7.13 Land Use and Planning

This section describes the environmental setting and potential impacts related to land use and planning that may result from changes in hydrology or changes in water supply. Activities that could physically divide a community (e.g., construction of roads or other infrastructure that would change existing travel patterns or prevent access to community facilities) or conflict with existing land use plans, policies, or regulations adopted to avoid environmental effects, could have significant impacts related to land use and planning.

Changes in hydrology and changes in water supply are not expected to divide an established community or conflict with local and regional planning documents. Potential impacts associated with conflicts with habitat conservation plans (HCPs) and natural community conservation plans (NCCPs) are discussed in Section 7.6.1, *Terrestrial Biological Resources*.

Section 7.1, *Introduction, Project Description, and Approach to Environmental Analysis*, describes reasonably foreseeable methods of compliance and response actions, including actions that would require construction. These actions are analyzed for potential environmental effects in Section 7.21, *Habitat Restoration and Other Ecosystem Projects*, and Section 7.22, *New or Modified Facilities*.

7.13.1 Environmental Checklist

X. Land Use and Planning		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:					
a.	Physically divide an established community?	☐	☐	☐	☒
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan? (see Section 7.6.1, *Terrestrial Biological Resources,* Impact TER-f)	☐	☐	☒	☐

7.13.2 Environmental Setting

This section describes the land use and planning setting to inform the impact discussion in this section and in Section 7.21, *Habitat Restoration and Other Ecosystem Projects*; Section 7.22, *New or Modified Facilities*; Chapter 9, *Proposed Voluntary Agreements*; and Chapter 13*, Revised Proposed Plan Amendments*.

The study area covers a large portion of the state and contains numerous types of land uses, from densely developed urban areas to large expanses of open space. Figures 7.4-3a and 7.4-3b depict land cover types, and Figure 2.8-2 shows the major population centers.

Cities and counties in California have primary responsibility for land use control and regulation within their areas of jurisdiction. State planning and zoning law requires all California counties and incorporated cities to prepare, adopt, and implement a comprehensive general plan to guide the community's growth and development. General plans designate land for residential, commercial, industrial, public facility, agricultural, and other uses. These general plans contain policies for urban development, describe strategies to recognize and preserve areas of open space and natural resources, and identify measures for preservation of productive farm resources.

The land use elements of the general plans address future development of land for residential, recreation, conservation, and open space uses. Land surrounding reservoirs and rivers is generally not developed for urban, commercial, or industrial use. For example, the land surrounding Camanche Reservoir in Calaveras County is designated as natural resource land and future single-family residential with minimum parcel sizes of 5 acres and 20 acres (depending on location) for future rural or low-density residential (Calaveras County 2017). The land surrounding Los Vaqueros Reservoir in Contra Costa County is designated as watershed (Contra Costa County 2017). Similarly, the land surrounding Lake Oroville is designated as public land (Butte County 2012). These types of land uses limit urban development in the area immediately surrounding reservoirs. Land that is designated for public use (i.e., public land and watershed) is typically used for recreational purposes, while large-parcel residential or agricultural designations are intended for low-density development.

The 1992 Delta Protection Act designates the primary and secondary land management zones in the Delta that consist of portions of Contra Costa, Sacramento, San Joaquin, Solano, Yolo, and Alameda Counties; several cities; and unincorporated towns and communities (Wat. Code § 12220.). In areas close to or overlapping the Delta, general plans contain policies that apply specifically to management and protection of resources of the Delta and Suisun Marsh. For example, under Contra Costa County's general plan, all public and private land management and development activities within the Primary Zone of the Delta are required to be consistent with the goals, policies, and provisions of the *Land Use and Resource Management Plan for the Primary Zone of the Delta* as adopted and may be amended by the Delta Protection Commission (Contra Costa County 2000). Similarly, Solano County is required to bring its general plan into conformity with the provisions of the Suisun Marsh Protection Act and the *Suisun Marsh Protection Plan* (Solano County 2018).

Other plans that apply in the Delta and surrounding area include the plans for State Recreation Areas (e.g., Brannan Island and Franks Tract) and State Wildlife Area Management Plans (e.g., Yolo Bypass and Lower Sherman Island). Wildlife refuge areas are described in Section 7.6.1, *Terrestrial Biological Resources*.

Many of the counties in the study area have economies that depend on agriculture, and these counties prioritize the preservation of agriculture in their general plans. For example, in the Sacramento River watershed, the *Sacramento County General Plan of 2005–2030* contains goals and associated policies to protect and maintain Sacramento County's agricultural lands and productivity, and to promote and support farming and related industries as part of its economy (^Sacramento County 2017a; ^2017b). Similarly, the *2030 Countywide General Plan* for Yolo County contains

several goals and policies related to the protection, preservation, and enhancement of agriculture and related economy (Yolo County 2009).

