

13.1 Summary Comparison of Proposed Project

A summary comparison of quantifiable impacts on land uses is provided in Figure 13-0. This figure provides information on the impact of conversion of land subject to land use goals, policies, or designations to be used for other land uses, and incompatibilities with existing land uses.

These incremental differences in impact between the approved project and the proposed project, together with consideration of the severity of the underlying impacts as set forth in the Final EIR/EIS, are the basis for making both NEPA and CEQA impact significance findings. The incremental analysis addresses whether the proposed project, compared with the approved project, would lead to any new significant environmental effects or to any substantial increase in the severity of previously identified significant effects. The incremental difference between the approved project impacts and the approved project impacts is then considered against the backdrop of the original significance determinations for the original underlying impacts as described in the Final EIR/EIS.

Figure 13-0. Comparison of Impacts on Land Use

Chapter 13 – Land Use	Approved Project	Proposed Project (Total)	Proposed Project (Increment)
Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a Result of Constructing the Proposed Water Conveyance Facility (total acres of incompatibility)	4,496 permanent; 3,444 temporary	4,435 permanent; 1,336 temporary	-61 permanent -2,108 temporary
	No impact/no effect	No impact/no effect	
Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed Water Conveyance Facility (estimated total conflicts with existing structures)	91 structures	60 structures	-31
	No impact/adverse	No impact/adverse	

As depicted in Figure 13-0, the proposed project would not result in new significant impacts or a substantial increase in the severity of previously identified significant land use impacts. This chapter contains the information necessary to make the Final EIR/EIS¹adequate for the approved project as revised.

¹ The July 2017 document titled *Developments after Publication of the Proposed Final Environmental Impact Report* included modifications and additions to the proposed Final EIR/EIS. In this chapter, references to “the Final EIR/EIS” should be understood to include changes made to the December 2016 document as set forth in the July 2017 document.

1 **13.2 Environmental Setting/Affected Environment**

2 **13.2.1 Affected Environment**

3 The Existing Conditions of land uses that would be affected by construction and operation of the
4 proposed project are the same as described in Final EIR/EIS Chapter 13, *Land Use*, Section 13.1
5 *Environmental Setting/Affected Environment*. Section 13.1.1 of the Final EIR/EIS provides a
6 discussion of land use designations, plans, policies, existing land uses, and existing communities
7 such as cities, unincorporated towns, and census-designated places in the project area. The
8 modifications to the approved project would be located entirely within the previously analyzed
9 project area; therefore, the Existing Conditions have not changed.

10 **13.3 Environmental Consequences**

11 Some impact topics addressed in the Final EIR/EIS are not addressed herein because the change in
12 the footprint of the water conveyance facilities would not result in a changed impact. Impacts
13 associated with Environmental Commitments 3, 4, 6–12, and 15 are not addressed because
14 Environmental Commitments for the approved project and proposed project would be
15 approximately the same and the land use effects would be similar.

16 **13.3.1 Methods for Analysis**

17 The methods applied to the analysis of impacts on land use designations are the same as indicated in
18 the Final EIR/EIS. This section considers impacts on existing and planned land use designations
19 from the Counties of Alameda, Contra Costa, Sacramento, San Joaquin, Solano, Sutter, and Yolo, as
20 well as any incorporated cities or communities that exist fully or partially inside the plan area. The
21 section also describes potential impacts on existing land uses (such as the removal of permanent
22 structures) and the potential to physically divide a community.

23 **13.3.2 Determination of Effects**

24 The impact thresholds used to determine if impacts under CEQA would be significant and effects
25 under NEPA would be adverse are the same as indicated in the Final EIR/EIS.

26 **13.3.3 Effects and Mitigation Approaches**

27 **13.3.3.1 No Action Alternative**

28 Under the No Action Alternative, the new Byron Tract Forebay, reusable tunnel material (RTM)
29 storage, and other footprint changes described for the proposed project would not occur. For the
30 purposes of this Supplemental EIR/EIS, the No Action Alternative, against which this proposed
31 project is compared, is consistent with the No Action Alternative Early Long-Term in the Final
32 EIR/EIS. No differing effects on land uses would result along the proposed project alignment from
33 what was previously described in the No Action Alternative Early Long-Term in the Final EIR/EIS if
34 the No Action Alternative were to occur.

