that asked the question: " How

safe would you say you feel in your neighborhood? " The South County, North County and North Coast unincorporated areas are shown in the chart below.

Figure 5.11-1
Action for Health Communities Survey Question
"How safe would you say you feel in your neighborhood?"



The next two charts show the violent crime rate per thousand people from 1995-2000 and the property crime rate per thousand people from 1995-2000.

Figure 5.11-2:
Unincorporated Areas -- Violent Crime per 1000 people

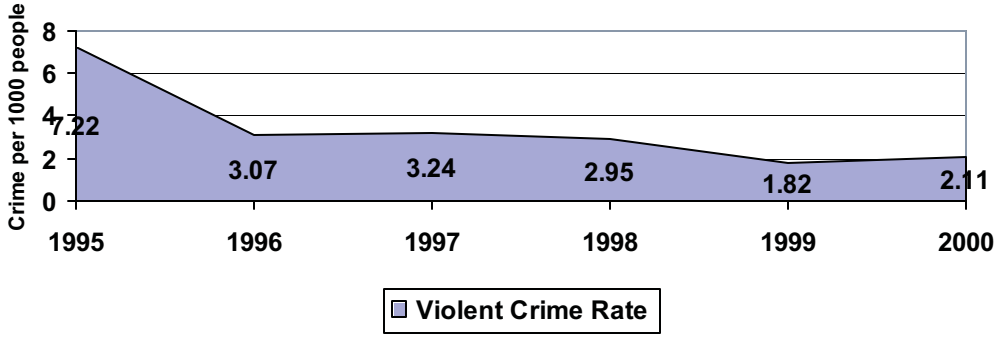
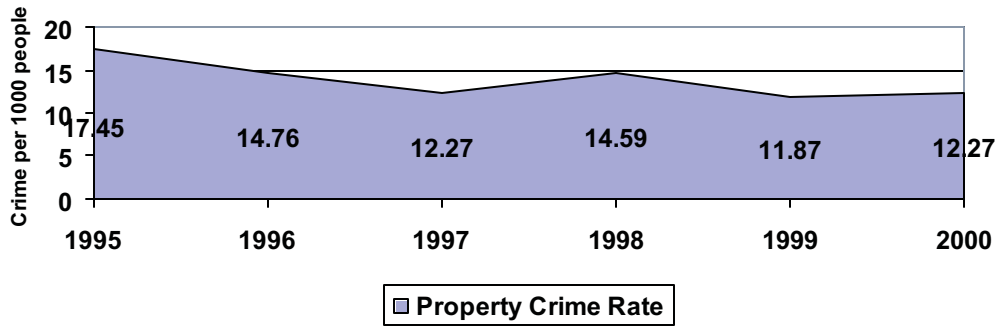


Figure 5.11-3:
Unincorporated Areas -- Property Crime per 1000 people



B. Thresholds of Significance

A project is considered to have a significant impact upon police protection services if it creates the need for a substantial increase in police protection services over the current level of service.

C. Project Impacts

Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas by providing public services (water and sewer). While in this case the NCSD does not control land use decisions (the County), the provision of public services can affect the intensity and type of land development in a particular area. The Initial Study identified the provision of Sheriff services as a potentially significant impact based on this assumption.

> **Impact PS-1.** The expansion of the Sphere of Influence may encourage growth that causes the need for new or increased services related to fire, police, and schools.

The Woodlands Final EIR provides the following information regarding San Luis Obispo County's Sheriffs Department service capability:

> According to the Sheriffs Office, the ratio of deputies to population has not kept pace with population growth for many years. The current ratio is one deputy to 1,140 citizens. Based on information provided by the Sheriff's Office during the Area Plan updates for Salinas River, North Coast, and San Luis Obispo, a ratio of one deputy per 1,000 people was identified to provide adequate level of service. More recently, the Sheriffs Office has identified the need for a ratio of one deputy per 750 citizens.
>
> In comparison, the County of San Bernardino Sheriff Department's level of service varies from area to area. The average ratio of deputy to population is one deputy to 1,700 citizens. Similarly, the County of Santa Barbara Sheriff Department's ratio of deputy to population is one deputy to 1,600 citizens.

Factors influencing response times to calls for Sheriff services are similar to those mentioned for the San Luis Obispo Sheriff's Office.

Review of existing information indicates that the level of impact the expansion of the Sphere of Influence would have on the provision of Sheriff's services is uncertain. Development projects that may have an impact on the provision of law enforcement services are referred to the Sheriff's Department by the Planning Department for their review and comment.

The proposed project involves the expansion of the NCSD's Sphere of Influence and does not represent a development project. This could be the first step toward development of an area because of the provision of public services. Law enforcement services are dependent upon automobile patrols in a largely unoccupied area. Improved vehicular access that may come with development would assist law enforcement efforts. Any future development will also represent an added patrol responsibility. Review of final project plans by the San Luis Obispo County Sheriff's Department can help mitigate potential impacts.

Based on the long-term nature of the Sphere of Influence and the development and review process for individual project, the impacts of the Sphere of Influence expansion on the provision of Sheriff's services is less than significant (Class III).

D. Cumulative Impacts

The Sheriff's Office concludes that cumulative growth patterns in the Nipomo Area caused by various developments would impact the Sheriff's operations. These impacts are connected with development proposals that are reviewed by the County. The expansion of the Sphere of Influence is a long-range planning tool that would plan for NCSD to provide services to certain areas. The impact on the Sheriff's Department would be incremental in nature and would be managed over time as the population in the area grows. The expansion of the NCSD's Sphere does not represent a significant impact to services provided by the District.

E. Mitigation Measures

The impacts of the Sphere of Influence expansion are incremental over a long period of time (20 years) and the Sheriff's Department would increase staffing as appropriate and needed depending on the population growth and actual development in the area. Therefore, the impact of expanding the Sphere is less than significant and no mitigation measures are required. It should be noted that Development Impact Fees are levied on new development and include a fee for future Sheriff's services. This fee is used to help mitigate the need for new facilities associated with growth. Also, the future entitlement processes discussed in Mitigation LU-1, the reduction of the Sphere of influence called for in mitigation LU-2, and the limiting of sewer services to Study Areas 5, 7, and 8 further mitigate any impacts to public services.

F. Residual Impacts

Since the impacts are less than significant, no residual impacts are evident. Reductions in the Sphere of Influence Study Areas as recommended in the Land Use Section (5.1) of this EIR will decrease any residual impacts that may be associated with the Sphere of Influence. The impacts to law enforcement services are less than significant, Class III.

Fire Services

A. Existing Conditions

The California Department of Forestry (County Fire/CDF) is the agency responsible for provision of fire protection services to the properties proposed for inclusion into NCSD's Sphere of Influence. The County's Safety Element of the general characterizes the area of Nipomo between Highway 101 and 1 as a high-risk fire area. The Olde Towne area of Nipomo is categorized as a medium fire risk. Response times are found to be between five and ten minutes depending on the proximity of an area or site to a fire station. The Fire Response Times are shown in Figure 5.11-4.

The California Department of Forestry and Fire Protection (CDF), in cooperation with the County of San Luis Obispo Fire is responsible for providing fire protection services for all lands and properties in the Nipomo Mesa area. The CDF contracts with the County and is responsible for the administration and operation of the fire stations that serve the unincorporated areas of the County such as Nipomo. CDF provides equipment and training for volunteer stations as well. Two stations serve the Nipomo area: #22 located on the Mesa off of Highway One and #20 located in the Town of Nipomo. The stations are staffed to provide 24-hour-a-day, seven-day-a-week emergency response, and include volunteer programs to increase response capabilities.

The Safety Element of the County's General Plan indicates that Nipomo is a community that has developed with a primarily low-density residential pattern with supporting commercial uses. The element also notes that Nipomo's fire response needs are increased because of the wooded and urban area interfaces that are in the area. This represents a higher risk than other unincorporated communities. Fire protection services can be improved by adding fire fighting equipment, increasing water supplies and adding full-time fire fighting personnel to augment existing volunteer forces. The State of California does provide for increased staffing at the stations during wildfire season. The Safety Element also cautions that the cost of providing additional fire prevention and suppression services should be weighed against the need for additional protection and the benefit that may be derived.

The Nipomo Mesa area has a " high" hazard zone rating in the Safety Element of the General Plan. The Safety Element also shows that much of the Mesa has a five-minute response time with some of the rural areas having a 10-minute response time. The urban area is within the five-minute response time zone.

B. Thresholds of Significance

A project is considered to have a significant impact upon fire protection services if it creates the need for a substantial increase in police protection services over the current level of service.

C. Project Impacts

Impact PS-1. The expansion of the Sphere of Influence may encourage growth that causes the need for new or increased services related to fire, police, and schools.

The proposed Sphere of Influence Update and Municipal Service Review is not expected to have a direct impact upon fire protection services. Unknown, indirect impacts may be caused by the expansion of the SOI because of the potential growth inducing impacts of providing public services such as water and sewer. The precise nature, density and extent of future development and the associated impacts in those areas within the SOI cannot be determined at this time.

The proposed project involves the expansion of the NCSD's Sphere of Influence and does not represent a development project. This could be the first step, however, toward development of an area because of the provision of public services. Law and fire enforcement services are dependent upon automobile patrols in a largely unoccupied area. Improved vehicular access that may come with development will assist fire protection efforts. Any future development will also represent an added protection responsibility. Review of final project plans by the San Luis Obispo County Fire Department (CDF) can mitigate potential impacts.

Based on the long-term nature of the Sphere of Influence (20 year planning boundary) future discretionary permits are needed to approve development projects and the development and environmental review process for individual project impacts, the Sphere of Influence expansion on the provision of fire services is less than significant (Class III).

D. Cumulative Impacts

The California Department of Forestry (CDF) indicates that cumulative growth patterns in the Nipomo Area caused by various developments would result in an increased demand for fire protection services. As the Nipomo area develops, fire-fighting resources will need to be added. These impacts are connected with

development proposals that are reviewed by the County. The expansion of the Sphere of Influence is a long-range planning tool (20 years) that would plan for NCSD to provide services to certain areas. The impact on the CDF would be incremental in nature and would be managed over time as the population in the area grows. The expansion of the NCSD's Sphere does not represent a significant impact to services provided by the CDF.

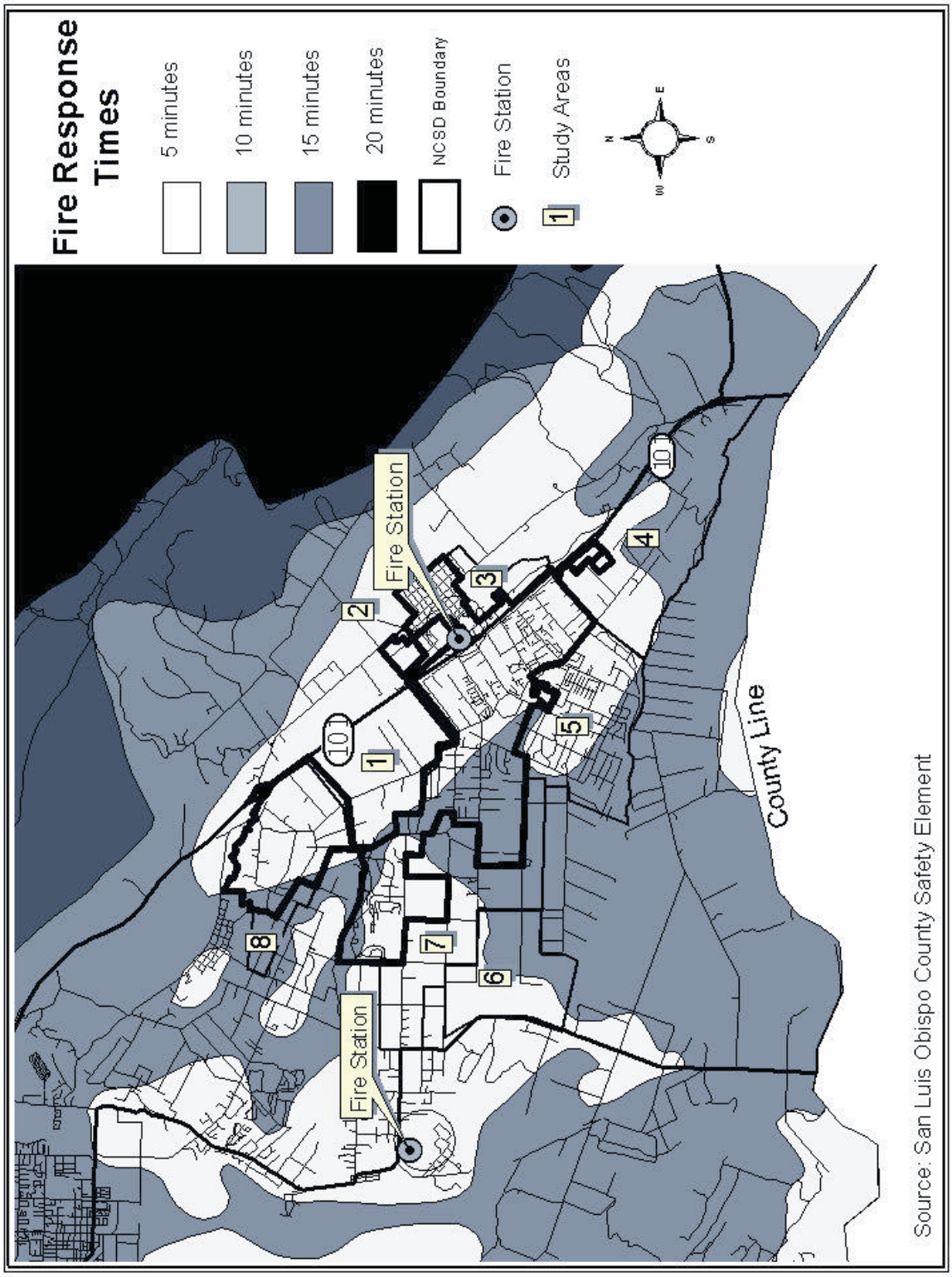
E. Mitigation Measures

The impacts of the Sphere of Influence expansion are incremental over a long period of time (20 years) and the CDF would increase staffing and resources as appropriate and needed depending on the population growth and actual development in the area. Therefore, the impact of expanding the Sphere is less than significant and no mitigation measures are required. Also, the future entitlement processes discussed in Mitigation LU-1, the reduction of the Sphere of influence called for in mitigation LU-2, and the limiting of sewer services to Study Areas 5, 7, and 8 further mitigate any impacts to public services.

F. Residual Impacts

Since the impacts are less than significant, no residual impacts are evident. Reductions in the Sphere of Influence Study Areas as recommended in the Land Use Section (5.1) of this EIR will decrease any residual impacts that may be associated with the Sphere of Influence. The impacts to fire services are less than significant, Class III.

Figure 5.11-4: Fire Response Times



Schools

A. Existing Conditions

The proposed project is within the Lucia Mar Unified School District (LMUSD). The schools within the District serving the Nipomo area include Arroyo Grande and Nipomo High School, Mesa Middle School, Dana Elementary School, and Nipomo Elementary School.

The County's Annual Resource Summary Report for 2002 summarizes the Lucia Mar school district in terms of existing service capacity:

> The Lucia Mar Unified School District serves the South County area including the cities of Pismo Beach, Grover Beach, Arroyo Grande, and the unincorporated communities of Oceano, Nipomo, and the surrounding rural areas. As of October 2002**,** the district served 5,368 elementary students (K-6) in ten elementary schools and one middle school, 1,796 (7-8) students in three middle schools, and 3,231 high school students at Arroyo Grande and Nipomo High Schools plus 173 students at Lopez continuation high school.
>
> Enrollment at all of the district's schools is substantially over capacity, based on an analysis of core facilities. High school enrollment exceeds capacity by 50 percent. Total enrollment for 2002-03 is 10,796, slightly less than last year.

The annual resource summary report indicates that Arroyo Grande, Nipomo Elementary, Mesa Middle School are at a Level of Severity III. Level of Severity III indicates that a school's enrollment equals or exceeds school capacity. It should also be noted that enrollment trends for the schools in Nipomo have leveled off in years since 1995, with no considerable increase in the total enrollment number. This is a demographic indicator that shows the increase in the Nipomo area population is enrolling fewer in the public schools.

B. Threshold of Significance

Impacts to schools are considered significant if they result in a substantial need for new or expanded school services.

C. Project Impacts

The Lucia Mar Unified School District will continue to be the agency responsible for schools and educational services to the properties into which the NCSD's Sphere of Influence is proposed to be extended. The proposed project may indirectly impact schools by encouraging growth in the area over the next 20 years. The precise nature, timing and extent of this growth, however, are unknown at this time.

> **Impact PS-1.** The expansion of the Sphere of Influence may encourage growth that causes the need for new or increased services related to fire, police, and schools.

The expansion of the NCSD's Sphere does not represent a significant impact to services provided by the School District. The impact is less than significant, a Class III impact.

The LMUSD operates 15 schools; current enrollment for the District is 10,796 students. The LMUSD has indicated that existing schools serving the project area are already overcrowded. One mechanism, being implemented by the District, to offset new development impacts is the collection of " development" fees from new residential and commercial projects. These fees assist the district in planning for educational services for the Nipomo area. It is common among school districts in the State of California to negotiate with developers for additional administrative funds to be applied to capital improvements within the District.

Other funding sources include General Obligation bonds and voted Mello-Roos Community Facility District bonds. General Obligation bonds are approved by two-thirds of the voters participating in a general or special election and are repaid by an additional property tax applied to property owners within the area.

D. Cumulative Impacts

The school district indicates that cumulative growth patterns in the Nipomo Area caused by various developments are contributing to the overcrowding found at various schools; these impacts are connected with development proposals that are reviewed by the County. The expansion of the Sphere of Influence is a long-range planning tool that would plan for NCSD to provide services to certain areas. The impact on the School District would be incremental in nature and could be managed over time as the population in the area grows. The expansion of the NCSD's Sphere does not represent a significant impact to services provided by the School District. The impact is less than significant, a Class III impact.

The Sphere of Influence study areas represents a plan for future services and is likely to cause an incremental increase over time in the cumulative demand for police protection services. The proposed Sphere of Influence Study Areas may also represent a contributing step in the long-range development of the cumulative projects listed in the Land Use Section of this document. Development of these cumulative projects would incrementally increase the demand upon law enforcement and fire protection agencies.