For the San Joaquin Valley, the *2030 Merced County General Plan* contains goals and policies to maintain financial viability of agricultural lands, to encourage expansion of commercial agriculture and related industries, and to ensure the long-term preservation and conservation of agricultural land (Merced County 2013). Agriculture is also the leading industry in Stanislaus County. The *Stanislaus County General Plan* contains goals and policies to strengthen the county's agricultural industry, to preserve existing agricultural land, and protect natural resources that support agriculture (Stanislaus County 2016). Other counties in the study area with similar goals and policies related to agricultural preservation are as follows.

- San Joaquin County—*Countywide General Plan 2035* (^San Joaquin County 2017).
- Tulare County—*Tulare County General Plan 2030 Update* (Tulare County 2012).
- Fresno County—*Fresno County General Plan Policy Document* (Fresno County 2000).
- Kern County—*Kern County General Plan* (^Kern County 2009).
- San Bernardino County—*County of San Bernardino 2007 General Plan* (URS 2007).

Coastal cities and counties also must adopt local coastal programs (LCPs) to guide development in the Coastal Zone by establishing land use, development, natural resource protection, coastal access, and public recreation policies. The California Coastal Act of 1976 (Pub. Resources Code, §§ 30000–30900) governs the decisions of the California Coastal Commission and outlines standards for development within the Coastal Zone, including setting requirements for LCPs. LCPs specify the appropriate location, type, and scale of new or changed uses of land and water. LCPs include a land use plan and measures, such as zoning ordinances, that are used to implement the land use plan. These programs conform to California Coastal Act requirements while meeting the unique needs of cities and counties. Cities and counties can amend their LCPs as needed. Once adopted by the city council or county board of supervisors, the LCP or the LCP amendment is submitted to the California Coastal Commission to be reviewed for consistency with California Coastal Act requirements.

Other relevant planning documents include HCPs and NCCPs. HCPs are planning documents that meet federal Endangered Species Act requirements to allow projects and activities to be implemented in the habitats of endangered species. NCCPs are planning documents that meet similar requirements for the California Endangered Species Act. The primary conservation actions under most HCP/NCCPs are a combination of land preservation through acquisition in fee title or conservation easement and restoration of natural communities. Section 7.6.1, *Terrestrial Biological Resources,* provides additional information regarding HCPs and NCCPs, and Table 7.6.1-4 lists the pertinent HCPs and NCCPs.

7.13.3 Impact Analysis

Impacts related to land use and planning would occur if the actions would divide an established community or conflict with local or regional planning documents. Physical division of an existing community can result from the addition of new infrastructure, such as a new road or rail line, or a change in land use that physically divides an established community by creating barriers that would change existing travel patterns or prevent access to community facilities. Conflicts with local or regional planning documents may result if land is proposed for a land use designation that differs from that outlined in applicable land use plans, policies, or regulations that were adopted to avoid

impacts on environmental resources. Changes in hydrology and changes in water supply do not involve these types of projects.

Changes in hydrology and changes in water supply would not physically divide an established community. Changes in hydrology include changes in flow and reservoir levels and would not divide an established community because water would remain within existing channels and reservoirs and would not involve the construction of any physical infrastructure that could create a barrier. There would be no impacts resulting from changes in hydrology under Impact LU-a.

Changes in water supply include reduced Sacramento/Delta supply for some agricultural and municipal uses. Section 7.4, *Agriculture and Forest Resources*, evaluates the potential for changes in agricultural land uses from reduced Sacramento/Delta supply. Changes to agricultural crop type or production would be on land that is already designated as agricultural and would not divide an established community. Reduced municipal supply would not result in physical division of an existing community. Many communities receive municipal water from multiple sources, and it is likely they would turn to other water supplies in response to reduced availability of surface water. Increased groundwater pumping would rely on existing infrastructure and would not result in the division of an established community. Similarly, other water management actions (i.e., groundwater storage and recovery, water transfers, increased use of recycled water, and water conservation) used to offset reductions in Sacramento/Delta supply would not entail the type of infrastructure (i.e., new roads or other barriers) that could physically divide established communities and would not divide an established community. Potential shifts in municipal water supply sources are further discussed in Chapter 8, *Economic Analysis and Other Considerations*, and Section 7.20, *Utilities and Service Systems*. These changes would not create new barriers or otherwise divide existing communities. There would be no impacts resulting from changes in water supply under Impact LU-a.

