

## **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 results 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. However, while the Sphere of Influence for the Service District is a contributing factor in the development of an area, it is not 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 are subsequently 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 PM<sub>10</sub>). 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 2002 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 St. 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 (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>) and particulate matter, PM<sub>10</sub>). 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 exceeded the State standards only once (1996) in three 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 NO<sub>2</sub> 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 from natural sources: grading operations, dirt roads, and motor vehicles. 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**

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



Sulfur Dioxide (SO<sub>2</sub>) is a primary pollutant generated by industrial uses and motor vehicles. SO<sub>2</sub> 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 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	0.08*	0*
			2000	0.08	0
			1999	0.09	0
Particulates PM10**	50 ug/m <sup>3</sup> for 24 hr.	150 ug/m <sup>3</sup> for 24 hr.	2001	39*	0*
			2000	44	0
			1999	42	0
Particulates PM10 <sup>3</sup> (Annual)	30 ug/m <sup>3</sup> AGM <sup>2</sup>	50 ug/m <sup>3</sup> AAM <sup>1</sup>	2001	17/18	No
			2000	18/19	No
			1999	15/17	No
CO	20 ppm for 1-hour	35 ppm for 1-hour	2001	3.2*	0*
			2000	3.6	0
			1999	5.3	0
CO	9.0 ppm for 8-hour	9 ppm for 8-hour	2001	2.0*	0*
			2000	2.3	0
			1999	3.1	0
NOx	0.25 PPM for 1-hour	0.053 PPM AAM	2001	.054*	0*
			2000	.051	0
			1999	.064	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 (NO<sub>x</sub>), and reactive organic gases (ROG). Fuel combustion from mobile sources such as automobiles, trucks, trains, and aircraft are the greatest contributor of NO<sub>x</sub> and ROG emissions. Other sources of NO<sub>x</sub> 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. SO<sub>2</sub> 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 cause a nuisance for nearby residents. Most of the complaints came from residents who lived within 1 mile of the Unocal facility. The complaints over 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
<b>1989</b>	6	11	26	17	19	25	58	23	27	35	22	39
<b>1990</b>	21	18	25	21	28	50	41	17	74	24	34	8
<b>1991</b>	11	19	32	6	8	14	11	19	22	43	25	21
<b>1992</b>	19	11	19	22	4	4	25	24	22	75	26	14
<b>1993</b>	3	4	4	4	4	4	3	2	14	16	9	3
<b>1994</b>	7	3	3	2	2	17	3	8	1	2	6	0
<b>1995</b>	1	1	4	2	0	0	3	1	2	2	8	4
<b>1996</b>	4	0	3	0	1	4	2	2	0	3	1	0
<b>1997</b>	0	1	0	1	5	1	6	2	7	10	2	0
<b>1998</b>	2	0	0	0	0	1	0	0	0	1	1	0
<b>1999</b>	1	0	0	0	0	0	3	2	1	0	0	0
<b>2000</b>	0	0	0	0	0	0	0	1	1	0	0	0
<b>2001</b>	0	0	0	0	0	0	1	0	4	0	0	0
<b>2002</b>	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 continue 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 nor 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. However, the proposed project could represent the first step in development of Oareas 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:

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

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.

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 NCSO 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 NCSO 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 NCSO may remove a barrier towards increased density and development in an area. However, the Sphere of Influence 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.



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 Canada Ranch Specific Plan	<ul style="list-style-type: none"> <li>• To increase density, or move the URL, a General Plan Amendment to change zoning would be required.</li> <li>• Possible approval of Tract or Parcel Map by County</li> <li>• Conditional Use Permit approval may be needed for land use projects</li> <li>• Specific Plan approval for Canada</li> <li>• Annexation to the District</li> <li>• All approvals are subject to CEQA</li> </ul>
2	132 Acres Agriculture	<ul style="list-style-type: none"> <li>• To increase density and move the URL, a General Plan Amendment would be required.</li> <li>• Possible approval of Tract or Parcel Map by County</li> <li>• Conditional Use Permit approval may be required for some land use projects</li> <li>• Annexation to the District</li> </ul>

AREA	EXISTING LAND USE	LAND USE APPROVALS NEEDED
		<ul style="list-style-type: none"> <li>All approvals are subject to CEQA</li> </ul>
3	<p>91 acres of Residential Single Family</p> <p>84 acres of Residential Suburban</p>	<ul style="list-style-type: none"> <li>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.</li> <li>Annexation to the District</li> <li>To increase density in this area, a General Plan Amendment to change zoning would be required.</li> <li>Possible approval of Tract or Parcel Map by County</li> <li>All approvals are subject to CEQA</li> </ul>
4	<p>Southland Specific Plan</p> <p>1,173 acres of Rural Lands</p> <p>104 acres Commercial Service</p> <p>Maria Vista-Residential Suburban</p>	<ul style="list-style-type: none"> <li>To Increase Density, a General Plan Amendment to change zoning would be required</li> <li>Conditional Use Permit approval may be required for some land use projects.</li> <li>Possible approval of Tract or Parcel Map by County</li> <li>Specific Plan approval for Southland</li> <li>Annexation to the District</li> <li>All approvals are subject to CEQA</li> </ul>

AREA	EXISTING LAND USE	LAND USE APPROVALS NEEDED
5	Residential Single Family (RSF)  Residential Suburban (RS)	<ul style="list-style-type: none"> <li>• The RSF area is already developed. To Increase Density a General Plan Amendment to change zoning from RSF to RMF would be needed.</li> <li>• The RSF area already receives sewer service from the county. The County contracts with the NCSD to process the effluent from this area.</li> <li>• 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.</li> <li>• A Conditional Use Permit (minor Use Permit-Development Plan) approval may be required by the County for these units.</li> <li>• Annexation to the District</li> <li>• These approvals are subject to CEQA</li> </ul>
6	Woodlands Specific Plan Area	<ul style="list-style-type: none"> <li>• The Woodlands has already been approved with an EIR and mitigations.</li> </ul>
7	1,325 acres of Residential Rural x 1 unit/5 acres=	<ul style="list-style-type: none"> <li>• To increase density, a General Plan Amendment to change zoning from RR to RS or RSF is required.</li> <li>• Conditional Use Permit approval for</li> </ul>

AREA	EXISTING LAND USE	LAND USE APPROVALS NEEDED
		land use development/projects is usually required. <ul style="list-style-type: none"> <li>• Annexation to the District would be required.</li> <li>• Approvals are subject to CEQA</li> </ul>
8	334 acres of Residential Rural x 1 unit/5 acres =	<ul style="list-style-type: none"> <li>• To increase density, a General Plan Amendment to change zoning from RR to RS or RSF is needed.</li> <li>• Conditional Use Permit approval for land use development/projects is usually required.</li> <li>• Annexation to the District would be required.</li> <li>• Approvals are subject to CEQA</li> </ul>

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 General Plan Amendment; however, it is unknown the possible location or origin of such proposals.

The balance to the above discussion is that the Sphere of Influence may represent the first step towards 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 Plan Amendment that was fully evaluated by the County and studied pursuant to CEQA. CEQA discourages speculation regarding the impacts of a project. However, CEQA also discourages deferring study of an impact to a later date 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. However, it should be noted 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 DEIR 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 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.

**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.

**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.

**Table 5.5-6: Minimum Lot Sizes Allowed<sup>1</sup>**

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

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
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. It is unknown by how much 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 makes this a Class 2 impact, potentially significant adverse impacts which can be reduced through mitigation.