E. Mitigation measures

The impacts of the Sphere of Influence expansion are incremental over a long period of time (20 years) and the school district would increase staffing and construct schools as appropriate and needed depending on the population growth and actual development in the area. Also, the construction of the new Nipomo High School, combined with a flattening of total enrollment, point toward a trend that may indicate less overcrowding in schools within the District. Therefore, the impact of expanding the Sphere is less than significant (Class III) and no mitigation measures are required. It should be noted that Development Impact fees are levied on new development and include a fee for future school district services. This fee is used to help mitigate the need for new facilities associated with growth. Also, the future entitlement processes discussed in Mitigation LU-1, the reduction of the Sphere of

influence called for in mitigation LU-2, and the limiting of sewer services to Study Areas 5, 7, and 8 further mitigate any impacts to public services.

F. Residual Impacts

Reductions in the Sphere of Influence Study Areas as recommended in the Land Use Section (5.1) of this EIR will decrease any residual impacts that may be associated with the Sphere of Influence. The impacts to schools are less than significant, Class III.

CHAPTER 5.12

UTILITIES AND SERVICE SYSTEMS

The following discussion of utility and service systems issues is based upon several previously certified Final Environmental Impacts Reports completed for major projects in the Nipomo area and are incorporated by reference into this document. Those EIRs include:

- South County Area Plan, Environmental Impact Report, May 1991
- Woodlands Specific Plan, Environmental Impact Report, December, 1998
- Willow Road/Highway 101 Interchange, Environmental Impact Report, April, 1999
- Lucia Mar Unified School District High School #2, Environmental Impact Report, November, 1998

Also used in the preparation of this section and incorporated by reference are several documents adopted by the District, including the Water and Sewer System Master Plan 2001 Update, Boyle Engineering, 2002; Water and Sewer Replacement Study, Boyle Engineering, 2000; Evaluation of Water Supply Alternative, Kennedy/Jenks, 2001; and the Sewer System Atlas, 2002.

A. Existing Conditions

Water System Facilities

The NCSD operates two water systems: the Town Division and the Blacklake Development. The Main water system is also known as the Town Division and includes the following facilities:

- Standpipe Tank – 1 million gallon capacity located just south of Summit Station and west of highway 101
- Twin Tanks – 2 million gallon capacity located east of Highway 101 and Olde Towne Nipomo toward the foothills.
- 11 groundwater wells
- A distribution system comprised of 6, 8, 10, 12, and 16 inch diameter pipes

The Blacklake development is served by a separate water system that includes two wells and a distribution system that brings water to the residences. The Town and Blacklake systems are linked by an emergency inter-tie that can be used to provide water to, or take water from, the Blacklake system. During the period from 1995 to 2000 the inter-tie was used only once to provide water to the Blacklake Development.

The NCSD recently updated their Water and Sewer Master Plan in March 2002. This document provides a description of the existing water system and an evaluation of the system's adequacies and capital improvement needs. The update does not include the Blacklake System. The Update identifies the significant system upgrades completed since 1995:

- Installation of a 12 inch pipe connecting North Oakglen to Sea Street
- Installation of a 12 inch pipe crossing the freeway at Tefft Street
- Construction of a 1 million gallon tank at the Twin Tanks site with a 12- inch pipe connecting the tank to Thompson and Tefft Streets
- Additional piping added to create lopping in Olde Towne and the Mesa area

The Update also recommends improvements to the system: 1) to meet existing needs of residents, and 2) to plan for future growth of the area. The report notes that the District should continue with a pump and motor replacement program to increase efficiencies and save on energy costs. The District has 2.28 million gallons in storage volume at two locations. An additional 1.14 million gallons in storage is recommended to reliably meet the needs of existing customers. This need is currently met by operating the Sundale well which is gas powered.

Table 5.12-1: Existing Well Data

TABLE 6
EXISTING WELL DATA

WELL	FLOW RANGE (1) (gpm)	MEDIAN FLOW (1) (gpm)	TYPICAL DEPTH TO GROUND WATER (1) (feet)	DATE DRILLED	PUMP MODEL	MOTOR TYPE	WELL STATUS
Bevington	392-410	401	317	Jun-85	Peerless Turbine	General Electric 100 HP	Active
Church	158	158	77	Jun-85	N/A	N/A 30 Hp	Active
Eureka	830-870	850	190	6/1/1979 Refurbished 1998	Anderson Turbine	General Electric 200 HP	Active
Olympic	140-150	145	287	Jun-85	N/A	N/A 40 HP	Active
Omiya	120	120	312	Jun-88	N/A Submersible	N/A 30 HP	Active
Savage	125	125	74	Jun-88	N/A	N/A	Off Line
Sundale	1000	1000	256	Aug-98	Floway Turbine - 10 BKM	DelRon Gear Drive 300 HP	Active
Via Concha	703	703	286	N/A	Peerless Turbine	US Motors 150 HP	Active
Dana #1	N/A	N/A	N/A	N/A	N/A	N/A	Stand By
Dana #2	N/A	N/A	N/A	N/A	N/A	N/A	Stand By
Hermwreck	N/A	N/A	N/A	N/A	N/A	N/A	Stand By
TOTAL (Active Wells)	3343-3411	3377					

N/A = Not Available
(1) Based on PG&E pump tests performed in 1990 and 1995, except for Eureka (based on information from District after pump was refurbished) and Sundale (Based on information from District after pump was installed).

Please see Mr. Doug Jones comment letter for updated data.

Wells

Groundwater is the sole source of water available to the District. There are a total of 11 wells available to the NCSD with seven active wells producing water, three wells on standby and one well that is not in operation due to water quality concerns. Table 5.12-1, above, is from the Master Plan Update document and shows status of the NCSD wells.

Each well was tested by PG&E in 1994/95 with regard to flow rate, pumping water level, and motor efficiency. Wells/pumps that have efficiency rating of 65% or greater are considered to be in "good" operating condition by PG&E. The tests completed by PG&E at that time indicated that all 11 wells were operating at efficiencies less than 65%. Five wells were operating in the fair-to-poor range of 40% to 65%. Recent upgrades to three of these wells have improved this situation, but new testing has not been completed to confirm the current condition of the wells. The Master Plan makes specific recommendations with regard to well pump and motor replacement.

Water Distribution

The District Water Distribution is described as follows in this excerpt from the Water and Sewer Master Plan Update, 2002:

> *" The main distribution pipelines in the District are 8-inch, 10-inch, 12-inch and 16-inch diameter pipelines. Pipes extend east from the freeway along Tefft Street, Juniper Street, and Division Street. Water is distributed to the south through 10-inch and 8-inch piping in Pomeroy and Orchard. A 10-inch pipeline in Camino Caballo and an 8-inch pipeline in Pomeroy connect the wells to the main water system. A 10-inch pipeline connects the standpipe to Summit Station and the Mesa area.*
>
> *Overall, the water system is well looped without numerous lengthy dead end pipes. One notable feature is that the main system and the Blacklake system are not inter-tied except for an emergency interconnection. The*

central business district and the outlying residential rural areas of the District are separated by Highway 101 and Nipomo Creek. Stream crossings at North Oakglen and Tefft Street, and freeway crossings at Juniper, Tefft and Division Street connect the two areas of the water system.

The material of existing pipelines within the District consists of asbestos cement, and polyvinyl chloride (PVC). According to the District, older cast iron and ductile iron pipes have been replaced with PVC. The majority of the pipelines are asbestos cement and PVC. Pipelines range in age from a few months to 35 years."

The water distribution system consists of the Olde Towne Central Business District, and the residential areas on the west side of Highway 101 (Mesa and Summit Station). The Summit Station area has low water pressure because of the higher elevation. Low water pressure also is in the Mesa area because of the distance between the tanks and wells. The study frames the challenges facing the distribution system as follows:

" The primary challenge of the distribution system has been transmission of the water from the wells on the west end of the system to storage on the east and north ends of the system. Supply and storage facilities are separated by miles of distribution piping. Recommended improvements are intended to increase transmission from the wells to areas of high demand, and to the storage tanks."

The Water Sewer Master Plan Update recommends $3.7 million in upgrades to increase water pressures to a reliable 30 pounds per square inch (psi). Improvements would be focused on increasing capacity from the wells to the Mesa Area improving pressures in Summit Station and increasing flow capacity from the east side of town to the west. The update also studies more cost effective ways of improving water pressure in the Summit Station area and identifies construction of a booster pump as one way to increase water pressure.

Water Storage Facilities

The Water Storage system operated by the NCSD is described in the 2002 Water and Sewer Master Plan. The following excerpt from the Plan describes the storage facilities:

" Four storage tanks currently serve the District's water system: the Twin Tanks, and the Standpipe. These reservoirs provide daily regulatory, fire, and emergency storage.

The Twin Tanks consists of one 1.0 million gallon tank, with a radius of 43 feet and height of 24 feet, and two 0.5 million gallon tanks, each with a radius of 30 feet and a height of 24 feet. The reservoirs have a high water elevation of approximately 548 feet. Parallel 10-inch and 12-inch diameter inlet/outlet lines along Tefft Street connect the Twin Tanks to the distribution system.

The Standpipe is a 1.0 million gallon welded steel tank, with a diameter of 44 feet and a height of 90 feet. The reservoir has a high water elevation of approximately 548 feet. The bottoms of the Twin Tanks are at 524 feet. Because the Standpipe and the Twin Tanks Reservoirs are part of the same pressure zone, the Standpipe normally operates between 524 and 548 feet, reducing the effective storage in the standpipe to 270,000 gallons. A 16-inch diameter inlet/outlet line to Hetrick Avenue connects the Standpipe to the distribution system.

The 1000 gpm Sundale well also allows the district to use groundwater as storage for fires and emergencies. The well is powered by natural gas and is able to provide pumping capacity in the case of a power outage."

The Water and Sewer Master Plan approved by the District in 2002 prioritizes a number of improvement projects for the water storage and distribution systems. The recommended improvements are broken into three categories: Improvements to Meet Existing Needs-Water and Sewer, Improvements to Meet Future Needs-Water

and Sewer, and Additional Recommendations. Special recommendations for improving water service to Summit Station are included in a separate chapter. The study also provides an estimated cost for the recommended improvements.

The County's Annual Resource Summary Report rates the capability of unincorporated communities to provide public services to the areas they serve. The Annual Report uses a Level of Severity rating system ("0" being no problem and "3" meaning that a water delivery system has reached its design capacity) to assess water systems in the County areas. The rating system for water includes evaluating the available supply and the production and distribution system for a particular jurisdiction. In the case of the NCSD, the Report indicates "0" Level of Severity for its water distribution system. This means that the NCSD has an adequate water delivery system that is operating well within design specifications.

Water Supply

Analysis of the District's water situation indicates that while the District may be able to obtain supplemental water sources sometime in the future, there is uncertainty surrounding the availability of the potential sources. The District has completed studies with regard to alternative water sources and identifies the City of Santa Maria, hardrock drilling on the east side of highway 101, and desalination as potential future water sources. An agreement with the City of Santa Maria appears to be the most likely to occur, although no documentation is evident. Also it should be noted that hard rock drilling can be an unreliable source of water and should not be relied on for a long-term water supply. The pipeline to the District from the City is expected to be hung from the Highway 101 Bridge over the Santa Maria River when improvements are made to the bridge by Caltrans beginning in 2008. Although negotiations between the City and the District are on going, there are several hurdles that must be cleared prior to water being piped into the District. Chapter 5.4 of this EIR contains more detailed information about the District's water situation.

The adjudication of the groundwater basin is a key factor that will constrain the District from using increased amounts of the groundwater resource for its customers.

At some point in the future, the Court will allocate a share of the groundwater resource to the involved parties. This process will most likely result in a reduction of the amount of water available to the District. This action will take place regardless of the size of the Sphere of Influence and the District will be limited in the amount of water it may pump from the groundwater resource. The following table shows the District's current and future water demand within its existing boundaries and the additional water demand projected to serve the eight Sphere of Influence Areas if they were to be built out under the current zoning:

Table 5.12-2: Water Demand within Existing Boundary plus Projected Build-out Future Water Demand of all 8 Study areas under the Existing Zoning

Water Demand Area	**Acre Feet Per Year**
NCSD Existing Boundary at Build Out	2,700
Study Area #1	289
Study Area #2	2
Study Area #3	284
Study Area #4	106
Study Area #5- water provided by Cal Cities Water	0
Study Area #6-Woodlands-Private Mutual Water Co.	0
Study Area #7	212
Study Area #8	28
Total Demand	**3,621**
Potential Water Supplies (Urban Water Mgt Plan-NCSD)	**Acre Feet Per Year**
Groundwater Within the Nipomo HSA (1)	2,400
Wells on east side of Highway 101(2)	1,100
Other Potential Sources (3)	2,600
Total Supply Planned for by the District	**6,100**

1) Current supply. Adjudication could reduce this amount of water.
2) Fractured geologic structure is may be an unreliable long-term, municipal water source.
3) Assumes well site near Santa Maria River, purchase from other agencies and desalination. These supplies are in the " idea" stage and have not been documented as a viable, " wet" water source.

The water supply section of the NCSD's Urban Water Management Plan does not provide documentation regarding the status of acquiring the sources that are mentioned above. In fact, all of the sources that are listed as part the District's future

supply are either in the preliminary planning stages (desalination) or may not be a viable, long-term, municipal water source (hard rock-fractured structure drilling). It appears unrealistic at this point in time that the District has access to a reliable and sustainable future water supply of 6,100 acre feet. The table below considers these assumptions and is used to show a more realistic water supply scenario for the District:

Table 5.12-3: Potential Water Supply Scenarios

Potential Source	Scenario #1	Scenario #2
Groundwater	2,100	2,400
Water Conservation	500	500
City of Santa Maria	0	1,000
Desalinization	0	0
Recycled Water Delivery	0	0
Hard Rock Drilling	100	300
Totals	**2,700**	**4,200**

Based on the projected demand of 3,621 acre feet needed to serve all eight study areas under existing zoning, the NCSD may be able to serve these areas if the high case water scenario depicted in the above table is realized in the next 20 years. However, these water sources are in the early planning stages and the District has yet to implement an effective water conservation program.

While the District has indicated its commitment to providing adequate water service to these areas, documentation verifying the availability of future water supplies has not yet been provided. If the scenario #1 is realized for the 8 study areas, the District would have a projected water deficit of 945 acre-feet. If the scenario #2 comes to pass, the District will have an excess of 555 acre-feet. This being the case,

it would be prudent for the District to provide verifiable documentation of a water source being available for an annexation prior to the annexation being approved. This documentation should be provided in a format consistent with the Guidebook for Implementation of Senate Bill 610. This guidebook provides a legislatively approved process for documenting water supplies and builds on the Urban Water Management Plan prepared by the District.

Wastewater System

The NCSD is responsible for collecting, transporting and treating wastewater for its 5,626 customers in the town area and 1,175 customers in Blacklake. The two systems are separate and the District operates both systems. According to the County's annual Resource Summary Report the town system is at approximately 40% of capacity during average dry-weather flow and the Blacklake system is at 30% of capacity. The collection system is generally in good condition and is regularly maintained by the District. The District's Water and Sewer Master Plan Update provides for a capital improvement program to help prioritize and implement projects related to the sewer systems.

The County's Annual Resource Summary Report rates the capability of unincorporated communities to provide public services to the areas they serve. To assess sewer systems in the County areas, the Annual Report uses a Level of Severity rating system with 0 being no problem and 3 being that peak daily flows equal or exceed the treatment plant capacity. The Sewage Collection system of a community is also evaluated with "0" being no problem and "3" being that peak flows reach 100% of capacity. In the case of the NCSD, the Report indicates "0" Level of Severity for its sewer collection system. This means that the NCSD does not have a capacity problem with its sewage collection system.

Overall, the Water and Sewer System Update prepared by Boyle Engineering found that the Sewer System was well designed to handle the existing needs. Areas noted in the update include the gravity collector in Division Street, the excess capacity of most of the existing lift stations, and the recent and expected increase in flows to the

Tefft lift stations caused by the construction of several new developments. The Tefft Street lift station is currently operating near capacity. District personnel have observed wet well capacity problems, particularly during power outages.

Upgrades to this lift station are recommended to increase capacity. To reliably meet the existing and near-term wastewater collection system needs the Update recommends a total of $1.7 million in system improvements. These improvements include the Tefft Street Lift station upgrades, the Montecito Verde II/Nipomo Palms bypass project, and upgrades to the trunk line and main lift station. The Tefft Street project is progressing and the bid process is underway. Preliminary engineering plans have been completed for the Montecito Verde/Nipomo Palms bypass project. Trunk line improvements have been delayed due the uncertainty of the addition of new developments. Additional development would have an effect on the capacity needed to serve a particular area.

