

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.

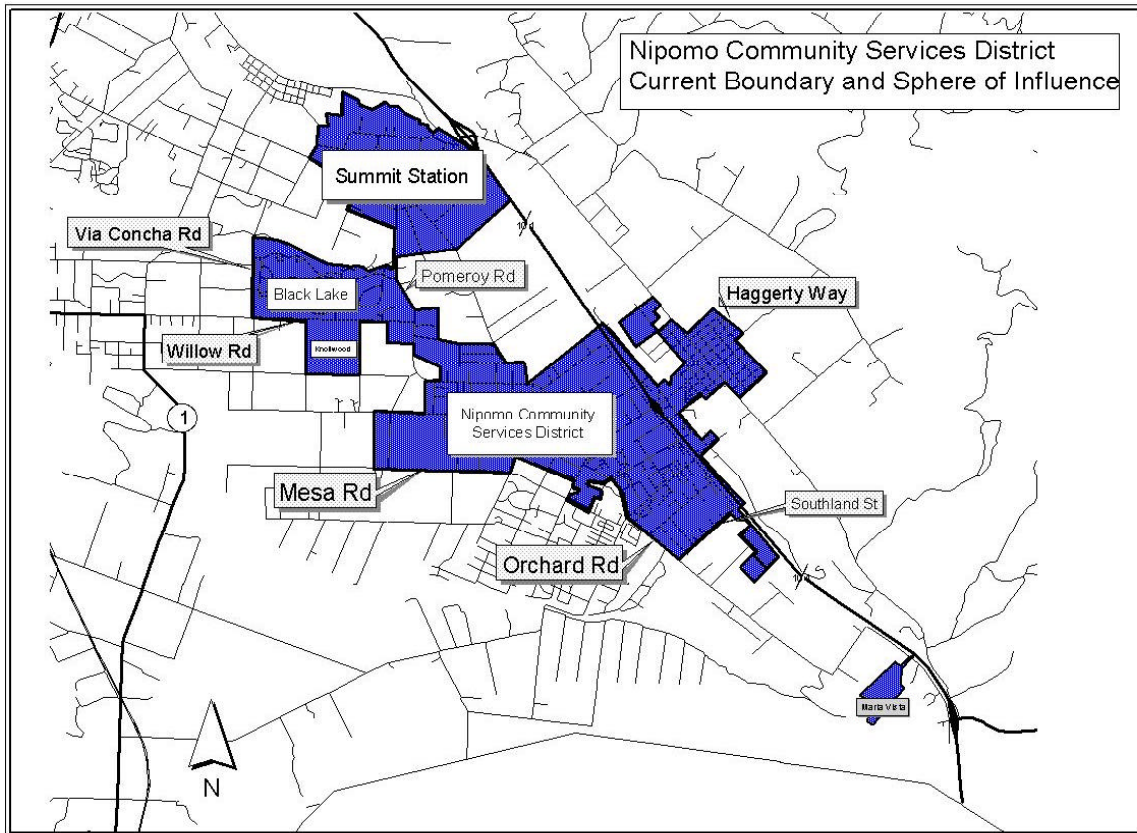
The CKH Act further requires that a Municipal Service Review (MSR) be conducted prior to or in conjunction with the update of a Sphere of Influence. The CKH Act requires LAFCO to update the Spheres of Influence for all applicable jurisdictions within the County within five years or by January 1, 2006.

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 NCSO. These boundaries are currently coterminous (identical). The total area of the NCSO 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: NCSO Current Boundary and Sphere of Influence



The Draft 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 program 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		
<p>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.</p> <p>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.</p> <p>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)</p>	<p>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.</p> <p>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.</p> <p>Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to include areas that are less likely to see an intensification of land use or premature development because of the provision of services from the Community</p>	<p>Land use impacts are less than significant after mitigation is implemented (class II).</p>

Impact	Mitigation Measure	Residual Impacts
	<p>Services District. It is recommended that certain portions of the eight Study Areas be excluded from the Sphere of Influence in order to reduce the potential for premature development or intensification of land uses. The maps and narrative discussion found in Chapter 5.1 depict the recommended Sphere of Influence.</p> <p>Mitigation LU-3. The District 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.</p>	
POPULATION AND HOUSING		
<p>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).</p>	<p>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.</p> <p>These processes shall be subject to the environmental</p>	<p>Population and Housing impacts are less than significant after mitigation is implemented (Class II).</p>