1 **13.3.3.2 Proposed Project**

2 The proposed project would result in temporary and permanent effects on land use in the study area
3 associated with the construction of conveyance facilities. Relocation of RTM storage areas and
4 construction of the Byron Tract Forebay and conveyance would alter land uses at work or staging
5 areas, and in areas needed for concrete batch plants, fuel stations, and appurtenant facilities.

6 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a** 7 **Result of Constructing the Proposed Water Conveyance Facility**

8 ***RTM Storage***

9 Changes related to moving RTM storage from the vicinity of the intermediate forebay, Byron Tract,
10 and on Bouldin Island under the proposed project would result in fewer incompatibilities with land
11 use regulations, designations, and policies than were reported for the approved project. The land
12 use designation incompatibilities that would result from RTM storage associated with the proposed
13 project would affect approximately 351 acres in the vicinity of the intermediate forebay, 1,203 acres
14 on Bouldin Island, and 778 acres on Byron Tract. In contrast, land use designation incompatibilities
15 that would occur from RTM storage under the approved project would affect 405 acres in the
16 vicinity of the intermediate forebay, 1,208 acres on Bouldin Island, and 904 acres on Byron Tract.
17 Therefore, the proposed project would result in a decrease of 185 acres of land use incompatibilities
18 from RTM storage compared with the approved project. The proposed project would also eliminate
19 RTM storage on Zacharias Island and other state owned parcels with wetland resources.

20 ***Byron Tract Forebay and Conveyance***

21 Changes related to the construction of the Byron Tract Forebay and related conveyance as a part of
22 the proposed project would result in more permanent land use designation incompatibilities but
23 fewer temporary land use incompatibilities than were reported for the approved project.
24 Considering the construction of the forebay and related facilities, the proposed project would result
25 in approximately 1,433 acres of permanent land use incompatibilities and 86 acres of temporary
26 land use incompatibilities. The approved project would result in 1,293 acres of permanent land use
27 incompatibilities and 2,189 acres of temporary land use incompatibilities associated with extending
28 Clifton Court Forebay; therefore, the proposed project would result in an additional 140 acres of
29 permanent land use incompatibilities but 2,103 fewer acres of temporary land use incompatibilities
30 related to construction of Byron Tract Forebay.

31 ***NEPA Effects:*** Incompatibility with land use designations stemming from the construction of water
32 conveyance structures under the proposed project would be similar to those described for the
33 approved project. Like the approved project, the proposed project would require placement of
34 permanent structures on lands designated for other uses by the general plans of Sacramento, San
35 Joaquin, Contra Costa, and Alameda Counties. These permanent structures would encompass
36 approximately 37 acres in Alameda County; 2,087 acres in Contra Costa County; 959 acres in
37 Sacramento County; and 1,351 acres in San Joaquin County. In addition, the proposed project would
38 result in the placement of temporary structures on lands designated for other uses on
39 approximately 7 acres in Alameda County, 53 acres in Contra Costa County, 651 acres in Sacramento
40 County, and 625 acres in San Joaquin County. The construction of the water conveyance facilities
41 would require land use activities that would be incompatible with land use designations, goals and
42 policies ascribed to the study area and for the purposes of reducing environmental impacts. Because

1 the primary conveyance component of the proposed project would be a series of underground
2 tunnels, there would be no permanent adverse effects on or incompatibilities with surface land use
3 solely due to this subsurface component. Only surface features associated with the construction of
4 the proposed project, such as power lines, forebay construction, RTM storage areas, and access
5 roads, have the potential to create land use incompatibilities. As discussed in Final EIR/EIS Section
6 13.3.2, *Determination of Effects*, to the extent that the proposed project is incompatible with such
7 land use designations, goals, and policies, any related environmental effects are discussed in the
8 respective resource chapters.