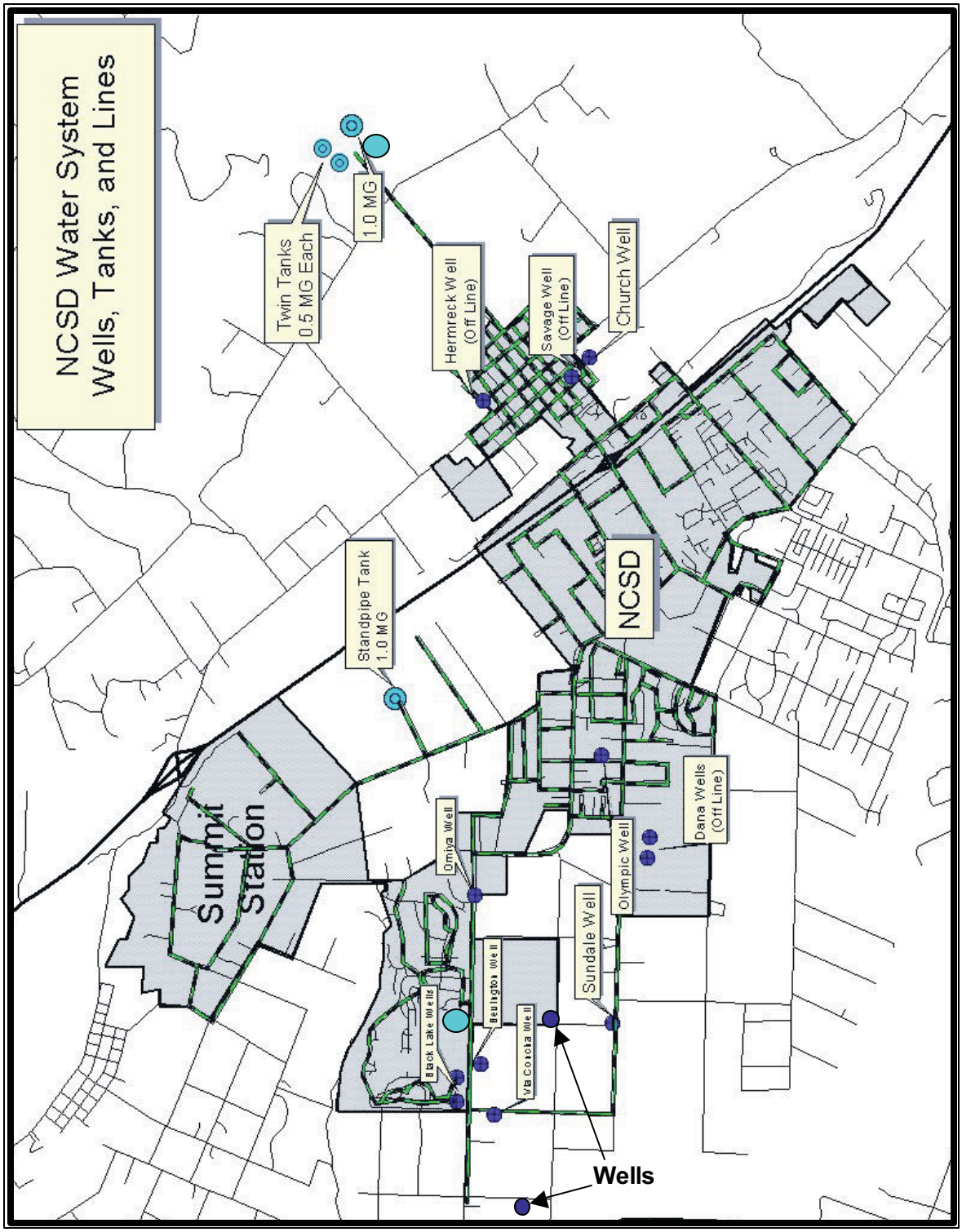


Figure 5.12-1: NCSD Water System, Tanks, and Lines

B. Thresholds of Significance

The proposed project would represent a significant impact to the NCSD's utility and service systems if it were to result in a need for new system, supplies or substantial alterations existing systems.

C. Project Impacts

Expanding the District's Sphere of Influence could have the indirect impact of encouraging a change in land uses in some Study Areas by providing public services (water and sewer). While in this case the NCSD does not control land use decisions (the County), the provision of public services can affect the utility systems of the District. The Initial Study identified the following potentially significant impacts associated with Utilities and service Systems:

> **Impact U-1.** The expansion of the Sphere of Influence could lead to annexations to the District that may require new or expanded water treatment or distribution facilities and sewer facilities.

Impact Discussion U-1

The District's Water and Sewer Master Plan Update plans for the inclusion of most of the eight Study Areas within their service boundary. The Nipomo Community Services District Board of Directors authorized this Water and Sewer Master Plan update in November of 2000. The purpose was to update the 1995 Plan with current information regarding existing District customers and future development scenarios that would likely expand the District's service area. The 2001 Plan adopted by the NCSD Board of Directors evaluates several key service issues:

- Water Demands and Sewer Loading
- Description of Existing Water System
- Description of Existing Sewer System
- Design Criteria
- Analysis of Existing Water System

- Analysis of Existing Sewer System
- Evaluation of Future Water System
- Evaluation of Future Sewer System
- Recommended Improvements
- Recommendations for Water Service to Summit Station

This study provides information for decision makers to proceed with a capital improvement plan that prioritizes future projects for the District based on anticipated growth in the Nipomo area. The Update also makes recommendations with regard to how to best serve the Summit Station area, which has experienced low water pressures for many years.

The Plan Update provides the NCSD with an understanding of the strengths and deficiencies of the water and sewer systems and recommends improvement to correct potential or existing problems. In Chapter 11 of the update the improvements are prioritized based on urgency of need and potential benefits. Chapter 11 of the update breaks the improvements into the following two sections: Improvements to Meet Existing Needs and Improvements to Meet Future Needs. It also includes cost estimates for the various improvement projects. The NCSD also addresses the expansions of water and sewer facilities related to new development through the implementation of development impact fees. These fees help the District offset the expense associated with expanding facilities to serve new developments.

The County's Annual Resource Summary Report rates the capability of unincorporated communities to provide public services to the areas they serve. The Annual Report uses a Level of Severity rating system (0/None being no problem and 3 being that a water delivery system has reached its design capacity) to assess water systems in the County areas. The rating system for water includes evaluating the available supply and the production and distribution system for a particular jurisdiction. In the case of the NCSD, the Report indicates "0" Level of Severity for its water distribution system. This means that the NCSD has an adequate and stable water supply and that the delivery system is in operating well within design

specifications. The County is in the process of completing a Resource Capacity Study for the Nipomo Area regarding the water supply situation. This study evaluates the groundwater resources in the area and identifies potential problems.

The impact of expanding the Sphere of Influence on the water treatment and distribution system will be less than significant (Class III) because the District has evaluated the possible impacts of adding these areas into their service area. The District Master Plan provides a comprehensive, prioritized list of system improvements with estimated costs as well. The NCSD is prepared to deal with the infrastructure requirements of newly annexed properties.

The District recently adopted annexation policies provide a funding mechanism for the development of new water supplies and the infrastructure to managed such supplies.

Impact U-2. The expansion of the Sphere of Influence could lead to annexations to the District that may require new or expanded sewer facilities.

Impact Discussion U-2

The Master Plan also evaluates the existing sewer system and the future needs of the District. Overall, the Water and Sewer System Update prepared by Boyle Engineering found that the Sewer System was well designed to handle the existing needs. Areas noted in the update include the gravity collector in Division Street, the excess capacity of most of the existing lift stations, and the recent and expected increase in flows to the Tefft lift stations caused by the construction of several new developments. The Tefft Street lift station is currently operating near capacity. District personnel have observed wet well capacity problems, particularly during power outages. Upgrades to this lift station are recommended to increase capacity.

To reliably meet the existing and near-term wastewater collection system needs the Update recommends that a total of $1.7 million in system improvements. These improvements include the Tefft Street Lift station upgrades, the Montecito Verde II/Nipomo Palms bypass project, and upgrades to the trunk line and main lift station.

The Tefft Street project is progressing and the bid process is underway. Preliminary engineering plans have been completed for the Montecito Verde/Nipomo Palms bypass project. Trunk line improvements have been delayed due the uncertainty of the addition of new developments. Additional development would have effect on the capacity needed to serve a particular area.

The impact of expanding the Sphere of Influence on the wastewater treatment and collection system would be less than significant (Class III) because the District has evaluated the possible impacts of adding these areas into their service area. The District Master Plan provides a comprehensive, prioritized list of system improvements with estimated costs as well. The NCSD is prepared to deal with the infrastructure requirements of newly annexed properties. Also, the District must document its capability to serve a property proposed for an annexation prior to an annexation being approved by LAFCO. This process also involves environmental review in compliance with the California Environmental Quality Act.

Impact U-3. The expansion of the Sphere of Influence could lead to annexations to the District that may require a new or expanded water supply.

Impact Discussion U-3

The provision of water to new development in Nipomo is the key issue facing the Nipomo Community Services District. The following provides a summary of the key issues that affect decision-making in regard to the provision of water services. The District will not likely be able to extract more water from the groundwater resource than they are currently pumping: 2360 acre-feet per year. In fact, it is likely that through the adjudication of the groundwater basin, the District will receive a decreased allocation. This situation requires the District to evaluate other water supply alternatives.

The Nipomo HSA will continue to be impacted by future development that uses water from this source. It should be noted that the District's new annexation policy requires that any parcel annexed into the District either have a supplemental water source from outside the hydrologic sub-area or that the proponent pay a substantial

per unit fee ($10,000 per unit) to be used for the development of supplemental water by the District.

The adjudication of the sub-area is an action that could impact all of the water users in the Nipomo area. The Courts' decision with regard to the allocation of the water resources will provide direction for all users of the resource including the NCSD. This variable makes it difficult to predict the outcome; however, it is likely that after review of all of the data the Court will allocate water resources in manner that will prevent further adverse impacts to the sub-area and preserve the sustainability of the resource.

Under these circumstances it can be assumed that the District will not be able to pump more water from the groundwater resources in the Nipomo HSA. The groundwater basin on the east side of the Highway 101 is in a "fractured" geologic structure and may not be a reliable long-term water source. Groundwater wells in fractured rock are known to produce large quantities of water over a period of time and then run "dry" very quickly.

In 2001, the District contracted with Kennedy/Jenks Consultants to prepare an **Evaluation of Water Supply Alternatives**. As the title implies, this study evaluates the water supply alternatives that may be available to the District. The first water alternative analysis was completed for the District in 1994. The most recent study was completed in October 2001 and is an update and expansion of that first analysis. The objective of the most recent study is to provide more current information and evaluate a wider range of supply alternatives. The study identifies a broad range of water supply alternatives and then recommends that several alternatives be reviewed in further detail, including:

- Water Conservation (500-1000 AFY)
- Intertie with the City of Santa Maria (2000-3000 AFY)
- Desalination of blowdown water, produced water, and/or recycled and groundwater exchange with the Tosco Refinery (1,300 AFY)

- Recycled water delivery to an groundwater exchange with agricultural users (500-1000 AFY)
- Hard rock drilling (500-1000 AFY)

The study indicates the existing demand based on average consumption of a population of 10,790 people currently served by the NCSD. The existing demand distribution areas already being served by the NCSD is broken down as follows:

Table 5.12-4: Existing Demand

Land Use or Water User	Water Demand (AFY)
Residential	1,423
Non-Residential	68
Nipomo Regional Park	46
Brassica Nursery	19
Other large users-unaccounted for water	335
Main Water System total	1,890
Blacklake Water System	450
Total	**2,340**

The study indicates that a total projected demand for the Nipomo area at build-out of 5,890 AFY (includes Woodlands) and a current demand of 2,340 AFY. This shows a net deficit of 3,550 AFY. The table below comes from the study:

Table 5.12-5: Projected Demand at Build-Out

Land Use or Water User	Water Demand (AFY)
Residential-Including Blacklake	3,278
Non-Residential	132
The Woodlands	1,640
Nipomo High School	81
Nipomo Regional Park	46
Brassica Nursery	19
Other large users-unaccounted for water	693
Total	**5,890**

The Study assumes that the NCSD would ultimately serve the Woodlands as well as other surrounding areas currently not within the District's service boundaries. The Alternatives Study also assumes a larger eventual service area for NCSD and addresses that by analyzing a full range of water resource alternatives. The Alternatives analysis is a useful long-range planning study that gives the NCSD information about the various water options. The feasibility of these water supply options is still in question at this point in time. The NCSD, however, is pursuing negotiations with the City of Santa Maria and a preliminary study regarding desalination was funded in this year's budget.

It appears, at this point in time, that supplemental water sources outside the Nipomo HSA are still in the planning stages and could take several years to fully develop.

This uncertainty would lead to a logical conclusion that future annexations should be contingent upon a development proposal, or the NCSD, providing a documented and reliable supplemental water source. This impact is potentially significant impact unless mitigation is adopted (Class II).

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

The Land Use section of this EIR contains a listing of recently proposed projects that may reasonably be expected to be completed.

E. Mitigation Measures

Mitigation U-1. Prior to final approval of any annexation that is a "project" under the Water Code 10912 definition, the District shall submit a Water Assessment pursuant to the procedures found in the Guidebook for Implementation of SB 610 and SB 221, using only the steps applicable to SB 610.

The following mitigation measures are from other sections of this DEIR and are applicable to reducing the impacts on Utilities and Public Services:

Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude Study Area 6.

Mitigation W-1. Prior to LAFCO approval of any annexation, the District shall:

1) Implement a water conservation program that decreases water use by 15% based on per connection water consumption. Annexations shall only be approved if the District provides documentation that certifies a 15% decrease in water use has occurred since the approval date of the Sphere of Influence. Conservation measures shall be implemented at the District's discretion.

2) Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1,000 acre-feet for the expanded Sphere of Influence. The Urban Water Management Plan prepared or updated by the District shall be prepared consistent with the State of California's Urban Water Management Plan Act. A Registered Professional Engineer specializing in water resource planning shall certify that the Plan is consistent with the State's Urban Water Management Plan Act.

Mitigation W-2. Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source outside the Nipomo Hydrologic Sub-Area and provide documentation that an agreement is in place to deliver such water by January 1, 2009. Documentation shall be consistent with Section 5, Step Two, Documenting Supply, of the SB 610 Guidebook dated October 8, 2003. A Registered Professional Engineer specializing in water planning shall review and certify such documentation.

F. Residual Impacts

The mitigation described above reduces the impacts to the Utilities and Public Services to a less than significant level. The impacts are reduced to a less than significant impact (Class II) with the implementation of the above stated mitigation measures.

CHAPTER 5.13

AESTHETICS

A. Existing Conditions

The vision of the County's Land Use element of the South County Area Plan (SCAP) includes the protection of the rural character of the areas between Santa Maria, Nipomo, and Arroyo Grande. The preservation of the rural character and heritage of the South County area is a primary goal of the Area Plan. The separation of these communities by open countryside, along with large agricultural areas, contributes to this rural identify. Rural character may also be achieved by development with the appearance of a rural residential density and standard clustered subdivision design that provides structural setbacks from public roadways. Site sensitive treatment in scenic and immediately visible areas further enhances these rural qualities.

The South County Area Plan recognizes the importance and value of the scenic qualities of the region and has identified specific areas where " Highway 101 Corridor Design Standards would apply, mainly for new residential development. The intent of these standards is to encourage development away from the immediate foreground as viewed from the highway as well as to minimize impacts to scenic backgrounds.

The SCAP contains Corridor Design Standards to provide public views of varied topographical features, the various strands of tree and wildflowers, and of historic building and pastoral settings. The South County Area Plan identifies the Newsome and Temattate Ridges as a sensitive resource area. The standards are to maintain the scenic views and rural character along Highway 101. These areas are also defined as scenic backdrops in the Agriculture-Open Space Element.

The Highway 101 standards in the SCAP provide standards that are required at the Plot Plan and Discretionary Permit level. Standards for Plot Plans address visits to the site, Highway Setbacks, Slope Limitation, Specific Building Features, Landscaping and Screening, and Biological Resources. If a project meets the plot plan corridor design requirements (and other Land Use requirements) it may be

approved without further visual analysis. If a project is not able to comply with Plot Plan standards, a discretionary permit (Minor Use Permit, Development Plan) is required. Specific standards for discretionary permits are identified in the SCAP. A visual analysis that addresses the SCAP standards is required and will include information consistent with these standards.

For projects not within the Highway 101 visual corridor, visual and aesthetic impacts would be addressed during the environmental review process. Examples of this process include: the Woodlands, Willow Road extension, and the Lucia Mar High School. Each of these projects included a more detailed visual/aesthetic analysis of the impacts.

The County has also approved the Olde Towne Nipomo Design and Circulation Plan. This plan provides specific design criteria that promote the vision of the community for the Olde Towne area. The design standards focus on enhancing the small town character of Nipomo by promoting the rural nature of the area and continuing the tradition of Victorian-style buildings in the Olde Towne area. The Plan is implemented through the County's discretionary Land Use Permit process.

B. Thresholds of Significance

The proposed project would represent a significant impact to aesthetic resources if it affect a scenic vista or highway, had a negative aesthetic impact, or created light or glare.

C. Project Impacts

Expanding the District's Sphere of Influence does not significantly impact aesthetic resources. Although the proposed Sphere of Influence Update and Municipal Service Review does not adversely impact aesthetic resources the proposed project could represent the first step in the development of the areas within the SOI. Future development of these properties could adversely impact aesthetic resources in these areas.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area. A Land Use Ordinance Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

Aesthetic/Visual impacts that may be caused by the implementation of the Sphere of Influence are very difficult to identify because no structures are associated with the project. Also, it is speculative to approximate the growth inducing impacts that may or may not be caused by the Sphere of Influence. Visual/aesthetic impacts are

addressed through the environmental review process when a specific project is proposed and approved by the County.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area
- Lucia Mar Nipomo High School

Each of the above developments has addressed the impacts to aesthetic/visual resources through the CEQA process at the time the project was considered for approval. The Sphere of Influence would not cause visual/aesthetic impacts.

E. Mitigation Measures

Since the impacts to aesthetics are less than significant, no mitigation measures are necessary. Under the County's General Plan, any future development projects would be required to evaluate the impacts and identify mitigation measures regarding aesthetic resources as part of a projects review.

F. Residual Impacts

Impacts related to aesthetics are not considered to be significant (Class III Impact). Implementation of the mitigation measures noted in section 5.1, Land Use of this EIR will further reduce residual impacts to aesthetics.

CHAPTER 5.14

CULTURAL RESOURCES

A. Existing Conditions

Designated historical sites in the Nipomo Area include the Dana Adobe, the Dana Home, the Los Berros Schoolhouse, an Adobe Barn in Los Berros, the Pacific Coast Railroad depot in Nipomo, old St. Joseph's Church, and the Runels' home. In addition, archeological sites exist in the area and an inventory is maintained by the County's Environmental Coordinator's Office.

This project area is within the territory historically occupied by the Obispeiio Chumash, the northernmost of the Chumashian speaking peoples of California. Archaeological evidence has revealed that the ancestors of the Obispeno settled in northern Santa Barbara County and San Luis Obispo County more than 9,000 years ago. The Arroyo Grande, Oceano and Nipomo areas have a number of archeological sites extending back over 5,000 years.

Following an annual cycle of hunting, fishing, fowling and harvesting, the Chumash peoples adapted to changing environmental and social conditions and grew into a large complex society which persists today. Aboriginal society underwent major changes soon after Spanish contact in A.D. 1769, primarily due to the introduction of epidemic European diseases and the consequent high mortality rate. After the establishment of the mission at San Luis Obispo in September of 1772, baptisms from the Arroyo Grande to Nipomo area began within a year and continued until about 1804 when villages in the area were abandoned and the inhabitants were moved and living at the mission or on outposts.

