

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 is the South County Circulation Study, the Draft 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, Sheriff's 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 Sheriff's Department maintains a ratio of approximately 0.6 officers per 1000 population.

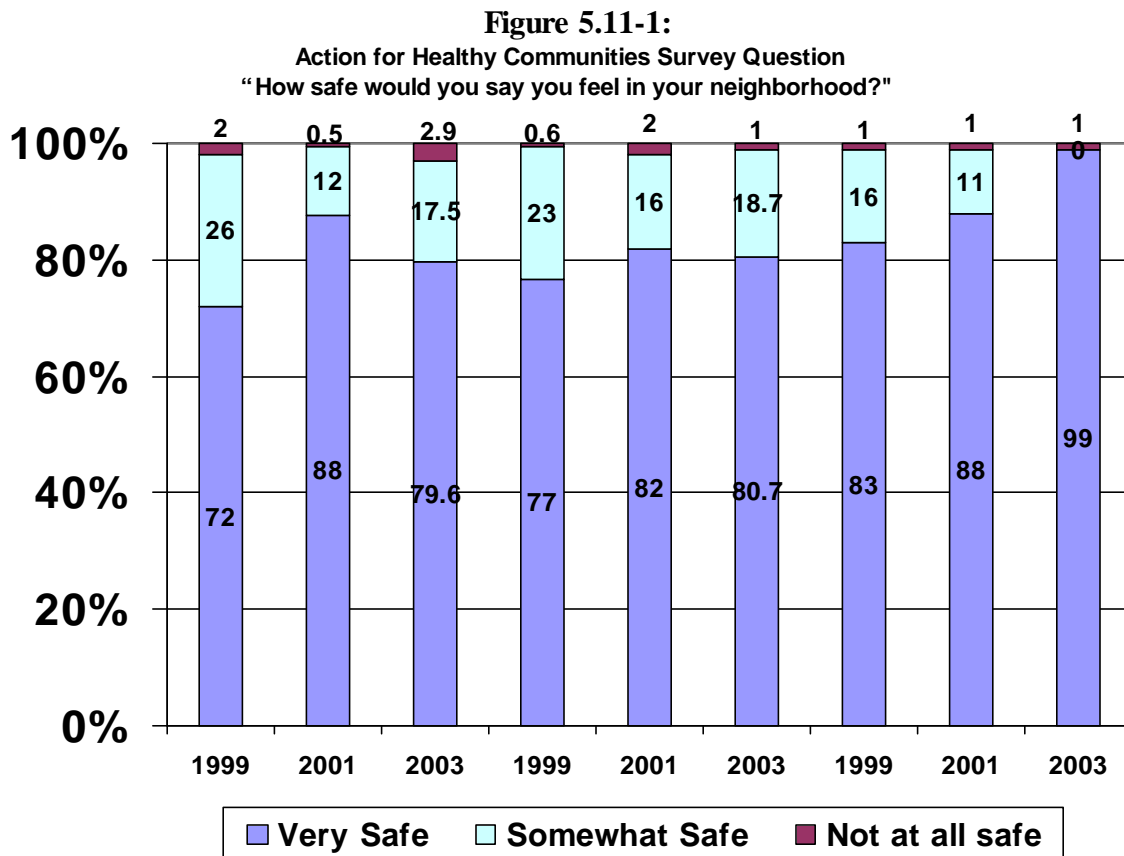
Emergency response times to the service area of the Oceano (South) Sheriff's Substation depends on a variety of factors which influence emergency and non-emergency calls. The location of the call and its priority (i. e. emergency status) determine the length of time for a law enforcement response. It 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 Department's goal in the

South County is to provide a 10-minute response time for high priority, life-threatening calls for service.

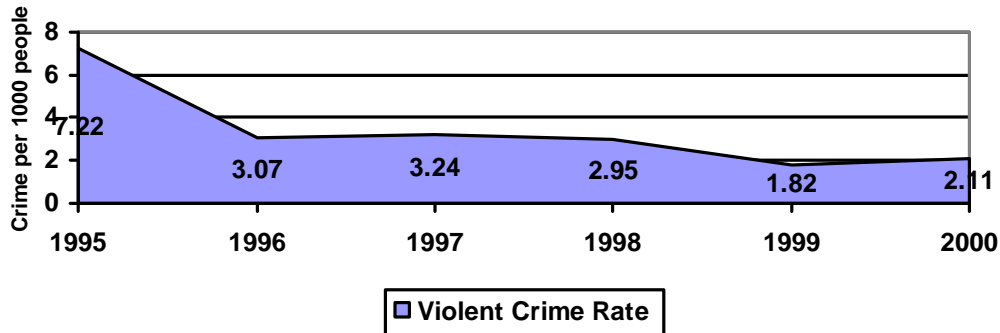
The California Crime Rate for the unincorporated areas of the County, is the lowest in the State compared with other counties with a population of 100,000 or more. The statewide average for serious crimes per 100,000 people is 3,187; the County's crime rate was at 603/100,000 people.

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.