9 **CEQA Conclusion:** These land use incompatibilities indicate the potential for a physical consequence
10 to the environment. As discussed in Final EIR/EIS Section 13.3.2, *Determination of Effects*, the
11 physical effects that incompatibilities suggest are discussed in the respective resource chapters
12 throughout this document. The relationship between plans, policies, and regulations and impacts on
13 the physical environment is discussed in Section 13.3.1, *Methods for Analysis*, of the Final EIR/EIS.
14 Like the approved project, the proposed project would result in no impact under CEQA.

15 **Incremental Impact:** The proposed project would result in 61 fewer acres of permanent and
16 2,108 fewer acres of temporary land use incompatibilities; the impact significance remains the
17 same as under the approved project. There would be no impact.

18 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 19 **Water Conveyance Facility**

20 ***RTM Storage***

21 Changes related to moving RTM storage in the vicinity of the intermediate forebay, on Bouldin
22 Island, and Byron Tract under the proposed project would result in the removal of one more
23 permanent structures than reported for the approved project. Seven structures, including two
24 storage/support and five other structures (e.g., power/utility structures, bridges), would be
25 converted under the proposed project. In the vicinity of the intermediate forebay, the proposed
26 project would affect five structures, compared with six structures under the approved project; on
27 Bouldin Island, the proposed project would affect two structures, compared with zero under the
28 approved project. The impacts on permanent structures associated with the RTM areas on Byron
29 Tract would be identical for the proposed project and the approved project; zero structures would
30 be affected.

31 ***Byron Tract Forebay and Conveyance***

32 Changes under the proposed project related to the construction of the Byron Tract Forebay and
33 conveyance would result in the removal of 30 fewer permanent structures than reported for the
34 approved project. Under the proposed project, five total structures (three residential structures, and
35 two other structures) would be permanently affected, as opposed to 35 (25 storage/support
36 structures, six residential structures, and four other structures) under the approved project.

37 **NEPA Effects:** Effects related to conflicts with existing land uses under the proposed project would
38 be similar to those described for the approved project (removal of 60 existing structures opposed to
39 91, respectively). Construction and operation of proposed project water conveyance facilities would
40 create temporary and permanent conflicts with existing land uses (including displacement of
41 existing structures and residences). Proposed project implementation would displace 60 structures,
42 including 17 residential, five recreational, 27 storage/support structures, and 11 other structures

1 (such as power/utility structures and bridges). Indirect impacts would primarily result from
2 potential incompatibilities with adjacent land uses or the loss or increased difficulty of access to
3 parcels.

4 The removal of a substantial number of existing permanent structures as a result of constructing the
5 proposed project water conveyance facility would be considered a direct, adverse socioeconomic
6 effect. When required, DWR would provide compensation to property owners for property losses,
7 which would reduce the severity of economic effects, related to this physical impact, but would not
8 reduce the severity of the physical impact itself. Project conflicts with existing public structures
9 under the proposed project are addressed in Chapter 20, *Public Services and Utilities*; potential
10 adverse effects associated with release of hazardous materials contained in structures to be
11 demolished are addressed in Chapter 24, *Hazards and Hazardous Materials*; and potential adverse
12 effects on historical properties are addressed in Chapter 18, *Cultural Resources*.

13 **CEQA Conclusion:** Construction of the proposed project would necessitate the removal of a
14 substantial number of existing permanent structures. The removal of existing structures would be
15 considered an environmental impact and might entail economic impacts. Environmental impacts
16 would only be considered significant if the structures qualified as historical resources or if the
17 removal of structures would lead to physical effects on certain other resources. As discussed in Final
18 EIR/EIS Section 13.3.2, *Determination of Effects*, these effects (e.g., impacts related to agriculture,
19 terrestrial biological resources, noise) are discussed in other sections throughout the document.
20 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
21 *Utilities*; potential impacts on the public and environment related to the potential release of
22 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
23 *and Hazardous Materials*; and potential impacts on historical resources (including qualifying
24 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
25 Where applicable, DWR will provide compensation to property owners for losses due to
26 implementation of the proposed project. This compensation would not constitute mitigation for any
27 related physical impact; however, it would reduce the severity of economic effects. Like the
28 approved project, the proposed project would result in no impact under CEQA.