The nearest Late period (post 1000 A.D.) settlement was probably at the town of Nipomo (Lachito), east of the Woodlands project. The name Nipomo was reported by the Chumash consultant Fernando as the Purisimeno Chumash word, *anipomo,* meaning "promontory". It may have been one large permanent village of about 50 people, and in the Middle period, smaller seasonal camps may have been the

settlement pattern. The population may have moved west to the lake/dune areas then returned to the Nipomo area and possibly east into the foothills for hunting and gathering additional plant resources. There are many small temporary or day use sites in the sand dunes west of Nipomo Mesa. A similar pattern of use has been defined for the village of Lompoc and Lompoc Mesa just south of the Santa Ynez River.

Archaeological surveys done during the past 40 years on the south, east, west and north sides of Nipomo Mesa have recorded many archaeological sites along the edges of the mesa but very few in the interior. Middle and Late period sites are common (post 3,000 years B.C.). West of the mesa are a number of fresh water lakes and a series of low sand dunes. Many small seasonal sites have been recorded in these dunes. They usually contain a sparse to low density of Pismo clam shells and chert flakes with rare tools and burnt rock. The edge of the mesa directly south of the Woodlands project contains a number of archaeological sites, some of which extend near the southern boundary of the project property.

Overall, it appears as if many sites were probably semi-permanent camps or permanent villages occupied during at least the last 2,000 to 3,000 years. Based on this data, it appears as if sites on the Nipomo Mesa contain at least two general types of activities. The first is female dominated food preparation involving grinding tools, manos (hand stones) and metates (grinding slabs) and/or pestle and mortars, burnt rock from ovens, shellfish and bone remains. The other is characterized by cobble flaking hammers, chert biface blanks (the intermediate stage of manufacturing a tool), biface knives and chert (flint) flakes and probably reflects male dominated stone tool manufacturing. Most of these sites have been damaged or destroyed in the past 30 years. Almost nothing is known about their antiquity, internal organization, or relationship to the ancient Halcyon bay or other sites in the Arroyo Grande/Nipomo Mesa region.

With respect to the large prehistoric site, Woodland Prehistoric Site 1, useful comparative information can be obtained from several sites located on the north side

of Black Lake Canyon, which is about 1-1/2 miles north of the Woodland property. In 1984, a survey of 384 acres identified three prehistoric sites and one isolated artifact. These three sites are included in Table 4.8-2. Later, a small-scale subsurface testing program was conducted at these sites. These sites appear similar in content, antiquity, and geographic setting with the Woodland property sites.

Because of the antiquity of the cultural deposits at the Black Lake complex, most of the cultural materials have settled down in the soil profile to depths of 60 cm to 1 meter. Surface indicators of these types of sites at Black Lake and elsewhere are sparse and cannot be relied upon for boundaries or densities of cultural materials.

At least 19 archaeological sites have been identified in the general area around the community of Nipomo. These sites generally contain chipped stone artifacts (flint, flakes, tools, etc.), some of which contain a light density of shell fragments. Given the sandy nature of soils west of Nipomo Creek, all of the natural stone for these artifacts was taken from areas east of Nipomo Creek. Several of these sites are seasonal camps, similar in character to sites noted along the project roadway facilities (see discussion below). They also provide an indication of period of use of these sites, that being 1,000 to 3,000 years ago. The largest archaeological site in the area (approximately 420,000 square meters) is SLO-804, a permanent village site located west of Nipomo Creek. Its use continued up through the post AD 1500 period.

Prominent historical features of the Nipomo Mesa area include portions of the Pacific Coast Railway as well as the pre-1880 road, which also crossed the project area. The project area is in the boundaries of the Nipomo Rancho, granted in 1837 to Captain William Goodwin Dana and was likely used for wooded pasture. No structures of the Spanish-Mexican or Early American Periods are known to exist in the project area. The Cañada homestead is located east of Highway 101 on a terrace overlooking Nipomo Creek. It consists of a wooden house, barn, windmill, and other farm-related structures that date to the turn of the century. Although in

apparent poor condition, they would qualify as a significant historic resource as outlined in the State CEQA Guidelines.

The pre-1880 road between Arroyo Grande and Santa Maria Valley followed the edge of Nipomo Mesa. Features associated with it, however, are no longer evident in the field. It is probable that use of the road extended well back into prehistoric times. Chumash regularly transported food and manufactured items between villages. The fact that the historic village of Nipomo is located near Highway 101 is not a coincidence. The road has probably been used for at least several thousand years and was a part of the Spanish-era El Camino Real in order to avoid the deep sands along the coast. From the top of the grade above Los Berros, the road ran along the northern mesa's edge to Casa de Dana, the ranch built 1839-40 by Captain William Goodwin Dana on the Nipomo Mesa.

The County Surveyor 1874 Map shows the road crossing the Pacific Coast tracks near (or at) the Summit Station locality, staying along the mesa's edge eventually leading to the town of Nipomo. The hard sands exposed along the mesa edge were easier to traverse than softer sands further west on the mesa or the clayey soils of Nipomo Valley.

The County Surveyor 1874 Map also indicates much of the northern mesa edge was covered by timber. Much of this coast live oak has been cleared during the twentieth century, but significant remnants of the coast live oak forest still remain. In 1880, the Dana's built Casa Grande in the town of Nipomo. After Josefa Carillo Dana died in 1882, Nipomo Rancho was subdivided amongst family heirs. The County Surveyor 1890 Map shows the resulting land pattern and has roads following today's rural pattern. Thompson Avenue was likely the major route, yet Summit Station Road, Hetrick Avenue, Pomeroy Road, and Live Oak Ridge Road are all shown on these early maps.

B. Thresholds of Significance

The proposed project would have a significant impact if it significantly impacted a prehistoric or historic archeological site, a property of historic or cultural significance

to a community or ethnic or social group, or a paleontological site except as a part of a scientific study.

C. Project Impacts

Expanding the District's Sphere of Influence would not significantly impact cultural resources in the area. Although the proposed Sphere of Influence Update and Municipal Service Review does not significantly impact cultural resources, the proposed project could represent the first step in the development of the areas within the SOI. Future development of this property could adversely impact cultural resources in these areas.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a General Plan Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area. A General Plan Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any

future development of the areas within the SOI would require a number of land use planning steps as listed above.

The Program EIR represents the first-tier environmental document for these related actions. Once the Program EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

Establishing the Sphere of Influence would not cause a significant impact to the cultural resources in the area because the SOI is not a construction project. It may (or may not) encourage or influence increased development in the area, but this development would be required to study the impacts to cultural resources through the County's Land Use permit and environmental review process.

E. Mitigation Measures

Since the impacts are less than significant, no mitigation measures are necessary. Under the County's General Plan, any future development projects would be required to evaluate the impacts and identify mitigation measures regarding cultural resources as part of the projects review.

F. Residual Impacts

Impacts related to cultural resources from the Sphere of Influence are not considered to be significant (Class III Impact). Implementation of the mitigation measures noted in other sections of this EIR will further reduce residual impacts to cultural resources.

CHAPTER 5.15

RECREATION

A. Existing Conditions

A number of several recreational resources and facilities located are located in the Nipomo area.

The following list from the Public Hearing draft of the Parks and Recreation Element identifies the various resources and facilities:

Table 5.15-1: Nipomo Area Recreational Facilities

Name of Facility	Type of Facility	Location	Owner
Nipomo Recreation Center	Local Recreational Facility	170 S. Frontage Road, Nipomo	
Nipomo Park	Community Park	Tefft & Pomeroy	County
Jim Miller	Park (undeveloped)	Tefft	County
Mesa Meadows	Natural Area	Osage & Mesa	County
Mesa Meadows	Class I Bike Trail/Path	Osage & Mesa	County
Martin Trials	Class I Bike Trail/Path	Dawn, Dale, Westwind, & Willow	County
Cypress Ridge	Class I Bike Trail/Path	Halcyon & El Campo	County
Dana Elementary	School	W. Tefft	Lucia Mar School District
Nipomo Elementary	School	Price St. & Beechnut Ave	Lucia Mar School District
Dorothia Lang Elementary	School	Osage & Eucalyptus	Lucia Mar School District
Nipomo High School	School	Thompson Road	Lucia Mar School

Name of Facility	Type of Facility	Location	Owner
			District
Nipomo Library	Public Library	Dana St.	County
Blacklake & Cypress Ridge Golf Courses	Private Golf Courses open to the public	Willow Road El Campo & Halcyon	Private

The following is a summary of the key recreational and community resources located in the Nipomo area.

The **Dana Adobe** is located at 671 Oakglen, P.O, Box 729 Nipomo, CA 93444 805/929-5679. The Dana Adobe is the home of Captain Dana and his family and is now owned by the San Luis Obispo Historical Society. This historical site still stands today with the DANA organization actively working toward the restoration of the home.

Nipomo Community Park is a 132-acre park, shaded with eucalyptus, oak and pine trees, contains facilities for a number of activities tennis, handball, softball, baseball, football, volleyball, and horseshoes. Picnic tables and barbecues are located throughout the park, and a natural area features a ring and trails for equestrians. A playground on the south side provides a good stopping place for travelers with children.

Old St. Joseph's Church is located at Tefft Street and Thompson Road.
Built in 1902, the church was retired in 1970. It has been refurbished into a quaint wedding chapel. Services for Nipomo Christian Church are now held weekly here.

Oso Flaco Lake is a brackish/fresh water lake located within an 18,000 acre, 18-mile pristine shoreline that has been designated a national natural landmark possessing among the highest aesthetic and ecological values remaining in California.

The **Nipomo Dunes** comprise the largest remaining dune system in the nation. It is made up of 18 miles of 200-500 foot high sand hills, seashore, wetland, and tidal marsh. They stretch from Pismo Beach in the North to Vandenberg Air Force Base in the south.

The **Nature Conservancy**, along with **People for the Nipomo Dunes** and other local groups, offer occasional hikes to Coreopsis Hill, Hidden Willow Valley, Oso Flaco Lake, and other areas.

Facilities to Rent. The following facilities are available for rental from the listed organizations:

Community Services District	(805) 929-1133
Nipomo Men's Club	(805) 929-4117
Nipomo Recreation Center	(805) 929-5437
Nipomo Public Library	(805) 929-3994
Nipomo Regional Park	1-800-834-4636 or (805) 781-5930
Swap Meet	(805) 929-7000

The **Nipomo Recreation Center** is a hub for many activities in Nipomo. The Recreation Center provides the community with programs such as the pre-school and before & after school curriculum for school age children, youth and teen activities and hosts such sports events as the basketball program. The facility is also available for rental. Nipomo is very fortunate to have a facility such as the Nipomo Recreation Center to serve the community and to benefit from Nipomo.

The Recreation element of the General Plan recommends day use parks for picnicking, playground and passive field activities. The parks should be of varying

sizes based on population or distance between facilities. Community day use parks are recommended at one park per 150 people as a general rule and 16 picnic units per acre within a park.

B. Thresholds of Significance

The proposed project would represent a significant impact if it were to increase the demand for neighborhood or regional parks or other recreational facilities, or would affect existing recreational opportunities.

C. Project Impacts

Expanding the District's Sphere of Influence would not significantly impact recreational resources. Although the proposed Sphere of Influence Update and Municipal Service Review does not significantly impact recreational resources, the proposed project could represent the first step in the development of the areas within the SOI. Future development of this property could adversely impact recreational resources in these areas.

It should be noted that the SOI would not cause a change in zoning or an increase in density. An increase in density in the SOI Study Areas would first require review and evaluation through one, or more of the following processes:

- Zoning change in the form of a Land Use Ordinance Amendment;
- Approval of a Specific Plan;
- Conditional Use Permit (Minor Use Permit/Development Plan approvals;
- Tract/Parcel Map approvals; or
- Annexation into the District.

The above-listed processes are subject to the California Environmental Quality Act. Inclusion in the SOI does not guarantee service or development of an area, but allows for the jurisdiction to plan serving that area. A Land Use Ordinance Amendment, Specific Plan, Tract/Parcel Map or Conditional Use Permit would study a variety of land use and environmental issues before being approved or denied

including community character and compatibility, existing Land Use policies, traffic and circulation impacts, the provision of public services, etc.

The proposed project would not directly result in any changes in land use for the involved properties. The precise nature and extent of future development within the proposed SOI is subject to speculation and cannot be determined at this time. Any future development of the areas within the SOI would require a number of land use planning steps as listed above.

The Final EIR represents the first-tier environmental document for these related actions. Once the Final EIR is prepared, subsequent activities within this program must be evaluated in order to determine the extent of the required additional CEQA documentation.

The Sphere of Influence is a 20-year growth boundary for the provision of services from the NCSD. The proposed project does not generate any new population or housing. The Sphere may be a contributing factor to the development of land within the Sphere of Influence. However, several steps must be completed if properties are to significantly increase densities, including; a Land Use Ordinance Amendment to change zoning, tract or parcel map approval to develop some parcels, and/or a conditional use permit in some cases.

The Sphere of Influence provides guidance in terms of what areas should be served by the District over the next 20 years. The Sphere is not an entitlement for services from the District. The District can only provide services to areas annexed to the District or through an outside user agreement. Both actions require LAFCO approval.

D. Cumulative Impacts

The CEQA Deskbook defines Cumulative impacts as " two or more individual impacts that, when considered together are considerable or that compound or increase other environmental impacts." The District's SOI is a contributing factor to continued growth and development in the Nipomo area. It should be noted, however, that

Nipomo has grown significantly over the last two decades without the prior expansion of the District's Sphere of Influence. Typically, development projects were approved by the County for development and then approved by LAFCO and the District for inclusion into the District's SOI and service area. The growth in the area has been driven by approvals at the County level. The approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Blacklake Development-Within the District's SOI/Service Area
- The Woodlands-Outside the District's SOI/Service Area
- Maria Vista-Within the District's SOI/Service Area
- Knollwood-Within the District's SOI/Service Area

E. Mitigation measures

The Sphere of Influence does not cause significant impacts to the recreational resources in the Nipomo Area. Therefore no mitigation measures are required to mitigate impacts.

F. Residual Impacts

The impacts of the recommended Sphere of Influence on recreational resources are less than significant, Class III. Implementation of the mitigation measures noted in other sections of this document will further reduce any potential residual impacts that may be related to recreational resources.

CHAPTER 6

UNAVOIDABLE ADVERSE IMPACTS

The State CEQA Guidelines state that an EIR must describe any significant impacts which cannot be avoided or eliminated if the proposed project is completed. These, and other impacts, have been discussed in detail in Chapter Five, Environmental Analysis of this EIR and are listed in the table below:

Table 6-1: Project Impact Summary

Impact Category	Impact Class	Impact Area
1. Land Use and Planning	Class II	May encourages zoning changes and potential growth inducing impacts of SOI.
2. Population and Housing	Class II	Population growth impacts due to growth inducing impacts of the SOI.
3. Geology	Class III	Less than significant potential impacts exposing people to geologic threats from seismic activity.
4. Water	Class I	Impacts to groundwater and supplemental supplies by District serving another area.
5. Air Quality	Class II	Potential impacts on Air Quality
6. Transportation	Class II	Potential growth inducing impacts on Transportation
7. Biology	Class III	Less than significant potential impacts to biological resources
8. Energy/Mineral Resources	Class III	Less than significant potential impacts to energy/mineral resources.
9. Hazards	Class III	Less than significant potential impacts exposing people to hazards.
10.Noise	Class III	Potential noise impacts.
11.Public Services	Class III	Potential impacts to public services; fire, police, and schools.
12.Utility and Service Systems	Class II	Potential significant impacts to local or regional water supplies.
13. Aesthetics	Class III	Less than significant impacts to aesthetics
14. Cultural Resources	Class III	Less than significant potential impacts to cultural resources
15. Recreation	Class III	Less than significant potential impacts to recreational resources

The following are the definitions of the different classes of environmental impacts:

Class I Impacts: Significant and unavoidable adverse impacts that cannot be mitigated to a level of insignificance. Although mitigation measures may be proposed, these measures are not sufficient to reduce project impacts to a level of insignificance.

Class II Impacts: Potentially significant adverse impacts which can be reduced to a level of insignificance or avoided entirely with the implementation of proposed mitigation measures.

Class III Impacts: Adverse impacts which are found not to be significant for which mitigation measures may be applied but are not required.

Class IV Impacts: No project impacts or those which are considered to be positive or of benefit to the site or the adjacent environment.

The significant adverse (Class 1) impacts noted above are briefly described below. These descriptions are followed by a cross-reference to the subsection of the Environmental Analysis Chapter (Chapter 5) where a more detailed discussion of the significant impacts is provided.

Water. The groundwater resource is the only available source of water to the District at this point in time. The process of adjudication being completed for the groundwater basin is likely to reduce the amount of water that is available to the District for its customers. The District has yet to identify a future supplemental water source to serve existing and future customers.

This significant, unavoidable adverse impact will require the adoption of a Statement of Overriding Considerations by the Local Agency Formation Commission.

CHAPTER 7

ALTERNATIVES

According to the State CEQA Guidelines, an EIR is obligated to present alternatives to the proposed project which are capable of eliminating significant environmental impacts. A reasonable range of alternatives to the proposed project that could feasibly attain the basic project objectives must be provided. Significant environmental effects of the alternatives must be discussed, but the discussion may be in less detail than the prior analyses concerning the effects of the proposed project. This analysis of project alternatives will also identify the environmental superior project alternative(s).

To complete the Municipal Service Review, LAFCO prepared four different development alternatives for the Sphere of Influence. These alternatives are used as the alternatives to be studied in the EIR in addition to the No Project alternative. The Alternatives were prepared to estimate the number of dwelling units that may be constructed, projected population growth, and water demand for the next 20 years. The following alternatives are based on the eight Study Areas used to evaluate the Sphere of Influence for the District:

- **Alternative #1.** Inclusion of all eight Study Areas with no changes in the land use zoning to increase density.
- ? **Alternative #2.** Inclusion of all eight Study Areas with changes to zoning to increase density in Areas #1, #2, and #4.
- ? **Alternative #3.** Reduce the acreage of Study Areas #1, #3, #4, and #6, and assume increased density in areas #1 and #5.
- ? **Alternative #4.** Reduce the acreage of Study Areas #1, #3, #4, #6, #8 and assume existing zoning**.**
- ? **Alternative #5.** No Project Alternative. Include none of the eight Study Areas within the District's Sphere of Influence (SOI). The District's Service Area boundary and SOI would remain unchanged.

