

## **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

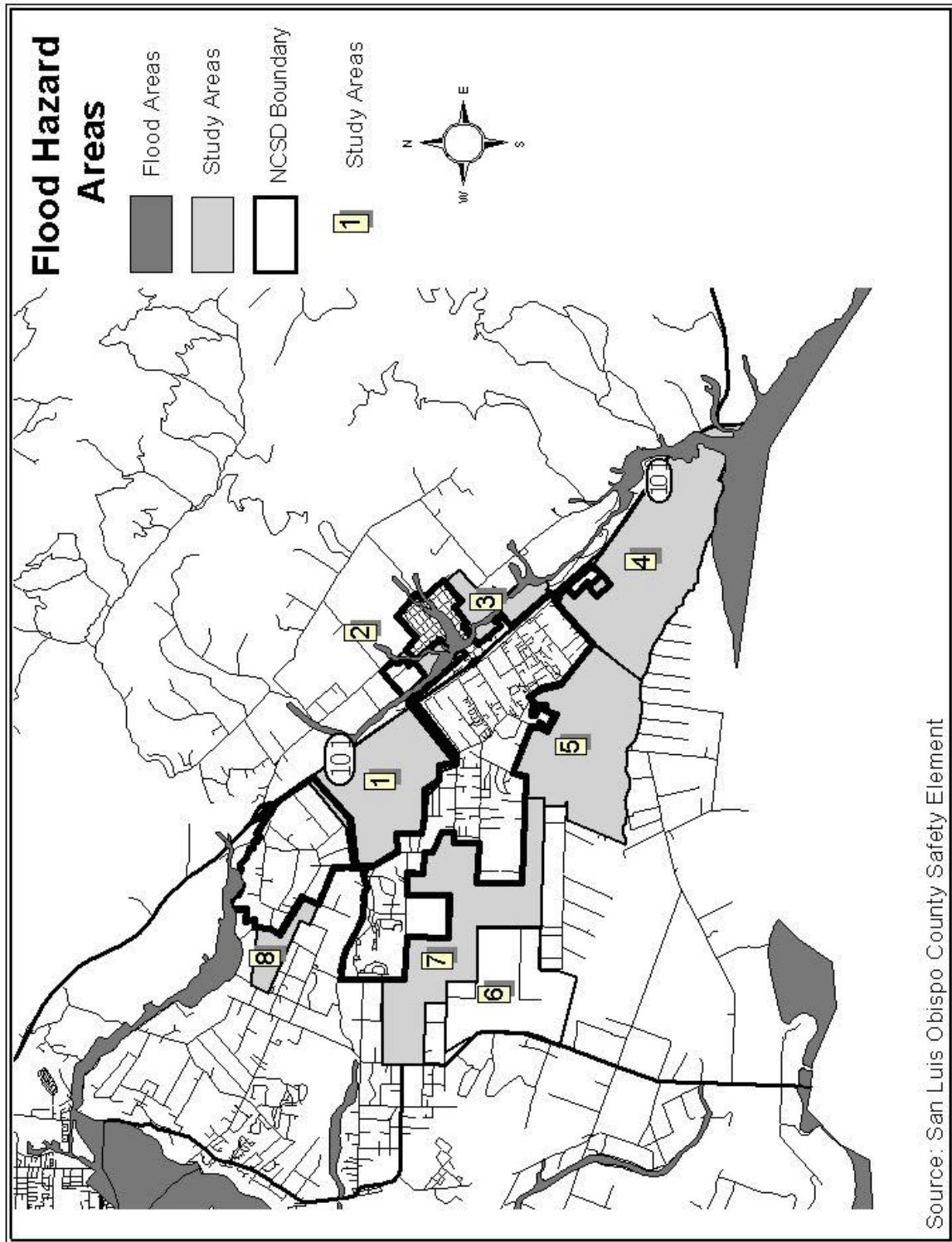


Figure 5.9-2: Fire Response Times

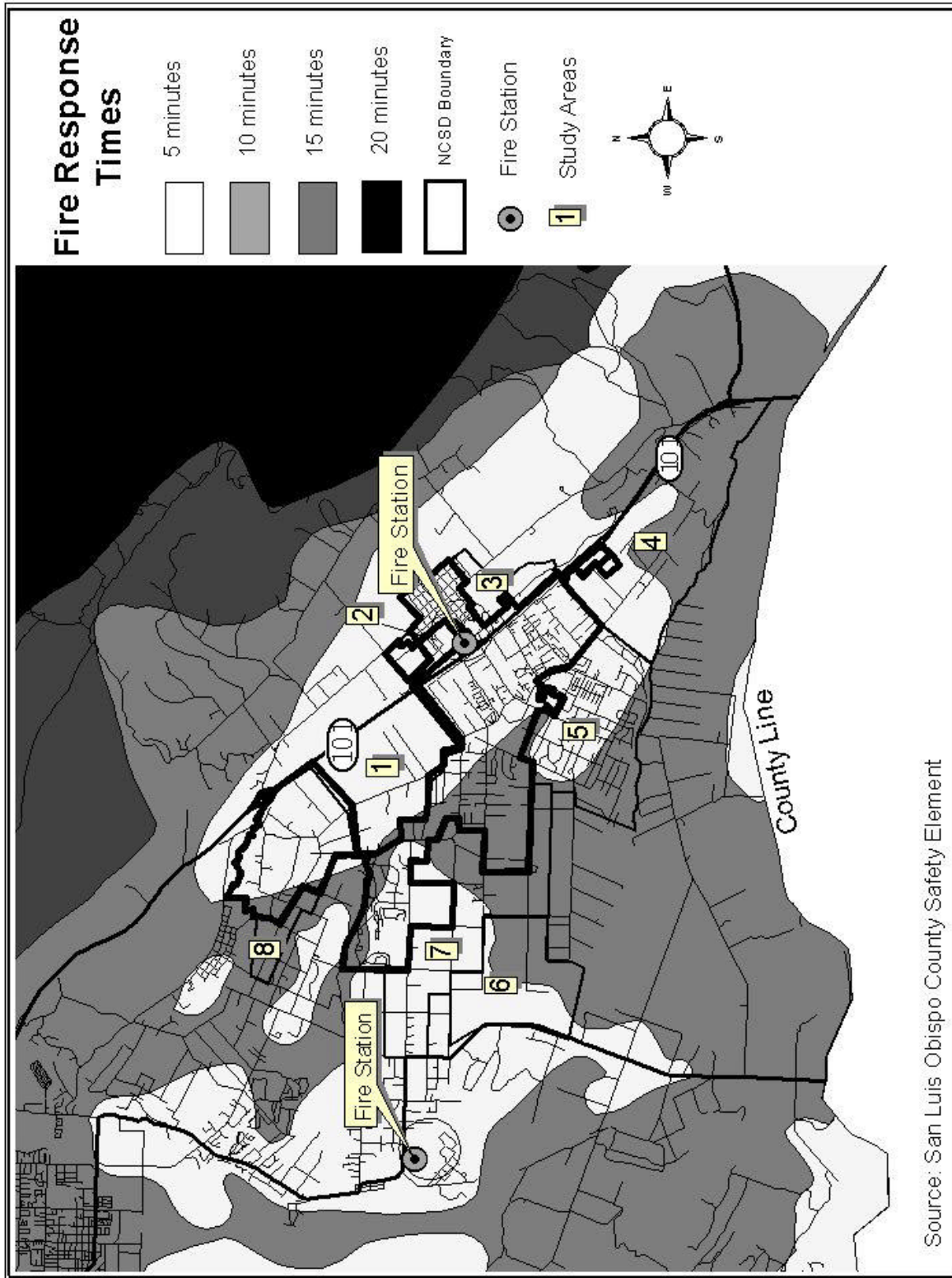
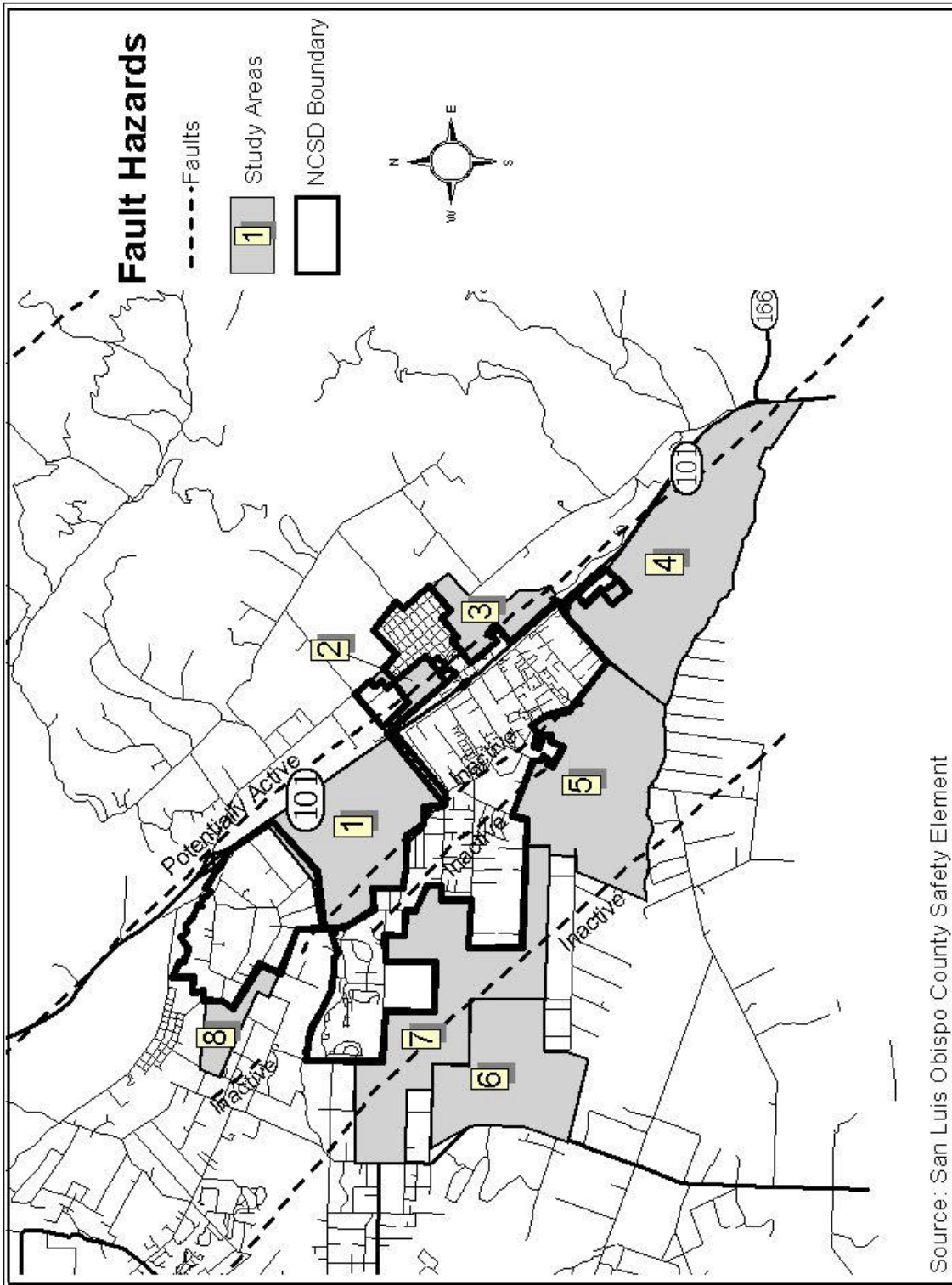


Figure 5.9-3: Fault Hazards



## **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:

- 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 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 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 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.

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. 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

approvals usually anticipate the project itself providing public services such as water and sewer. Major development approvals such as this include:

- Black Lake 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.