Changes in hydrology would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Changes in hydrology involve changes in flow and reservoir levels and would not conflict with applicable land use plans, policies, or regulations because water would remain within existing channels and reservoirs. In addition, flows are expected to remain within historical ranges and would not conflict with any land use plan, policy, or regulation. There would be no impact from changes in hydrology under Impact LU-b.

Changes in water supply include reduced Sacramento/Delta supply for some agricultural and municipal uses but would not be expected to result in conflicts with local land use plans, policies, or regulations intended to avoid or mitigate environmental effects. For agricultural uses, these changes could result in a reduction in irrigation water available to lands designated for agricultural use, including important farmland. Agricultural users may expand their use of groundwater to replace irrigation supplies, which in turn, could lead to a reduction in available groundwater supplies. However, even with reduced irrigation water supplies, these lands could be dryland farmed, rotated, deficit irrigated, or fallowed—all of which would be compatible with agricultural zoning (see Section 7.4, *Agriculture and Forest Resources*). Therefore, changes in water supply would not conflict with existing agricultural zoning.

For municipal uses, reduced water supply would not be expected to result in conflicts with local land use plans, policies, or regulations that are intended to avoid or mitigate an environmental effect because such land use policies are generally intended to minimize the impacts that could result from land development and help shape the type and location of growth within a city or county.

Development proposals typically must show that they have adequate water supplies (and other public services and utilities) to support proposed land uses. Further, water for municipal use is provided by municipal water agencies that utilize water supply portfolios comprised of multiple supply sources or water management strategies (i.e., water conservation) to ensure adequate water supply and do not rely solely on surface water (see Section 7.20, *Utilities and Service Systems*, and Chapter 8, *Economic Analysis and Other Considerations*).

Water users may utilize other water management actions (i.e., groundwater storage and recovery, water transfers, water recycling, water conservation measures) in response to reductions to Sacramento/Delta water supplies and to ensure adequate water for their communities. To the extent that there is water available, future growth could continue as planned by the individual city or county. In some locations, such as communities that rely primarily on groundwater, new development could be restricted; however, this would not be a conflict with local plans, policies, or regulations that are intended to avoid or mitigate environmental impacts. Other water management actions would utilize existing infrastructure and would not result in changes to land use designations or zoning.

Because the actions associated with changes in water supply would not include proposals to change land use designations and would not conflict with a land use designation, a conflict with local plans, policies, or regulations would not occur. There would be no impact from changes in water supply under Impact LU-b.

In Section 7.6.1, *Terrestrial Biological Resources,* Impact TER-f evaluates whether changes in hydrology and water supply would conflict with provisions of any applicable HCP or NCCP. While changes in hydrology and supply would not create adjacent incompatible land uses, develop land, or otherwise result in actions incompatible with conservation plans or activities, for some HCPs and NCCPs, the ability to undertake conservation actions that rely on Sacramento/Delta water supplies could be impeded to some extent if an alternative water supply is not identified. Under the statutes authorizing the HCP/NCCP, any failure to perform conservation actions because of unforeseen water supply reductions would not violate the permittee's duties and would not cause a formal conflict with the HCP. Impacts would be less than significant under Impact LU-c.

Section 7.21, *Habitat Restoration and Other Ecosystem Projects*, and Section 7.22, *New or Modified Facilities,* describe and analyze potential land use and planning impacts from various actions that involve construction.

7.13.4 References Cited

7.13.4.1 Common References

^Kern County. 2009. *Kern County General Plan*. September 22.

^Sacramento County. 2017a. *General Plan of 2005–2030*—Agricultural Element. Adopted December 15, 1993. Last amended on September 26, 2017.

^Sacramento County. 2017b. *General Plan of 2005–2030*—Land Use Element. Adopted December 15, 1993. Last amended on December 13, 2017.

^San Joaquin County. 2017. *San Joaquin County General Plan 2035*. Part 3.1: *Community Development Element: Land Use*.

7.13.4.2 Section References

Butte County. 2012. *Butte County General Plan 2030*—Land Use Element. Figure LU-3 General Plan Land Use Designations.

Calaveras County. 2017. Calaveras County Map Information Service GIS. Existing and Future Land Use layer. Available: http://mapserver.co.calaveras.ca.us/genplan_pub/index.html. Accessed: April 19, 2018.

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Solano County. 2018. *Solano County General Plan*. Chapter 12: Solano County Component of the Suisun Marsh Local Protection Program. Page 4. Amended October 2.

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Tulare County. 2012. *2030 Update Tulare County General Plan*—Agricultural Element.

URS. 2007. *County of San Bernardino 2007 General Plan*—Section V – Conservation Element: Soils/Agriculture.

Yolo County. 2009. *2030 Countywide General Plan*—Agriculture and Economic Development Element.