The analysis of each project alternative begins with a description of the alternative followed by a discussion of its environmental impacts. Following this discussion, these alternatives are evaluated in terms of their ability to reduce or eliminate the significant adverse impacts to water resources. The proposed project has a significant unavoidable adverse impact in the issue area of water (see Section VI, Unavoidable Adverse Impacts for additional discussion of these significant adverse impact). The table below, Project Alternatives, Elimination of Significant Impacts, provides a tabular summary delineating the ability of various project alternatives to reduce or eliminate significant environmental impact associated with water resources.

Table 7-1: Project Alternatives
Elimination of Significant Impacts

Alternatives	Water
Alternative #1	Class I
Alternative #2	Class I
Alternative #3	Class I
Alternative #4	Class I
Alternative #5 (no project)	Class II

Class I Impact: Significant and unavoidable adverse impacts that cannot be mitigated to a level of insignificance. Although mitigation measures may be proposed, these measures are not sufficient to reduce project impacts to a level of insignificance.

Class II Impacts: Potentially significant adverse impacts which can be reduced to a level of insignificance or avoided entirely with the implementation of proposed mitigation measures.

Class III Impacts: Adverse impacts which are found not to be significant for which mitigation measures may be applied but are not required.

Class IV Impacts: No project impacts or those which are considered to be positive or of benefit to the site or the adjacent environment.

These alternatives to the proposed project are also evaluated in relation to their ability to meet the objectives of the proposed project. These project objectives are in the Cortese-Knox-Hertzberg Act of 2000 and are discussed in Chapter Three-Project Description of this Draft EIR. The objectives of the Sphere of Influence are again noted below:

1. To encourage orderly growth and development which is essential to the social, fiscal and economic well being of the state;

2. To promote orderly development by encouraging the logical formation and determination of boundaries and working to provide housing for families of all incomes;

3. To discourage urban sprawl;

4. To preserve open-space and prime agricultural lands by guiding development in a manner that minimizes resource loss;

5. To exercise its authority to ensure that affected populations receive efficient governmental services;

6. To promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide necessary services and housing;

7. To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;

8. To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to encourage government structures that reflect local circumstances, conditions and financial resources;

9. To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;

10. To update Spheres of Influence as necessary but not less than every five years; and,

11. Conduct a review of all municipal services by county, jurisdiction, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.

The analysis of each project alternative begins with a description of the alternative, a table showing the acreage to added, the estimated number dwelling units, project population and estimated water use. Water demand is a key issue for the District. A chart is provided that shows the water supply and demand situation anticipated for that alternative over 20 years. This is followed by a discussion of the alternatives impacts.

Sphere Of Influence Alternatives

To analyze the possible future water demand for the NCSD over the next 20 years, four different SOI alternatives are considered in this section. Each alternative uses a variation of the eight Study Areas as a basis for evaluation. The reader should bear in mind that these alternatives are developed for study purposes only and make various assumptions to complete the evaluation. Alternative #1 uses all eight Study Areas in their current configuration and assumes build-out under the existing zoning with no increases in allowed density. Alternative #2 includes all eight Study Areas and assumes changes in zoning to increase density in Areas #1, #2 and #4. Alternative #3 reduces the size of several of the Study Areas and assumes an increase in density in areas #1 and #5. Alternative #4 reduces the size of Study Areas and assumes development under existing zoning. Alternative #5 assumes that the District's SOI will remain unchanged (no project).

The Woodlands Project (Study Area #6) is included in the alternatives; however, it is unlikely to be included in the District's Sphere of Influence. The Woodland Ventures development company has requested that the Woodlands project not be included in

the SOI. The district has concurred with this request. The Woodlands is subtracted from the totals at the bottom of the alternative tables. Also, Study Area #5 is nearly built out and is already provided water service from the Cal Cities Water Company. The District may provide other services such as solid waste and landscape maintenance. Since, however, it is not anticipated that the District would provide water service to area #5, this area is also subtracted from the totals. Projects such as the Cañada Ranch and Southland Specific Plan that may bring more residential units into the District were also considered as part of each alternative as was the decrease in per capita water use that may occur with higher density residential development. The following assumptions are used to develop the NCSD's projected water demand over the next 20 years:

Based on the annual reports submitted by the NCSD to the Department of Water Resources for the period from 1994 to 2000, the average amount of water used per person is .26 acre-feet per year (gross production). This equates to 84,760 gallons each year and 232 gallons per day per person. The increased density allowed by zoning an area Residential Single Family would likely decrease per capita water consumption to an estimated .20 acre feet per person per year (180 gallons per day) because of the smaller lot sizes and reduced need for landscaping. Therefore .26 acre feet per person per year will be used for areas zoned Residential Rural and Residential Suburban and .20 acre feet per person per year will be used for areas zoned residential single family.

The U.S. Census indicates that the average household size in Nipomo is approximately three persons per unit. The number of units projected for a Study Area is estimated by multiplying the gross acreage of an area times the density allowed by the existing or presumed zoning. The number of units is then multiplied by 3.0 persons to calculate the anticipated population increase of a Study Area. The population is multiplied by either .26 or .20 acre-feet of water per person per year depending on the zoning.

Build-out of an area can be limited by topography, sensitive habitats, the siting of infrastructure, environmental and other site constraints. In this model, it is assumed that only 80% of an area could be "built-out". This is shown as 80% of the projected gross population increase and water consumption needs.

In 2003, the District surveyed the existing parcels within the service area and found that 90% of the existing lots are being served. The balance of 10% would increase the number of connections by 345 increasing the population by 934 and water use by an estimated 243 acre feet a year at build-out. If the County approves the Land Use Ordinance Amendment to allow secondary units in the Summit Station area this could allow for an estimated 190 more units with an estimated water use of about 120 acre feet. Total water provided by the NCSD to customers within the existing boundary at build-out (adding 10% and secondary units) is estimated to be 2,857 acre-feet per year.

In 2002, the NCSD was serving a total of 3,452 accounts of which 96% (3,314) are single-family connections.

Future Water Supply. The future water supply available used for each alternative assumes a low case (Scenario #1) and high case (Scenario #2) situation based on the possibility of a source not being available or not producing as much water as expected. The existing water supply available to the District is subject to the adjudication process that is underway and will determine water allocations for the various users of the Nipomo groundwater resource. For purposes of this analysis, the NCSD's high case water supply, scenario #2, in the next 20 years assumes the following sources will be available: 2,400 acre feet of water will be available to the District from groundwater, 500 acre feet available from conservation measures implemented by the NCSD, 1,000 feet from the City of Santa Maria, 300 acre feet from the District's wells on the east side of Highway 101, for total of 4200 acre feet. The low case water supply, scenario #1, assumes the following sources will be available: 2,100 acre feet of groundwater, 500 acre feet from conservation

measures, 100 acre feet from the wells on the east side, for a total of 2,500 acre feet. The following table summarizes the projected water supply for the District:

Table 7-2: Potential Water Supply Scenario

Potential Source	Low Case Scenario #1	High Case Scenario #2
Groundwater	2,100	2,400
Water Conservation	500	500
City of Santa Maria	0	1,000
Desalinization	0	0
Recycled Water Delivery	0	0
Hard Rock Drilling	100	300
Totals	2,700	4,200

To analyze the demand for water over the next 20 years the following alternatives have been developed based on land use, allowed density of development (number of units per acre), and the average number of people per household. The alternatives analyze the eight Study Areas being considered for the Sphere of Influence under various circumstances. The above water supply table is a more conservative estimate of the likely water sources than projected by the studies completed by the NCSD. The above estimate is based on the current status of obtaining each water source and the sources potential reliability. While desalinization is an alternative being considered by the District, it will likely take 10-15 years to develop this source.

The District has indicated that the City of Santa Maria is the most viable source in the near term. The City and the District, however, are in the preliminary stages of negotiating an agreement. To obtain water from the City several legal and political hurdles will need to be overcome, including: the question of if the City is providing the District with State Water, the feasibility and cost of constructing the pipeline

across the Santa Maria bridge, and the approval of an actual agreement. To date we understand that the District and the City are discussing these issues, but documentation has yet to be submitted as evidence of the future availability of this water source. The water from the City may in fact turn out to be a reliable, long-term supply, but the actual availability of this supply is unknown at this time.

Alternative #1

This alternative assumes that the SOI will include the eight study areas shown in the map below and will be developed within the District without any changes to the zoning and no increases in currently allowed density. This alternative is based on the assumption that the South County Area Plan (SCAP) will be implemented as it is currently adopted and amended. The vision of the SCAP is that the villages of Woodlands and Blacklake and the town area would be separated by rural areas for the purpose of maintaining the rural character of Nipomo. The SCAP also envisions that Study Area One, north of Cañada Ranch, would remain undeveloped and act as a rural gateway to Nipomo. This is the similar policy used for Study Area 4: the southern gateway to Nipomo. This alternative envisions the District serving rural areas without an increase in density because of the existing locations of their water distribution lines throughout the area. The District can theoretically, and has in the past, served areas that are rural in character. However, it is not unusual for these areas to use the provision of public services as a rational to increase the density of an area. (i.e. Summit Station)

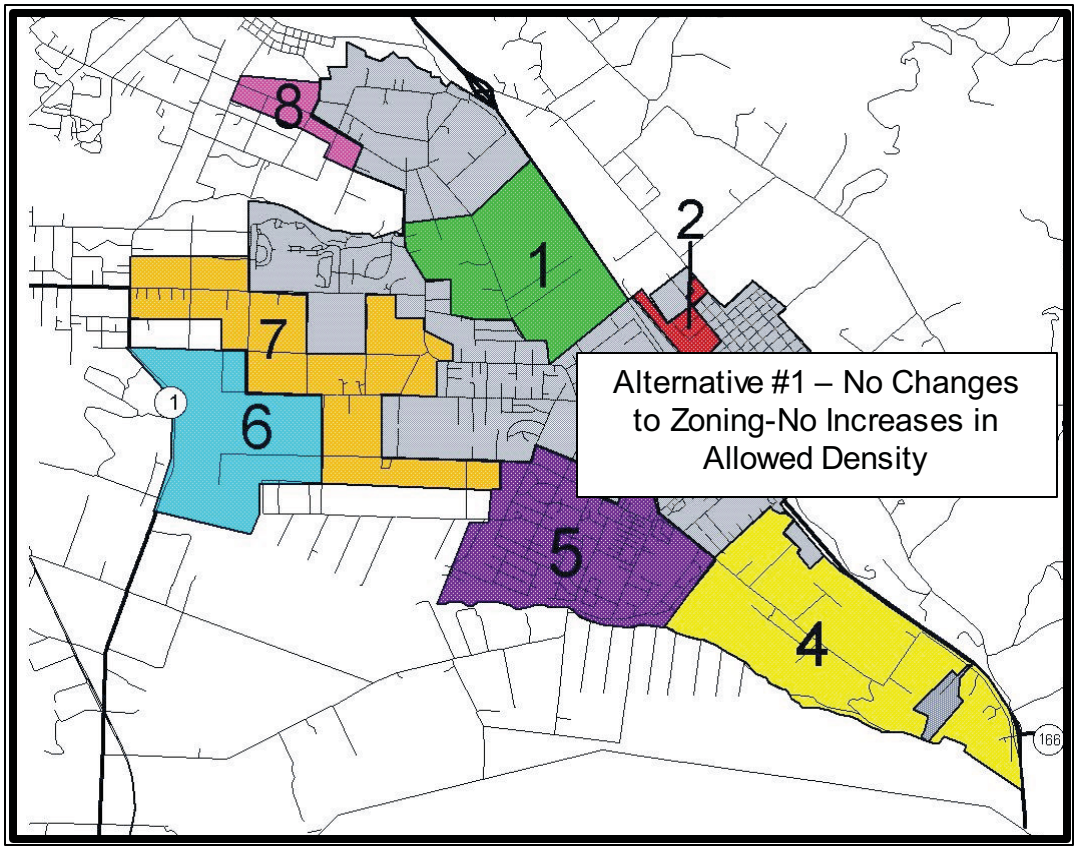


Figure 7-1: Alternative #1

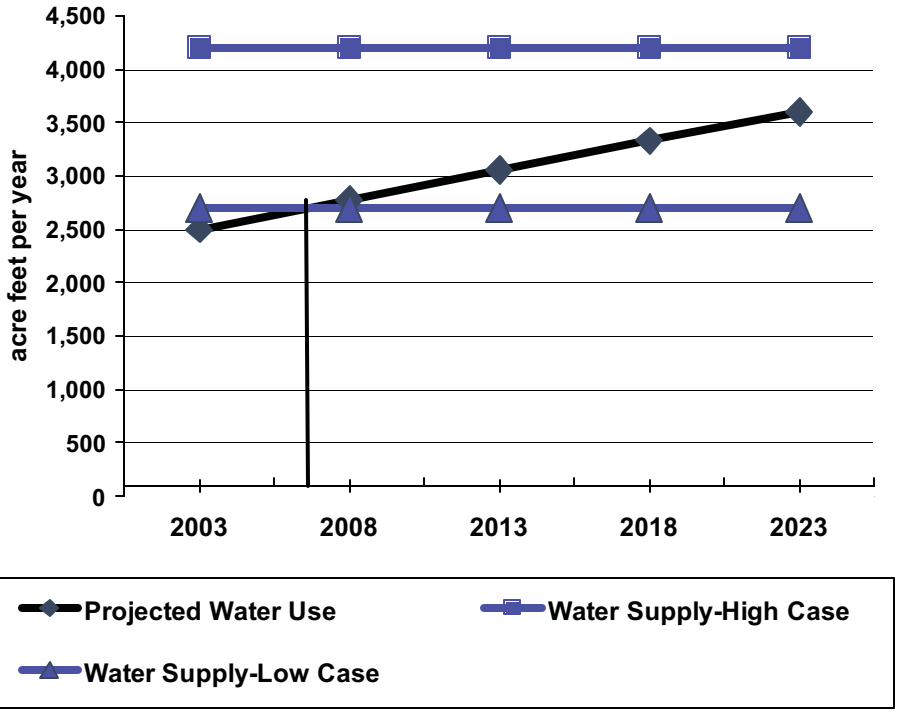
Table 7-3: Alternative 1 - Include all 8 Study Areas and assume existing zoning

Study Area #1	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Agriculture	420	8	25	7
	Residential Rural	462	92	277	72
	Specific Plan	200	350	1050	210
Subtotal		1082	451	1352	289
Study Area #2	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Agriculture	132	3	8	2
Subtotal		132	3	8	2
Study Area #3	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Res. Single Family	91	364	1092	218
	Residential Suburban	84	84	252	66
Subtotal		175	448	1344	284
Study Area #4	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Rural Lands	1173	59	176	46
	Specific Plan	100	100	300	60
Subtotal		1273	159	476	106
Study Area #5	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Res. Single Family	154	527	1581	316
	Residential Suburban	1196	1196	3588	933
Subtotal		1350	1723	5169	1249
Study Area #6	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Specific Plan-Woodlands	958	1320	3960	1639
Subtotal		958	1320	3960	1639
Study Area #7	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Residential Rural	1352	270	811	211
	Agriculture	100	2	6	2
Subtotal		1452	272	817	212
Study Area #8	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Residential Rural	181	36	109	28
Subtotal		181	36	109	28
Totals-Areawide		**6603**	**4442**	**13327**	**3833**
Subtract Woodlands #6 & Cal Cities #5		4795	1368	4107	2888
Projected Water Demand for District					945
80% Build-out - Estimated District Net Water Demand					**756**

The water total of 756 afy is in addition to the 2,857 afy estimated water demand to serve existing district residents, bringing the total projected demand for this alternative over the next 20 years to approximately 3,600 acre feet per year.

The figure below shows the projected water demand for the District through 2023 based on the estimated need for water in each Study Area shown in the table above for alternative one.

Figure 7-2:
Alternative #1 - Projected Water Supply & Deman



The figure projects that if the District is unable to negotiate water from another source, or reduce water use, demand could start to outpace supply around 2008. Several variables could affect this projection including the adjudication of the groundwater basin, legal and political hurdles in obtaining water from the City of Santa Maria, the pace of annexations into the district, implementation of conversation measures, and the development of other water sources such as desalinization. Negotiations with the City of Santa Maria are on-going at this time. To date, we have only verbal reports from the NCSD staff that negotiations are proceeding positively and that water from the City will be available in the future. If the District does negotiate the water from the City of Santa Maria, the potential water shortfall situation will be averted. The schedule for upgrading the Santa Maria River Bridge calls for construction to begin in 2008. This may not allow for a water line to be located on the bridge and the District to receive water from the City in a timely manner.

Impacts of Alternative #1

Land Use. The current zoning is used to estimate future growth and development within each Study Area and it is assumed that the Sphere of Influence would not cause an increase in density within the eight Study Areas. Therefore, it is anticipated that this alternative would have would not have an impact on the growth and development of these areas because they are developing as envisioned under the South County Area Plan.

The adverse impact of this alternative is the potential conflict that may exist between the expansion of the SOI and the South County Area Plan. The Area Plan does not intend for properties that are outside the County's Urban Reserve Line to receive urban level services such as water, sewer and street lighting. The South County Area Plan (SCAP) intends for some of these areas to remain rural in character and to be used as urban separators for the various "villages" in the area. Study Areas where this could be an issue include areas 1, 4, 7, and 8. Study Areas that are envisioned in the Area Plan to receive urban services include: the Cañada Ranch in Area #1, most of Area #3, a small portion of Area #4 near Southland Street, and all of Area #5.

Population and Housing. If the area grows pursuant to the South County Area Plan, the estimated increases in population and housing units in each area have been planned for in the adopted area plan. Also, increases in population will be controlled through implementation of the County Growth Management Ordinance and 2.3% growth cap. The number of housing units estimated is 1,400 with estimated increase in population of 4,198. At a maximum 2.3% growth rate this would be reached by around 2015.

Water. This alternative estimates a future net water supply of 737 afy to serve the 8 study areas. This is in addition to the 2,857 afy estimated water demand to serve existing district residents, bringing the total projected demand for this alternative over the next 20 years to approximately 3,600 acre feet per year. Based on the low case water scenario, #1, it should be noted that water demand is estimated outpace water supplies by 2008.

Air Quality. The air quality impacts under this alternative will occur regardless of the implementation of the Sphere of Influence. The County Air Pollution Control District closely monitors and regulates the air quality situation in Nipomo. This effort leads to changes in the Clean Air Plan to reduce the air quality impacts of development in the area.

Transportation-Circulation. The transportation impacts under this alternative will occur regardless of the implementation of the Sphere of Influence. The County Public Works Department continues to closely monitor the traffic situation in Nipomo and regularly updates the South County Circulation Study and associated Development Impact fees.