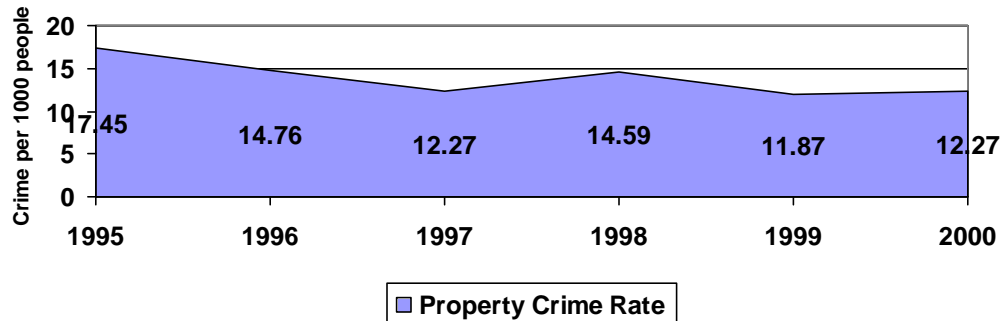


The next two charts show the violent crime rate per thousand people from 1995-2000 and the property crime rate per thousand people from 1995-2000.

**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. However, this could be the first step towards 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, 7 days 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 areas 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. 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.

The proposed project involves the expansion of the NCSD’s Sphere of Influence and does not represent a development project. However, this could be the first step towards 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 the 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 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.

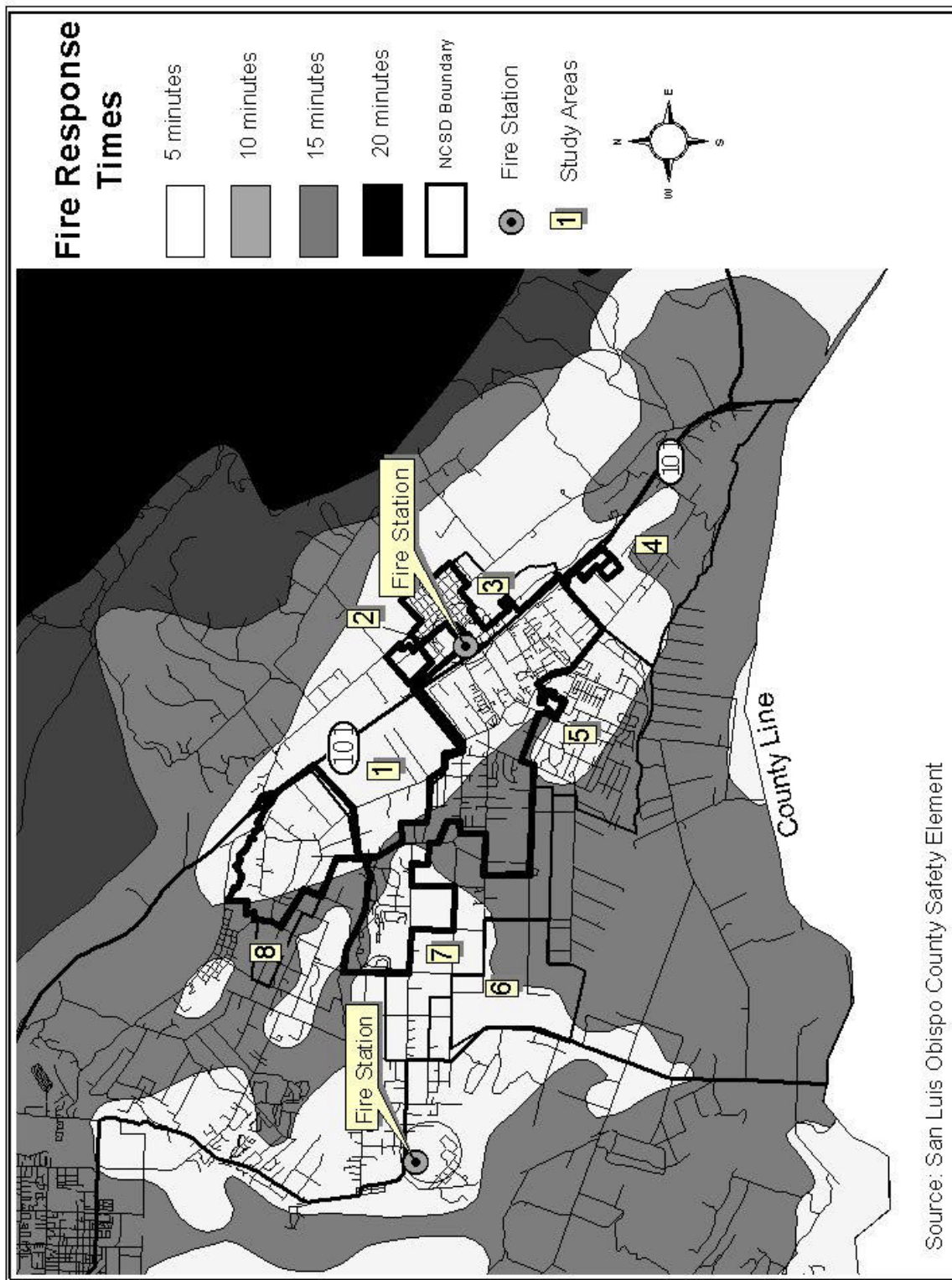
E. Mitigation Measures

The impacts of the Sphere of Influence expansion are incremental over a long period of time (20 years) and 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 City, 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. However, the precise nature, timing and extent of this growth is 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 NCS D 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 NCS D'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.