Impact	Mitigation Measure	Residual Impacts
	<p>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.</p> <p>Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to include areas that are less likely to see an intensification of land use or premature development because of the provision of services from the Community Services District. It is recommended that certain portions of the eight Study Areas be excluded from the Sphere of Influence in order to reduce the potential for premature development or intensification of land uses. The maps and narrative discussion found in Chapter 5.1 depict the recommended Sphere of Influence.</p> <p>Mitigation LU-3. The District 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</p>	

Impact	Mitigation Measure	Residual Impacts
	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		
<p>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.</p> <p>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.</p> <p>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.</p>	<p>Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to include areas that are less likely to see an intensification of land use or premature development because of the provision of services from the Community Services District. It is recommended that certain portions of the eight Study Areas be excluded from the Sphere of Influence in order to reduce the potential for premature development or intensification of land uses. The maps and narrative discussion found in Chapter 5.1 depict the recommended Sphere of Influence.</p> <p>Mitigation W-1. Prior to LAFCO approval of any annexation, the District shall:</p> <ol style="list-style-type: none"> 1) Complete or update the Urban Water Management Plan that shall upon implementation decrease water use by 25%. 2) Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1000 acre feet for the expanded Sphere of 	<p>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.</p> <p>Also, it is unknown if a 25% reduction in water use can be 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.</p> <p>A statement of Overriding Considerations shall be prepared with regard to water impacts.</p>

Impact	Mitigation Measure	Residual Impacts
	<p>Influence. The Urban Water Management Plan prepared/updated by the District shall be prepared consistent with the State of California's Urban Water Management Plan Act. A certified professional engineer specializing in water resource planning shall update the Plan.</p> <p>Mitigation W-2. Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source and provide documentation that an agreement is in place to provide such water in the future. Documentation shall be consistent Section 5, Step Two, Documenting Supply, of the Draft SB 610 guidebook dated September 25, 2002. A certified professional engineer specializing in water planning shall review and evaluate such documentation.</p>	
AIR QUALITY		
<p>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.</p>	<p>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:</p> <ol style="list-style-type: none"> 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. 	<p>Air Quality impacts are less than significant after mitigation is implemented (Class II).</p>

Impact	Mitigation Measure	Residual Impacts
	<p>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.</p> <p>Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to include areas that are less likely to see an intensification of land use or premature development because of the provision of services from the Community Services District. It is recommended that certain portions of the eight Study Areas be excluded from the Sphere of Influence in order to reduce the potential for premature development or intensification of land uses. The maps and narrative discussion found in Chapter 5.1 depict the recommended Sphere of Influence.</p> <p>Mitigation LU-3. The District shall not provide sewer services to Study Areas #5 (Residential Suburban zoning only), #7, and #8. As shown in table 5.1-8</p>	

Impact	Mitigation Measure	Residual Impacts
	<p>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.</p>	
TRANSPORTATION/CIRCULATION		
<p>Impact T-1. The expanded Sphere of Influence could induce growth that may cause increased vehicle trips and/or traffic congestion.</p>	<p>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:</p> <ol style="list-style-type: none"> 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. <p>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</p>	<p>Transportation and circulation impacts are less than significant after mitigation is implemented (Class II).</p>

Impact	Mitigation Measure	Residual Impacts
	<p>addressed and mitigated to the greatest possible degree through these discretionary approval processes.</p> <p>Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to include areas that are less likely to see an intensification of land use or premature development because of the provision of services from the Community Services District. It is recommended that certain portions of the eight Study Areas be excluded from the Sphere of Influence in order to reduce the potential for premature development or intensification of land uses. The maps and narrative discussion found in Chapter 5.1 depict the recommended Sphere of Influence.</p> <p>Mitigation LU-3. The District 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.</p>	

Impact	Mitigation Measure	Residual Impacts
PUBLIC SERVICES		
<p>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.</p>	<p>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:</p> <ol style="list-style-type: none"> 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. <p>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.</p> <p>Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to include areas that are less likely to see an intensification of land use or premature development because of the provision of</p>	<p>Public Services impacts are less than significant after mitigation is implemented (class II).</p>