Public Services. Under this, alternative public services such as fire, police, and schools would continue to meet the needs of the existing future residents. These services would be studied as part of future land use approvals considered by the County.

Utilities and Service Systems. The district has water distribution infrastructure in the areas to be served. It is not anticipated that the District would provide sewer service to areas zoned residential rural. The need for a future water supply to serve existing and future residents is noted above.

Comparative Analysis

Alternative 1 would have a significant impact on water resources. Based on water scenario #1, demand is estimated to outpace supply in 2008. In alternative 2 demand is estimated to outpace supply in 2005; alternative 3 in 2006, alternative 4 in 2010. Water supply and demand would be near equivalent if Alternative #5, no project, is implemented. The following table rates the alternatives regarding how well it meets the project objectives. Alternative #1 scores 27 points out of a possible 44 points, 61%, in meeting the projects objectives.

Table 7-4: Alternative #1 Project Objectives Rating

Project Objectives	Score*
1. To encourage orderly growth and development which is essential to the social, fiscal and economic well being of the state;	3
2. To promote orderly development by encouraging the logical formation and determination of boundaries and working to provide housing for families of all incomes;	3
3. To discourage urban sprawl;	2
4. To preserve open-space and prime agricultural lands by guiding development in a manner that minimizes resource loss;	1
5. To exercise authority to ensure that affected populations receive efficient governmental services;	4
6. To promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide necessary services and housing;	3
7. To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;	2
8. To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to encourage government structures that reflect local circumstances, conditions and financial resources;	2
9. To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;	3
10. To update Spheres of Influence as necessary but not less than every five years and	2
11. Conduct a review of all municipal services by county, jurisdiction, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.	2
Totals	**27**

*Scores:
0 = *Alternative fails to meet objective.*
1 = *Alternative marginally meets objective.*
2 = *Alternative adequately meets the objective.*
3 = *Alternative exceeds the objective.*
4 = *Alternative significantly exceeds the objective.*

Alternative #2

Alternative Two assumes that the SOI will include all eight of the Study Areas shown in the map below and that some changes in zoning will cause an increase in the density allowed for some areas. The provision of public services, such as roads, water, and sewer, often encourages an increase in density in the areas where this infrastructure is located. In developing this alternative it is assumed that these basic infrastructure services would be provided and that the zoning in certain areas changed so that density can be increased. Study Area #1shows a zone change and subsequent population increase that may occur if the land-zoned agriculture were rezoned to Residential Suburban. Study Area #2 is assumed to be developed at a density of 2 units per acre because of the environmental site constraints. In Study Area #4 the zoning is anticipated to change from Rural Lands to Residential Suburban. These changes in zoning allow for increases in the number dwelling units, population and water use in these study areas. The following table shows the projected increases for each area and the amount of water needed to serve a particular area based on past per capita water use.

Figure 7-3: Alternative #2

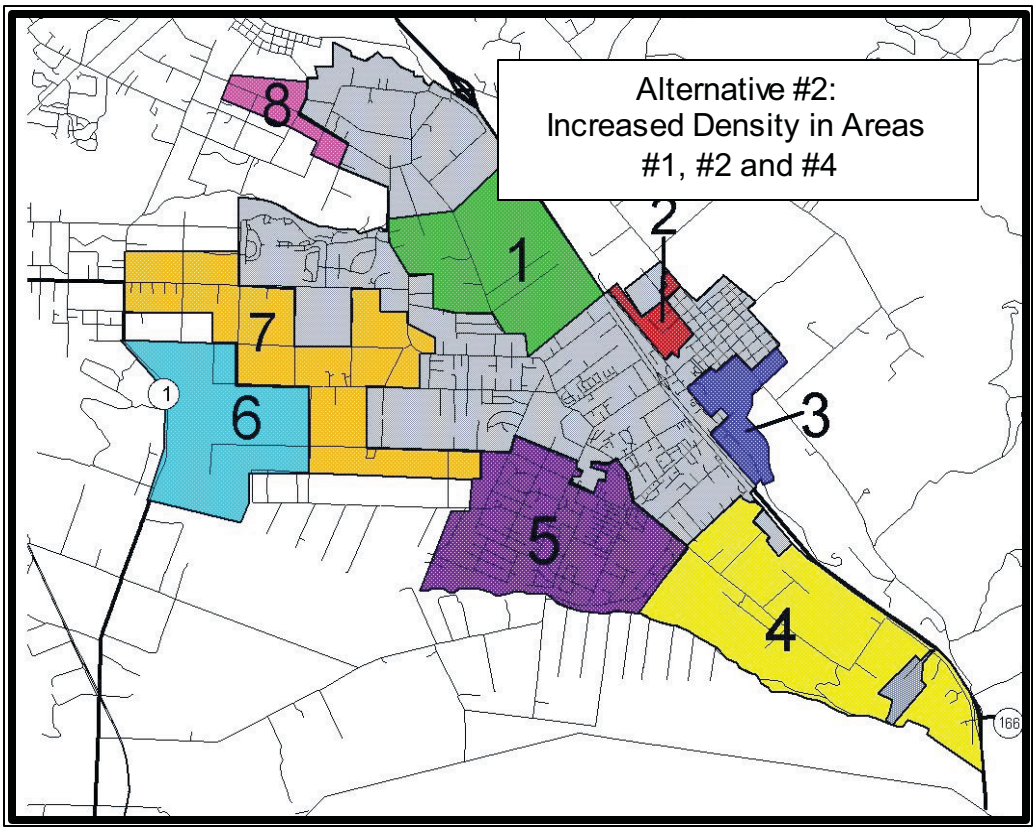


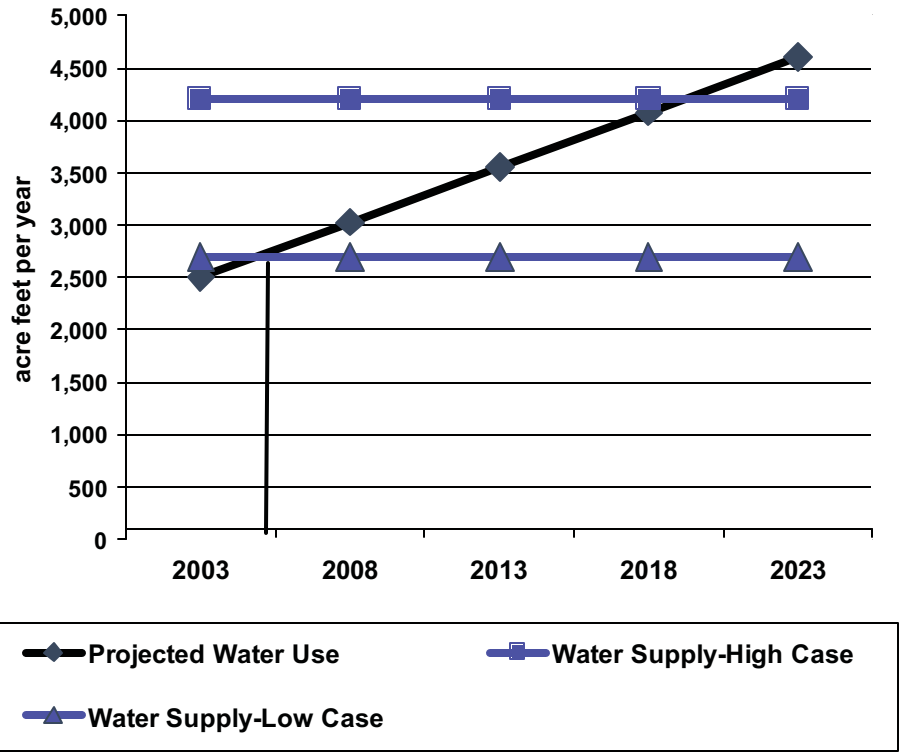
Table 7-5: Alternative 2 - Include all 8 Study Areas and assume increased densities, #1, #2, #4

Study Area #1	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Increased Density	Ag to Residential Suburban	420	420	1260	328
	Residential Rural	462	92	277	72
	Specific Plan	200	350	1050	210
Subtotal		1082	862	2587	610
Study Area #2	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Increased Density	Res.Single Family	132	264	792	206
Flood/Creek Hab.	(2DU per acre)				
Subtotal		132	264	792	206
Study Area #3	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Res. Single Family	91	364	1092	218
	Residential Suburban	84	84	252	66
Subtotal		175	448	1344	284
Study Area #4	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Increased Density	Residential Suburban	1173	1173	3519	915
	Specific Plan	100	100	300	60
Subtotal		1273	1273	3819	975
Study Area #5	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Res. Single Family	154	527	1581	316
	Residential Suburban	1196	1196	3588	933
Subtotal		1350	1723	5169	1249
Study Area #6	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Specific Plan-Woodlands	958	1320	3960	1639
Subtotal		958	1320	3960	1639
Study Area #7	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Residential Rural	1352	270	811	211
	Agriculture	100	2	6	2
Subtotal		1452	272	817	212
Study Area #8	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Residential Rural	181	36	109	28
Subtotal		181	36	109	28
Totals-All Study Areas		**6603**	**6199**	**18598**	**5203**
Subtract Woodlands #6 & Cal Cities #5		4295	3156	9529	2888
Projected Water Demand for District					2315
80% Build-out - Estimated District Net Water Demand					**1852**

The water total of 1,852 afy is in addition to the 2,857 afy estimated to serve existing district residents, bringing the total projected demand for this alternative over the next 20 years to approximately 4,700 acre feet per year.

The figure below shows the projected water demand for the District through 2023 based on the estimated need for water for each area shown in the table above for alternative two.

Figure 7-4:
Alternative #2 - Projected Water Supply & Deman



The figure projects that if the District is unable to negotiate water from another source, such as the City of Santa Maria, and hard rock drilling proves to be an unreliable source, demand could start to outpace supply around 2005. Several variables could affect this projection including the adjudication decision, legal and political hurdles in obtaining water from the City of Santa Maria, the pace of annexations into the district, implementation of conversation measures, and the development of other water sources such as desalinization. It should also be noted that this alternative would have to comply the County Growth Cap of 2.3% for the Nipomo Area. The growth is estimated to allow a total of 2425 units over the next 20 years. This alternative projects that 3,156 units would be constructed in the same time period.

Impacts of Alternative #2

Land Use. The zoning changes envisioned above are significant and are used to estimate future growth and development within each Study Area assuming increases in density in

certain areas. The zoning changes anticipated would be subject to a Land Use Ordinance Amendment. The Sphere of Influence may contribute to a property owner deciding to go forward with a change of zoning. However, it is not possible to know if this in fact would occur.

The adverse impact of this alternative is the potential conflict that may exist between the expansion of the SOI and the South County Area Plan. The Area Plan does not intend for properties that are outside the County's Urban Reserve Line to receive urban level services such as water, sewer and street lighting. The South County Area Plan (SCAP) intends for some of these areas to remain rural in character and to be used as urban separators for the various "villages" in the area. Study Areas where this could be an issue include areas 1, 4, 7, and 8. Study Areas that are envisioned in the Area Plan to receive urban services include: the Cañada Ranch in Area #1, most of Area #3, a small portion of Area #4 near Southland Street, and all of Area #5.

Population and Housing. If the area grows pursuant to the South County Area Plan, the estimated increases in population and housing units in each area have been planned for in the adopted area plan. Also, increases in population will be controlled through implementation of the County Growth Management Ordinance and 2.3% growth cap, which would only allow 2,425 units to built over the same time period. The number of housing units estimated for this alternative is 3,187 with estimated increase in population of 9,560.

Water. This alternative estimates a future water supply of 1,852 afy to serve the 8 study areas. This is in addition to the 2,857 afy estimated water demand to serve existing district residents, bringing the total projected demand for this alternative over the next 20 years to approximately 4,700 acre feet per year. It should be noted that under this alternative water demand is estimated to outpace water supplies by 2005 if the low case water supply scenario is realized.

Air Quality. The air quality impacts under this alternative would increase significantly from alternative one due to the anticipated increase in density and population. It should be noted that the increases in density could occur regardless of the expansion of the District's Sphere of Influence. The County Air Pollution Control District closely monitors and regulates the air quality situation in Nipomo. This effort leads to changes in the Clean Air Plan to reduce the air quality impacts of development in the area. The APCD also participates in the

environmental review process by providing comments regarding specific development projects.

Transportation-Circulation. The transportation impacts under this alternative would increase significantly. Impacts could occur regardless of the implementation of the Sphere of Influence because development of these areas and density can be approved through a Land Use Ordinance Amendment, that does not involve services from the NCSD. The County Public Works Department continues to closely monitor the traffic situation in Nipomo and regularly updates the South County Circulation Study and associated Development Impact fees.

Public Services. Under this alternative public services such as fire, police, and schools would be challenged to continue to meet the needs of the existing future residents. Increases in these services would be required. These services would be studied as part of future land use approvals considered by the County. Mitigation for project-specific impacts would be proposed at that time.

Utilities and Service Systems. The district has water distribution infrastructure in the areas to be served. The sewer collection and treatment system may need to be expanded to handle any increases. It is not anticipated that the District would provide sewer service to areas zoned residential rural. The need for a future water supply to serve existing and future residents is noted above.

Comparative Analysis

Alternative 2 would have the most significant impact on the Nipomo area. Water demand is estimated to outpace supply in 2005. In Alternative 1, demand is estimated to outpace supply in 2008, Alternative 3 in 2006, and Alternative 4 in 2010. Alternative 5, no project, would equalize water supply and demand. Alternative 1 scores 24 points out of a possible 44 points, 55%, in meeting the projects objectives. The following table rates the alternatives regarding how well it meets the project objectives.

Table 7-6: Alternative #2 Project Objectives Rating

Project Objectives	Score*
1. To encourage orderly growth and development which is essential to the social, fiscal and economic well being of the state;	1
2. To promote orderly development by encouraging the logical formation and determination of boundaries and working to provide housing for families of all incomes;	2
3. To discourage urban sprawl;	0
4. To preserve open-space and prime agricultural lands by guiding development in a manner that minimizes resource loss;	0
5. To exercise authority to ensure that affected populations receive efficient governmental services;	3
6. To promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide necessary services and housing;	3
7. To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;	2
8. To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to encourage government structures that reflect local circumstances, conditions and financial resources;	2
9. To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;	3
10. To update Spheres of Influence as necessary but not less than every five years and	2
11. Conduct a review of all municipal services by county, jurisdiction, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.	2
Totals	**20**

* 0 = Alternative fails to meet objective
1 = Alternative marginally meets objective
2 = Alternative adequately meets the objective
3 = Alternative exceeds the objective
4 = Alternative significantly exceeds the objective

Alternative #3

This alternative assumes that the SOI would include the reduced Study Areas as shown in the map below in areas #1, #3, #4 and #8. Study Area #6, the Woodlands is excluded from the SOI. Increased densities are assumed in areas #1, #2 and #5. Study Area #1 is anticipated to change from Agriculture to Residential Rural and area #5 assumes secondary units on half of the lots in Residential Suburban because of the provision of additional services. (Secondary units are not likely to be approved in this area due to site constraints such as setbacks and access.) It also assumes increased density in Study Area #2 from Agriculture to Residential Single Family (2DU per acre). The logic of this alternative is founded on the premise of maintaining the rural character of Nipomo, promoting development consistent with the General Plan and providing efficient public services to rural areas where it is reasonable to do so. Including area #7 into the District's SOI may allow the NCSD to better manage the groundwater resource by decreasing the proliferation of small mutual water companies and private wells developed to serve projects that are approved in this area.

Figure 7-5: Alternative #3

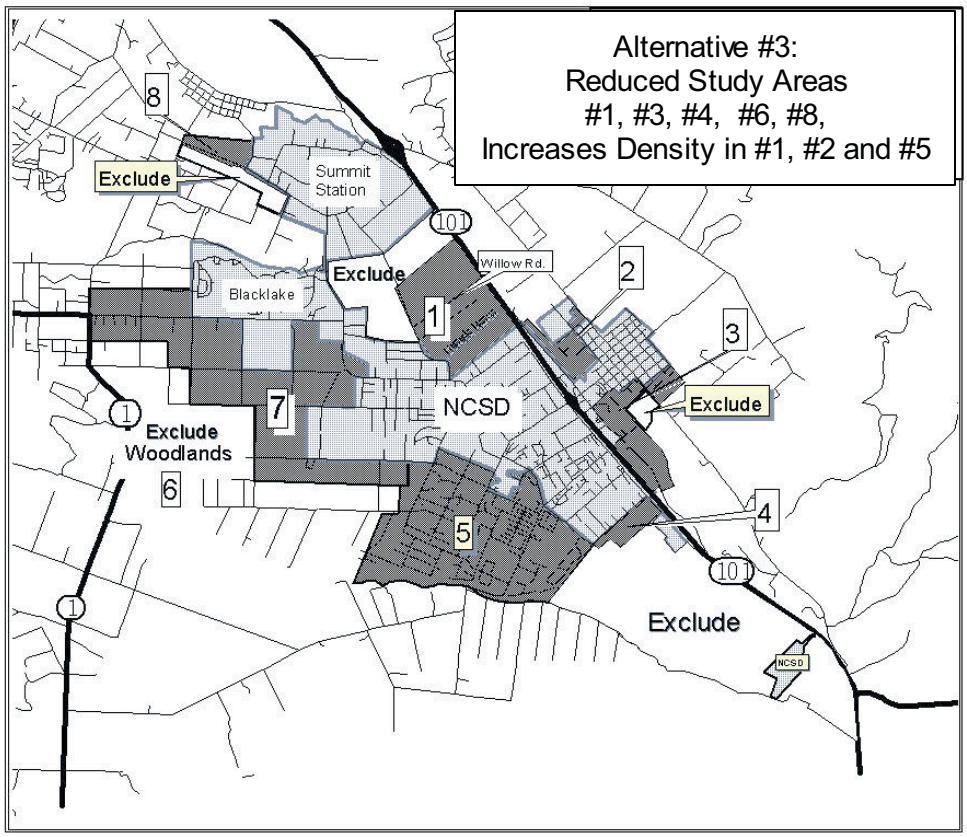


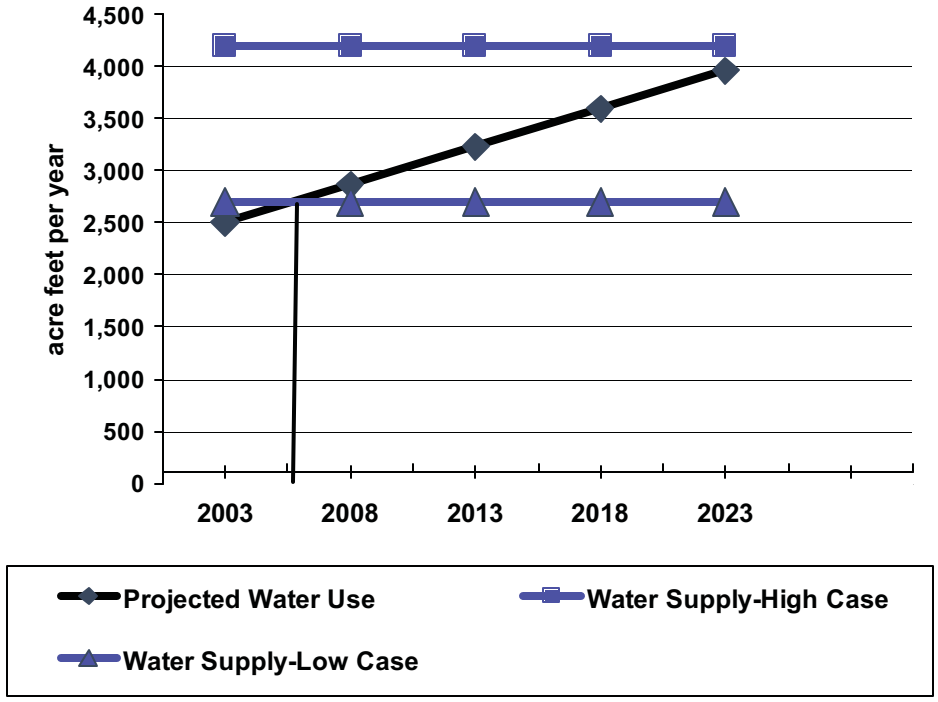
Table 7-7: Alternative #3, Reduce SOI Areas #1, #3, #4, #6 assume increased density in #1, #2, and #5

Study Area #1	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Increase Density	Agriculture to RR	200	40	120	31
Reduce SOI west of Hetrick	Residential Rural	0	0	0	0
Exclude Ag parcel N of Willow	Specific Plan (Cañada)	200	350	1050	210
Subtotal		400	390	1170	241
Study Area #2	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Increased Density	Res.Single Family (2DU per acre)	132	264	792	206
Subtotal		132	264	792	206
Study Area #3	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Follow URL	Res. Single Family	91	364	1092	218
	Residential Suburban	84	84	252	66
Subtotal		175	448	1344	284
Study Area #4	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Exclude from SOI	Rural Lands	1173	59	176	46
Include only SP area	Specific Plan	100	100	300	60
Subtotal		1273	159	476	106
Study Area #5	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Res. Single Family	154	527	1581	316
50% Increase in Density	Residential Suburban	1196	1794	5382	1399
Subtotal		1350	2321	6963	1716
Study Area #6	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Exclude from SOI	Specific Plan-Woodlands	958	1320	3960	1639
Subtotal		958	1320	3960	1639
Study Area #7	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
	Residential Rural	1352	270	811	211
	Agriculture	100	2	6	2
Subtotal		1452	272	817	212
Study Area #8	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Include only Robertson LUO Amendment	Residential Rural	63	13	38	10
Subtotal		63	13	38	10
Totals		**5803**	**5187**	**15560**	**4359**
Subtract Woodlands #6 & Cal-Cities #5 (existing)			**2085**	**6255**	**3355**
Projected Water Demand (includes added units in #5)					**1004**
80% Build-out - Estimated District Net Water Demand					**803**

The net water demand total of 803 afy is in addition to the 2,857 afy estimated to serve existing district residents, bringing the total projected demand for this alternative over the next 20 years to 3,6000 acre feet per year.

The figure below shows the projected water demand for the District through year 2023 based on the estimated need for water for each area shown in the table above or Alternative #3.

Figure 7-6:
Alternative #3 Projected Water Supply & Deman



The figure projects that if the District is unable to negotiate water from another source, such as the City of Santa Maria, demand could start to outpace supply around 2006. Several variables could affect this projection including the adjudication decision, legal and political hurdles in obtaining water from the City of Santa Maria, the pace of annexations into the district, implementation of conversation measures, and the development of other water sources such as desalinization. If the District does negotiate the water from the City of Santa Maria, the potential water shortfall situation will be averted. The schedule for upgrading the Santa Maria River Bridge calls for construction to begin in 2008. Under this alternative, this would not allow for a water line to be located on the bridge and the District to receive water from the City in time to avert a potential shortfall.

Impacts of Alternative #3

Land Use. The zoning changes envisioned above are used to estimate future growth and development within each Study Area assuming increases in density in certain areas. The zoning changes anticipated would be subject to a Land Use Ordinance Amendment. Impacts could occur regardless of the implementation of the Sphere of Influence because development of these areas can be approved through a Land Use Ordinance Amendment, that does not involve services from the NCSD. The Sphere of Influence may contribute to a property owner deciding to go forward with a change of zoning. However, it is not possible to know if this in fact this situation would occur.

Population and Housing. If the area grows pursuant to the above alternative, the estimated increases zoning in each area would require a Land Use Ordinance Amendment. Also, increases in population and the number of units would be controlled through implementation of the County Growth Management Ordinance and 2.3% growth cap. The number of housing units estimated under this alternative is 2,085 with estimated increase in population of 6,255. Under a 2.3% growth cap, these numbers would be achieved by about 2020.

Water. This alternative estimates a future water supply of 1,097 afy to serve the study areas. This is in addition to the 2,737 afy estimated water demand to serve existing district residents, bringing the total projected demand for this alternative over the next 20 years to approximately 3,834 acre feet per year. It should be noted that under this alternative water demand is estimated to outpace water supplies by 2005 if the low case water supply scenario is realized.

Air Quality. Based on increases in density and population, the air quality impacts under this alternative would be less than from alternative two, but would be increased from alternative one. The County Air Pollution Control District closely monitors and regulates the air quality situation in Nipomo. This effort leads to changes in the Clean Air Plan to reduce the air quality impacts of development in the area. The APCD also participates in the environmental review process by providing comments regarding specific development projects.

Transportation-Circulation. The transportation impacts under this alternative could occur regardless of the implementation of the Sphere of Influence. The County Public Works Department continues to closely monitor the traffic situation in Nipomo and

regularly updates the South County Circulation Study and associated Development Impact fees.

Public Services. Under this alternative public services such as fire, police, and schools would be impacted and mitigation would be needed. These services would be studied as part of future land use approvals considered by the County and mitigation for project specific impacts would be proposed at that point in time. Impacts to public services could occur regardless of the implementation of the Sphere of Influence because development of these areas can be approved through a Land Use Ordinance Amendment that does not involve services from the NCSD.

Utilities and Service Systems. The district has water distribution infrastructure in the areas to be served. The sewer collection and treatment system may need to be expanded to handle any increases. It is not anticipated that the District would provide sewer service to areas zoned residential rural. The need for a future water supply to serve existing and future residents is noted above.

Comparative Analysis

Alternative 3 would have a significant impact on water resources. Demand is estimated to outpace supply in 2006. In alternative 1 demand is estimated to outpace supply in 2008, alternative 2 in 2005, alternative 4 in 2010. Alternative #5, no project, would equalize water supply and demand. Alternative #3 scores 31 points out of a possible 44 points, 70%, in meeting the projects objectives. The following table rates the alternatives regarding how well it meets the project objectives.

Table 7-8: Alternative #3-Project Objectives Rating

Project Objectives	Score*
1. To encourage orderly growth and development which is essential to the social, fiscal and economic well being of the state;	3
2. To promote orderly development by encouraging the logical formation and determination of boundaries and working to provide housing for families of all incomes;	3
3. To discourage urban sprawl;	3
4. To preserve open-space and prime agricultural lands by guiding development in a manner that minimizes resource loss;	3
5. To exercise authority to ensure that affected populations receive efficient governmental services;	4
6. To promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide necessary services and housing;	4
7. To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;	2
8. To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to encourage government structures that reflect local circumstances, conditions and financial resources;	2
9. To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;	3
10. To update Spheres of Influence as necessary but not less than every five years and	2
11. Conduct a review of all municipal services by county, jurisdiction, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.	2
Totals	**31**

*Scores:
0 = *Alternative fails to meet objective.*
1 = *Alternative marginally meets objective.*
2 = *Alternative adequately meets the objective.*
3 = *Alternative exceeds the objective.*
4 = *Alternative significantly exceeds the objective.*

Alternative #4

This alternative assumes that the SOI will include the Study Areas as shown in the map below excluding Study Areas #2 and most of #7. Study Area #2 includes the prime agriculture land adjacent to the town and High School and #7 contains the Residential Rural area in the middle of the map. Study Area Two is excluded from this alternative because it is prime agricultural land that is productive. Since Study Area #2 was assumed to be zoned residential single family in the other alternatives, this represents a significant reduction in the population the District might serve. A portion of Study Area #1 is proposed for inclusion in the SOI with an assumed change in zoning of the agricultural land to Residential Rural (1 unit per 5 acres) for areas outside of Cañada Ranch. Study Area Five is proposed for inclusion in its entirety since it is within the Urban Reserve Line and is already largely built-out. Study Area #4 is greatly reduced to include only the Specific Plan area located adjacent to Southland Street. This is to prevent leapfrog development and a sprawling land use pattern. Study Area #6, the Woodlands is excluded from the Sphere of Influence. Study Area #8 includes only the portion approved in the Land Use Ordinance Amendment approved by the County.

Figure 7-7: Alternative #4

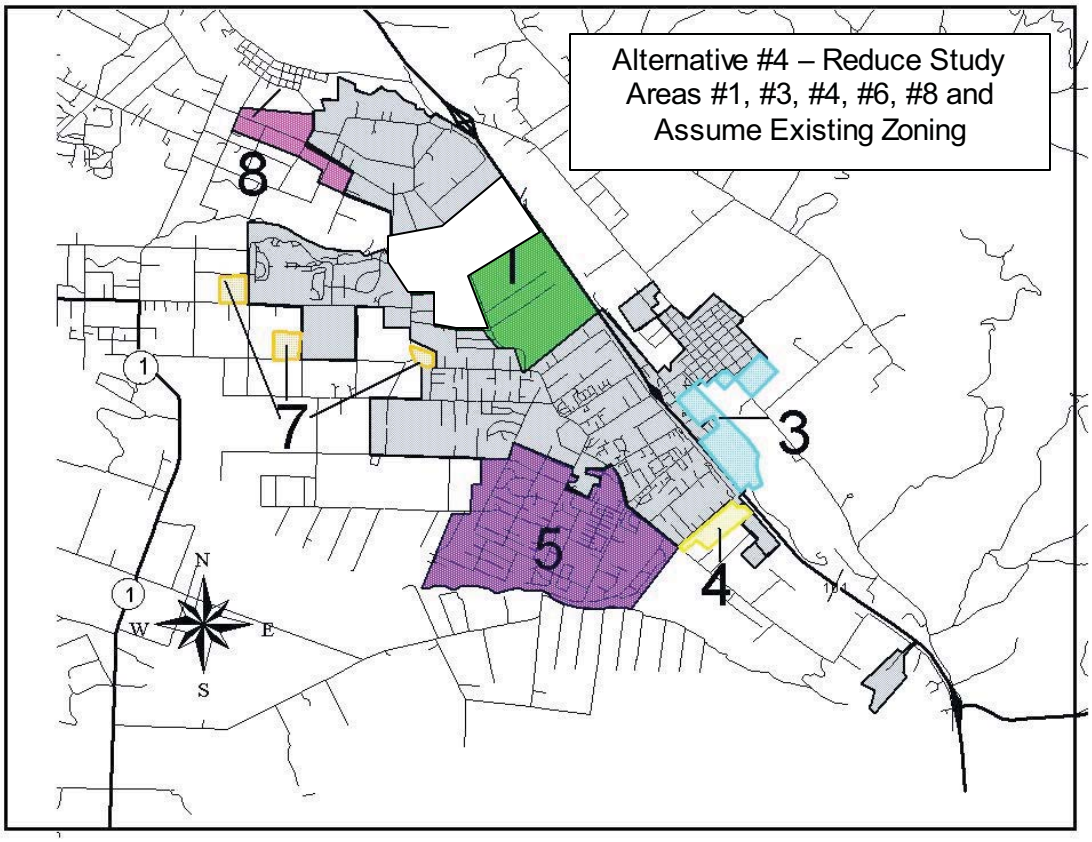


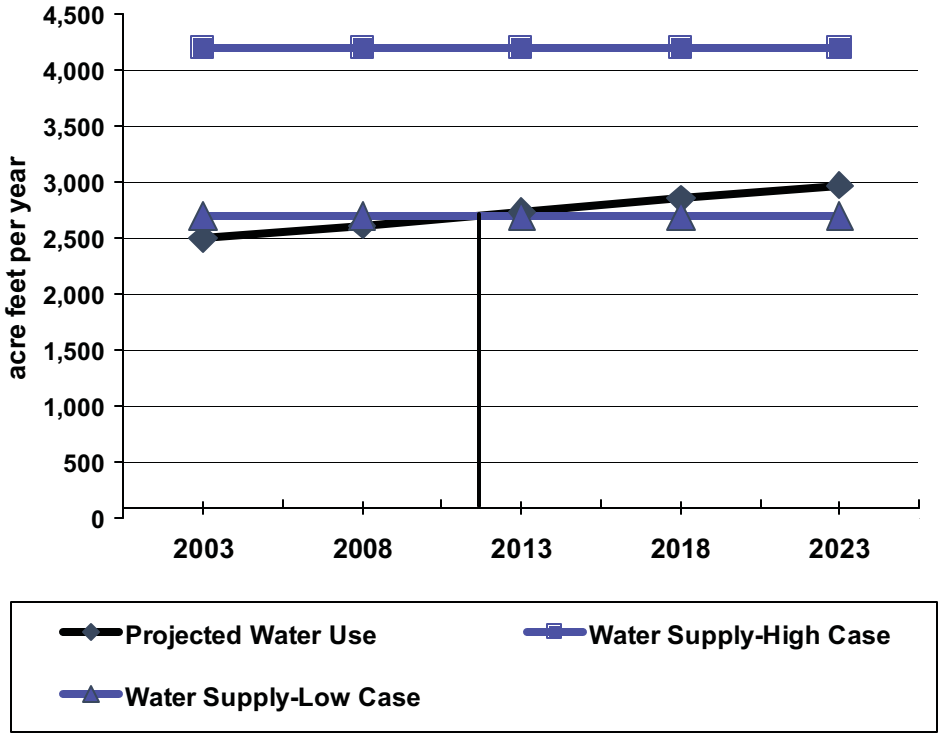
Table 7-9: Alternative 4–Reduce SOI Areas #1, #3, #4, #6, #8 and assume existing zoning

Study Area #1	Zoning	Acreage	Units	Population	Water Use (afy)
Cañada & 4 parcels north Willo	Specific Plan	200	350	1050	210
Exclude RR west of Hetrick	Agriculture	200	4	12	3
Exclude AG north of 4 parcels					
Subtotal		400	354	1062	213
Study Area #2	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Exclude from SOI	Ag	132	0	0	AG Use
Constrained Site					
Subtotal		132	0	0	
Study Area #3	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Follow URL	Res. Single Family	91	364	1092	218
Include in SOI	Residential Suburban	84	84	252	66
Subtotal		175	448	1344	284
Study Area #4	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Exclude from SOI	Rural Lands	0	0	0	0
Include only SP area	Specific Plan	100	100	300	60
Subtotal		100	100	300	60
Study Area #5	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Already built-out	Res. Single Family	154	527	1581	316
Cal Cities Water	Residential Suburban	1196	1196	3588	933
Subtotal		1350	1723	5169	1249
Study Area #6	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Exclude from SOI	Specific Plan-Woodlands	958	1320	3960	1639
Subtotal		958	1320	3960	1639
Study Area #7	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Include small parcels in SOI	Residential Rural	120	24	72	19
	Agriculture	0	0	0	0
Subtotal		120	24	72	19
Study Area #8	**Zoning**	**Acreage**	**Units**	**Population**	**Water Use (afy)**
Include only Robertson LUO Amendment	Residential Rural	63	13	38	10
Subtotal		63	13	38	10
Totals		**3166**	**3982**	**11945**	**3419**
Subtract Woodlands #6 & Cal-Cities #5			939	2816	2888
Projected Water Demand for the District					531
80% Build-out - Estimated District Net Water Demand					**425**

The water total of 425 afy is in addition to the 2,857 afy estimated to serve existing district residents, bringing the total projected demand for this alternative over the next 20 years to 3,300 acre feet per year.

The chart below shows the projected water demand for the District through 2023 based on the estimated need for water for each area shown in the table above for alternative four.

Figure 7-8:
Alternative #4 Projected Water Supply & Demand



The chart projects that if the District is unable to negotiate water from another source, such as the City of Santa Maria, demand could start to outpace supply around 2010 or 2011. Several variables could affect this projection including the adjudication decision, legal and political hurdles in obtaining water from the City of Santa Maria, the pace of annexations into the district, implementation of conversation measures, and the development of other water sources such as desalinization. If the District does negotiate obtaining water from the City of Santa Maria, the potential water shortfall situation will be averted. The schedule for upgrading the Santa Maria River Bridge calls for construction to begin in 2008. This would allow for a water line to be located on the bridge and the District to receive water from the City if an agreement had been reached.

Impacts of Alternative #4

Land Use. This alternative anticipates the smallest SOI area of the 4 alternatives (other than the no project alternative). This alternative reduces potential growth inducing impacts that may be associated with the SOI update. The zoning changes envisioned above are used to estimate future growth and development within each Study Area assuming increases in density in certain areas. Impacts could occur regardless of the implementation of the Sphere of Influence because development of these areas can be approved through a Land Use Ordinance Amendment, that does not involve services from the NCSD.

Population and Housing. Increases in population and the number of units would be controlled through implementation of the County Growth Management Ordinance and 2.3% growth cap. The number of housing units estimated under this alternative is 939 with estimated increase in population of 2,816.If a maximum growth rate of 2.3% is applied; these units would be built by 2011.