Impact	Mitigation Measure	Residual Impacts
	<p>services from the Community Services District. It is recommended that certain portions of the eight Study Areas be excluded from the Sphere of Influence in order to reduce the potential for premature development or intensification of land uses. The maps and narrative discussion found in Chapter 5.1 depict the recommended Sphere of Influence.</p> <p>Mitigation LU-3. The District 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.</p>	
UTILITIES AND SERVICE SYSTEMS		
<p>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.</p> <p>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.</p>	<p>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.</p>	<p>Utilities and Service Systems impacts are reduced to a less than significant level (class II).</p>

Impact	Mitigation Measure	Residual Impacts
<p>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.</p>	<p>Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to include areas that are less likely to see an intensification of land use or premature development because of the provision of services from the Community Services District. It is recommended that certain portions of the eight Study Areas be excluded from the Sphere of Influence in order to reduce the potential for premature development or intensification of land uses. The maps and narrative discussion found in Chapter 5.1 depict the recommended Sphere of Influence.</p> <p>Mitigation W-1. Prior to LAFCO approval of any annexation, the District shall:</p> <ol style="list-style-type: none"> 1) Complete or update the Urban Water Management Plan that shall upon implementation decrease water use by 25%. 2) Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1000 acre feet for the expanded Sphere of Influence. The Urban Water Management Plan prepared/updated by the District shall be prepared consistent with the State of California's Urban Water Management Plan Act. A certified professional engineer specializing in water resource planning shall update the Plan. 	

Impact	Mitigation Measure	Residual Impacts
	<p>Mitigation W-2. Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source and show documentation that an agreement is in place to provide such water in the future. Documentation shall be consistent Section 5, Step Two, Documenting Supply, of the Draft SB 610 guidebook dated September 25, 2002. A certified professional engineer specializing in water planning shall review and evaluate such documentation.</p>	
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

Impact	Mitigation Measure	Residual Impacts
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			
<p>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.</p> <p>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.</p>	<p>Evaluation of issues as stated in the mitigation measure.</p>	<p>At the time of land use entitlement, approval or annexation and during the CEQA process.</p>	<p>LAFCO, County of San Luis Obispo</p>
<p>Mitigation LU-2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to include areas that are less likely to see an intensification of land use or premature development because</p>	<p>Reduce the SOI study areas to exclude portions of Study Areas #1, #3, #4 and all of Study Area #6.</p>	<p>At the time of adoption of the SOI.</p>	<p>LAFCO</p>

Mitigation Measure	Specific Action	Mitigation Milestone	Responsible Monitoring Party
<p>of the provision of services from the Community Services District. It is recommended that certain portions of the eight Study Areas be excluded from the Sphere of Influence in order to reduce the potential for premature development or intensification of land uses. The maps and narrative discussion found in Chapter 5.1 depict the recommended Sphere of Influence.</p> <p>Mitigation LU-3. The District 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.</p>	<p>The District shall not provide sewer service to areas #5, #7, and #8 within their Sphere of Influence.</p>	<p>At the time of annexation</p>	<p>NCS and LAFCO</p>
<p>WATER</p>			
<p>Mitigation W-1. Prior to LAFCO approval of any annexation, the District shall:</p> <ol style="list-style-type: none"> 1) Complete or update the Urban Water Management Plan that shall upon implementation decrease water use by 25%. 2) Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1000 	<p>The District shall update its Urban Water Management Plan and submit it to LAFCO.</p>	<p>Prior to LAFCO approval of any annexation.</p>	<p>LAFCO with qualified consultant</p>

Mitigation Measure	Specific Action	Mitigation Milestone	Responsible Monitoring Party
<p>service in the amount of 1000 acre feet for the expanded Sphere of Influence. The Urban Water Management Plan prepared/updated by the District shall be prepared consistent with the State of California's Urban Water Management Plan Act. A certified professional engineer specializing in water resource planning shall update the Plan.</p> <p>Mitigation W-2. Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source and show documentation that an agreement is in place to provide such water in the future. Documentation shall be consistent Section 5, Step Two, Documenting Supply, of the Draft SB 610 guidebook dated September 25, 2002. A certified professional engineer specializing in water planning shall review and evaluate such documentation.</p>	<p>Submittal of documentation verifying a water supply.</p>	<p>Prior to LAFCO approval of any annexation.</p>	<p>LAFCO with qualified consultant</p>
<p>UTILITIES AND SERVICE SYSTEMS</p>			
<p>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.</p>	<p>Preparation and submittal of a Water Assessment pursuant to the water code 10912</p>	<p>Prior to any annexation.</p>	<p>LAFCO with qualified consultant</p>

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 DEIR. 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 DEIR.

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.