Water. This alternative estimates a future water supply of 470 afy to serve the additional sphere areas. This is in addition to the 2,737 afy estimated water demand to serve existing district residents, bringing the total projected demand for this alternative over the next 20 years to approximately 3,206 acre feet per year. It should be noted that under this alternative water demand is estimated to outpace water supplies by 2010 if the low case water supply scenario is realized.

Air Quality. Based on density and population, the air quality impacts under this alternative would be less than from alternatives one, two, and three. The County Air Pollution Control District closely monitors and regulates the air quality situation in Nipomo. This effort leads to changes in the Clean Air Plan to reduce the air quality impacts of development in the area. The APCD also participates in the environmental review process by providing comments regarding specific development projects.

Transportation-Circulation. The transportation impacts under this alternative would occur in the area regardless of the implementation of the Sphere of Influence. The County Public Works Department continues to closely monitor the traffic situation in Nipomo and regularly updates the South County Circulation Study and associated Development Impact fees.

Public Services. Under this alternative public services such as fire, police, and schools would continue to meet the needs of the existing future residents. This alternative would place less of a burden on these services than other alternatives.

Utilities and Service Systems. This alternative would be the least burdensome to the District in terms of increasing and maintaining existing infrastructure.

Comparative Analysis

Alternative 4 would have the least significant impact on water resources. Demand is estimated to outpace supply in 2010. In alternative 1 demand is estimated to outpace supply in 2008, alternative 2 in 2005, alternative 3 in 2006. Alternative #5, no project, would equalize water supply and demand. While this alternative appears least impacting, it should be noted that impacts could occur regardless of the implementation of the Sphere of Influence because development of these areas and density can be approved through a Land Use Ordinance Amendment, that does not involve services from the NCSD.

Alternative #1 scores 27 points out of a possible 44 points, 64%, in meeting the projects objectives. The following table rates the alternatives regarding how well it meets the project objectives.

Table 7-10: Alternative #4 – Project Objectives Rating

Project Objectives	Score*
1. To encourage orderly growth and development which is essential to the social, fiscal and economic well being of the state;	3
2. To promote orderly development by encouraging the logical formation and determination of boundaries and working to provide housing for families of all incomes;	2
3. To discourage urban sprawl;	4
4. To preserve open-space and prime agricultural lands by guiding development in a manner that minimizes resource loss;	4
5. To exercise authority to ensure that affected populations receive efficient governmental services;	2
6. To promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide necessary services and housing;	2
7. To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;	2
8. To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to encourage government structures that reflect local circumstances, conditions and financial resources;	2
9. To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;	2
10. To update Spheres of Influence as necessary but not less than every five years and	2
11. Conduct a review of all municipal services by county, jurisdiction, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.	2
Totals	27

*Scores:
0 = *Alternative fails to meet objective.*
1 = *Alternative marginally meets objective.*
2 = *Alternative adequately meets the objective.*
3 = *Alternative exceeds the objective.*
4 = *Alternative significantly exceeds the objective.*

Alternative #5 - No Project Alternative.

The no project alternative would allow the Study Areas to develop without being included in the District's Sphere of Influence. This alternative could have similar impacts as found in Alternatives #1, #2, #3 and #4 because land use decisions could still be made that allow for 1) the existing density under current zoning, 2) changes in zoning to increase density, and 3) the delivery of public services through the development of private service entities and organizations. Also, a property adjacent to the District could request inclusion into the District by amending the SOI and subsequently completing the annexation.

The No Project Alternative may reduce the possibility that changes in land uses that increase density are proposed, but it does not guarantee that services will not be provided in some other manner. For example a development may propose that water be provided by the Cal Cities Water Company (or community water system) and sewer services be managed with a community system to meet the public service needs. In fact this what was proposed and approved for the Knollwood and Maria Vista developments that have been subsequently annexed to the District for services instead.

The no project also fails to meet several of the project objectives as stated above. The table below compares each alternative with the projects objectives.

Comparative Analysis

Alternative 5 is the no project alternative and would not have a significant impact on water resources. Demand is estimated to equalize supply if no sphere of influence is established. In alternative 1 demand is estimated to outpace supply in 2008, alternative 2 in 2005, alternative 3 in 2008 and alternative 4 in 2006.

Alternative #5 scores 23 points out of a possible 44 points, 48%, in meeting the projects objectives. The following table rates the alternatives regarding how well it meets the project objectives.

Table 7-11: Alternative #5 – Project Objectives Rating

Project Objectives	Score*
1. To encourage orderly growth and development which is essential to the social, fiscal and economic well being of the state;	2
2. To promote orderly development by encouraging the logical formation and determination of boundaries and working to provide housing for families of all incomes;	2
3. To discourage urban sprawl;	2
4. To preserve open-space and prime agricultural lands by guiding development in a manner that minimizes resource loss;	3
5. To exercise authority to ensure that affected populations receive efficient governmental services;	2
6. To promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide necessary services and housing;	1
7. To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;	2
8. To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to encourage government structures that reflect local circumstances, conditions and financial resources;	2
9. To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;	2
10. To update Spheres of Influence as necessary but not less than every five years and	2
11. Conduct a review of all municipal services by county, jurisdiction, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.	2
Totals	23

*Scores:
0 = *Alternative fails to meet objective.*
1 = *Alternative marginally meets objective.*
2 = *Alternative adequately meets the objective.*
3 = *Alternative exceeds the objective.*
4 = *Alternative significantly exceeds the objective.*

Alternatives Comparison

The table below rates and compares the various Sphere of Influence alternatives with regard to achieving the project objectives.

Table 7-12: Project Objectives–Rating Alternatives Comparison

Project Objectives	Alt. #1	Alt. #2	Alt. #3	Alt. #4	Alt. #5 (No Project)
1. To encourage orderly growth and development which is essential to the social, fiscal and economic well being of the state;	3	1	3	3	3
2. To promote orderly development by encouraging the logical formation and determination of boundaries and working to provide housing for families of all incomes;	3	2	3	2	2
3. To discourage urban sprawl;	2	0	3	4	2
4. To preserve open-space and prime agricultural lands by guiding development in a manner that minimizes resource loss;	1	0	3	4	3
5. To exercise authority to ensure that affected populations receive efficient governmental services;	4	3	4	2	2
6. To promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide necessary services and housing;	3	3	4	2	1
7. To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;	2	2	2	2	2
8. To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to encourage government structures that reflect local circumstances, conditions and financial resources;	2	2	2	2	2
9. To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;	3	3	3	2	2

Project Objectives	Alt. #1	Alt. #2	Alt. #3	Alt. #4	Alt. #5 (No Project)
10. To update Spheres of Influence as necessary but not less than every five years; and,	2	2	2	2	2
11. Conduct a review of all municipal services by county, jurisdiction, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.	2	2	2	2	2
TOTALS	27	20	31	27	23

*Scores:
0 = *Alternative fails to meet objective.*
1 = *Alternative marginally meets objective.*
2 = *Alternative adequately meets the objective.*
3 = *Alternative exceeds the objective.*
4 = *Alternative significantly exceeds the objective.*

The above table compares the various Sphere of Influence alternatives based on possible changes in density in certain Study Areas and the inclusion or exclusion of specific Study Areas within the Sphere of Influence. The project objectives are based on the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Alternative #1 assumes inclusion of all eight Study Areas in the SOI pursuant to the existing General Plan without any changes to zoning. This alternative scores 27 out of 44 (61%) in meeting the project objectives. It is unlikely that zoning will not be changed over the next 20 years, but this alternative provides baseline information that is useful in comparing other alternatives. This alternative significantly exceeds objective #5 and exceeds objectives #1, #2, #6, and #9. The alternative adequately meets objectives #3, #7, #8, #10, and #11. It marginally meets objective #4. This alternative ranks tied for second with Alternative #4 in meeting the project objectives. Water remains a significant unavoidable adverse impact, Class 1 impact, in this alternative.

Alternative #2 assumes inclusion of all eight Study Areas in the SOI and projects changes in zoning that significantly increase density in certain Study Areas. This alternative scores 20 out of 44 (45%) in meeting the project

objectives. It is unlikely that the changes in zoning depicted in this alternative will occur over the next 20 years. However, this alternative provides a " worst-case" scenario that is useful in comparing other alternatives. This alternative significantly exceeds none of the project objectives. It exceeds objectives #5, #6, and #9. The alternative adequately meets objectives #2, #7, #8, #10, and #11. It marginally meets objective #1 and fails to meet objectives #3 and #4. This alternative ranks last in meeting the project objectives and water remains a significant unavoidable adverse impact, Class 1 impact, in this alternative.

Alternative #3 assumes inclusion of portions of the eight Study Areas in the SOI and projects changes in zoning that increase density in certain Study Areas. This alternative scores 31 out of 44 (70%) in meeting the project objectives. While the changes in density projected in Area #5 are unlikely to occur, increases in density may occur in other areas not envisioned in this scenario. This Alternative could be characterized as the most realistic in terms of future growth and water use. This alternative significantly exceeds project objectives #5, and #6. It exceeds objectives #1, #2, #3, and #9. The alternative adequately meets objectives #7, #8, #10, and #11. This alternative ranks first in meeting the project objectives and water remains a significant unavoidable adverse impact, Class 1 impact, in this alternative.

Alternative #4 assumes inclusion of portions of the eight Study Areas in the SOI and projects no changes in zoning that increase density in the Study Areas. This alternative scores 27 out of 44 (61%) in meeting the project objectives. It is unlikely that no changes in density will occur over the next 20 years. This alternative is the smallest SOI area evaluated with the exception of the no project alternative. This Alternative is likely to be exceeded over the next 20 years in terms of future growth and water use. This alternative significantly exceeds project objectives #3, and #4. It exceeds objective #1, adequately meets objectives #2, #5, #6, #7, #8, #9, 10 and #11. This alternative is tied with alternative #1 and ranks second in meeting the project objectives. Water remains a significant unavoidable adverse impact, Class 1 impact, in this alternative.

The **No Project Alternative** assumes that the Sphere of Influence for the District will not be changed. This alternative scores 23 out of 44 (52%) in meeting the project objectives. This alternative is the smallest SOI area evaluated. This Alternative is very likely to be exceeded over the next 20 years in terms of future growth and water use. Annexations may still initiated and approved in the future. This alternative does not significantly exceed any of the project objectives. It exceeds objectives #1, and #4. It adequately meets objectives #2, #7, #8, #9, 10 and #11 and marginally meets objectives #5 and #6. This alternative is ranked third in meeting the project objectives. Water is a reduced to less than significant impact through mitigation, Class II impact.

Environmentally Superior Alternative

The State CEQA Guidelines require an EIR to identify the alternative(s) that are environmentally superior to the proposed project. This determination is based primarily on the ability of a project alternative to reduce or eliminate the significant unavoidable adverse impacts associated with the proposed project (see Table 7-1, Project Alternatives, Elimination of Significant Impacts) and other environmental impacts associated with each project alternative as discussed within this section. Based upon these considerations, the alternatives to the proposed project are ranked environmentally in Table 7-13, Environmentally Superior Alternatives. The project alternative considered to be environmentally superior to the proposed project of expanding the Sphere of Influence includes: the No Project Alternative. The other alternatives have various degrees of environmental impacts.

Table 7-13: Environmentally Superior Alternatives

Ranking	Alternative
1	Alternative #5-no expansion of the SOI
2	Alternative #4-minor expansion of the SOI
3	Alternative #3-moderate expansion of SOI*
4	Alternative #1-full expansion of SOI no changes in density.
5	Alternative #2-full expansion of SOI and increases in density.

* Sphere of Influence is identical to staff recommendation, with exception of adding all of Study Area #8.

The Sphere of Influence Update and Municipal Service Review recommends a SOI that closely resembles Alternative #3, with the exception of adding all of Study Area #8. Comparison of the precise impacts associated with the recommended SOI are determined by the actual densities at which these areas/properties are ultimately developed. The alternatives analysis was based on projections of densities that may occur in a particular Study Area. Thus, it is not possible to precisely determine the impacts associated with the Sphere of Influence. However, the general ranges of impacts for the recommended SOI will either be slightly greater or less than the impacts characterized for alternative #3.

These proposed project alternatives must be considered and evaluated in terms of their ability to feasibly attain as many of the objectives of the proposed project as possible as well as their ability to reduce or eliminate the significant environmental impacts of the proposed project.

CHAPTER 8

GROWTH INDUCING IMPACTS

The State CEQA Guidelines (Section 15126 (g)) require an EIR to discuss how a proposed project could directly or indirectly lead to economic, population, or housing growth. A project may be growth-inducing if it removes obstacles or impediments to growth, sets a precedent or encourages other activities which cause significant environmental effects, or taxes community services. The potential growth-inducing impacts of the proposed Sphere of Influence for the Nipomo Community Services District are discussed in terms of the following criteria: a) removal of an impediment to growth; b) precedent setting effects; c) economic, population and housing growth; and d) impacts upon community service facilities.

A. Removal of an Impediment to Growth

The proposed Sphere of Influence for the NCSD will result in growth-inducing impacts upon areas adjacent to or within the Sphere of Influence. A Sphere of Influence is a plan for the physical boundaries of a service district and may cause the extension of utilities (water and sewer) into areas that do not current have these facilities. Provision of such facilities eliminates a potential constraint (i. e. lack of access) to development in areas served by or adjacent to this infrastructure. Establishing the District SOI anticipates the provision of public services that can increase land values and create economic pressures to develop. The Sphere of Influence areas become a logical area for extension of public utilities (water, sewer, storm drain, energy) to serve these areas. These growth-inducing impacts are typical to the provision of any such services particularly in vacant or sparsely populated areas, as is the case with the current project proposal. Establishing the SOI for the District will, through the removal of an impediment to growth, potentially hasten the conversion of vacant or existing agricultural land to more developed uses.

B. Precedent Setting Effects

Precedent setting concerns are defined as the ability of a project to set an example of what can be achieved on parcels with similar land use designations and parcels of land situated in similar locations within the County and with similar constraints. Parcels of land potentially susceptible to precedent-setting effects of the proposed project facilities include land in the vicinity of the District's SOI or currently served by the District.

The proposed project, which involves determining the SOI for the District throughout the eight Study Areas provides for areas to receive services that are rural in character, generally vacant and sparsely populated area. The SOI represents the initial step or stage in a series of precedent-setting events. As noted above, provision of public services can increase land values and create economic pressures to develop. Initial development in areas adjacent to or served by the District will, in turn, represent the next precedent-setting step for subsequent development of remaining undeveloped areas. Those precedent-setting effects gain significance when considering that this resulting land use conversion involves agricultural lands or areas within Williamson Act agricultural preserves.

C. Economic, Population and Housing Growth

In order to determine the extent of these potential growth-inducing impacts, a detailed analysis of several possible future development scenarios for the project area was performed in Chapter 7, Alternatives of this document. These future development scenarios involve different assumptions of future land uses which could be implemented in response to establishing different Spheres of Influence The development scenarios are described in Chapter 7 and provide projections regarding acreage, the number of dwelling units, increases in population and water demand.

Also, the Growth Inducing Impacts to which the SOI may contribute will be offset through the project development and review process implemented by the County. The following table shows the likely process of development for each Study Area.

Table 8-1: Land Use Approvals Needed by Area

STUDY AREA	EXISTING LAND USE	Land Use Approvals Needed
1	420 acres of Agriculture 462 acres of Residential Rural 200 acre Canada Ranch Specific Plan	• To increase density, or move the URL, a Land Use Ordinance Amendment to change zoning would be required. • Possible approval of Tract or Parcel Map by County • Conditional Use Permit approval may be needed for land use projects • Specific Plan approval for Canada • Annexation to the District • All approvals are subject to CEQA
2	132 Acres Agriculture	• To increase density and move the URL, a Land Use Ordinance Amendment would be required. • Possible approval of Tract or Parcel Map by County • Conditional Use Permit approval may be required for some land use projects • Annexation to the District • All approvals are subject to CEQA
3	91 acres of Residential Single Family 84 acres of Residential Suburban	• Conditional Use Permit approval may be required for land use projects. This area is within the URL and is envisioned by the County to receive urban services. • Annexation to the District • To increase density in this area, a Land Use Ordinance Amendment to change zoning would be required. • All approvals are subject to CEQA
4	Southland Specific Plan 1,173 acres of Rural Lands 104 acres Commercial Service Maria Vista-Residential Suburban	• To Increase Density, a Land Use Ordinance Amendment to change zoning would be required • Conditional Use Permit approval may be required for some land use projects. • Possible approval of Tract or Parcel Map by County • Specific Plan approval for Southland • Annexation to the District • All approvals are subject to CEQA
5	Residential Single Family (RSF) Residential Suburban (RS)	• The RSF area is already developed. To Increase Density a Land Use Ordinance Amendment to change zoning from RSF to RMF would be needed. • The RSF area already receives sewer service from the County. The County

STUDY AREA	EXISTING LAND USE	Land Use Approvals Needed
		contracts with the NCSD to process the effluent from this area. • The RS area is largely built out and Cal Cities Water Co provides community water. The provision of sewer services to the area might allow for a limited number of secondary units on some lots. • A Conditional Use Permit (Minor Use Permit-Development Plan) approval may be required by the County for these units. • Annexation to the District • These approvals are subject to CEQA
6	Woodlands Specific Plan Area	• The Woodlands has already been approved with an EIR and mitigations.
7	1,325 acres of Residential Rural x 1 unit/5 acres= 265	• To increase density, a Land Use Ordinance Amendment to change zoning from RR to RS or RSF is required. • Conditional Use Permit approval for land use development/projects is usually required. • Annexation to the District would be required. • Approvals are subject to CEQA
8	334 acres of Residential Rural x 1 unit/5 acres = 67	• To increase density, a Land Use Ordinance Amendment to change zoning from RR to RS or RSF is needed. • Conditional Use Permit approval for land use development/projects is usually required. • Annexation to the District would be required. • Approvals are subject to CEQA

This process will provide mitigation for each process as prescribed through the CEQA process. The SOI is a contributing factor to growth, but it is not the only factor involved. Clearly, development and changes in zoning has occurred without services being provided by the District.

D. Impacts on Community Service Facilities

These potential future development scenarios will generate additional demand for various public services and utilities. These include police protection, fire protection/emergency services, solid waste services, schools, recreation, libraries as well as wastewater generation, water and energy consumption. Project phasing is, however, expected to significantly influence the rate of this potential future growth. Annexation will occur over a 20-year period and will largely follow the development and review process implemented by the County.