29 **Incremental Impact:** The proposed project would result in 31 fewer structures being displaced
30 when compared with the approved project; the significance of the impact remains the same as
31 under the approved project. There would be no impact.

32 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing** 33 **Community as a Result of Constructing the Proposed Project**

34 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
35 construction of water conveyance facilities under the proposed project would be identical to those
36 described for the approved project. Relocation of RTM storage areas and construction of the Byron
37 Tract Forebay and conveyance under the proposed project would not affect existing communities.
38 Although physical structures would not be built through, or directly adjacent to the community of
39 Hood under the proposed project, a temporary power line and other construction related facilities
40 would be constructed in the immediate vicinity of the community of Hood and could alter the nearby
41 lands and cause difficulty traveling to and throughout certain areas in Hood for a limited period of
42 time. Mitigation Measures TRANS-1a and TRANS-1b have been adopted to address this effect.
43 Additionally, the placement of the intake facilities would represent physical structures that would

1 substantially alter the setting of the community's surroundings, constituting an adverse effect. These
2 adverse effects are the same as described for the approved project.

3 **CEQA Conclusion:** Impacts related to any potential division of an existing community as a result of
4 the construction of the proposed project would be identical to those described for the approved
5 project. During the construction of the tunnels between Intakes 3 and 5 and the intermediate
6 forebay, construction activities would occur to the north and south of the community of Hood, and a
7 proposed temporary power line would cross through portions of the community. Even though
8 access to and from the community would be maintained over the long-term, the nearby construction
9 of the temporary work area would substantially alter the setting of the community in the near term.
10 Similarly, the nearby construction of Intakes 3 and 5, although not adjacent to Hood, would create
11 permanent physical structures approximately one-quarter mile north and one-half mile south of
12 Hood that would substantially alter the community's surroundings. These structures would
13 therefore result in a significant and unavoidable impact. Implementation of Mitigation Measures
14 TRANS-1a and TRANS-1b would reduce the severity of this impact by supporting continued access
15 to and from the community on transportation routes; however, permanent structures in the
16 community's vicinity would remain, and the impact would be significant and unavoidable, as
17 previously described for the approved project.

18 **Incremental Impact:** There is no change between the approved project and proposed project in
19 relation to physically dividing the community of Hood; therefore, the impact remains the same.
20 The impact would remain significant and unavoidable, as identified for the approved project.

21 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
22 **Plan**

23 Please refer to Mitigation Measure TRANS-1a under Impact TRANS-1 in Final EIR/EIS Chapter
24 19, *Transportation*.

25 **Mitigation Measure TRANS-1b: Limit Hours or Amount of Construction Activity on**
26 **Congested Roadway Segments**

27 Please refer to Mitigation Measure TRANS-1b under Impact TRANS-1 in Final EIR/EIS Chapter
28 19, *Transportation*.

29 **13.3.4 Cumulative Analysis**

30 The Final EIR/EIS found that there was potential for Alternative 4A (the approved project) to have a
31 cumulative effect on planned and existing land uses due to the construction of temporary and
32 permanent structures that would either require existing structures to be removed, or would be
33 incompatible with applicable land use designations. The analysis for cumulative effects for land uses
34 remains the same as described in the Final EIR/EIS with consideration of the proposed project
35 modifications. Although mitigation has been adopted to minimize these cumulative effects,
36 construction and ongoing operations associated with proposed project modifications would still
37 affect planned and existing land uses. The proposed project in combination with other projects
38 listed in Table 13-19 of the Final EIR/EIS would result in cumulative adverse effects due to the
39 similar nature of the impacts of the listed projects and the nearness in proximity; however, a
40 cumulative effect associated with the physical division of an existing community was not found
41 because the projects considered for the cumulative analysis, with the exception of the proposed

1 project, would not likely contribute to permanent structures being built in or adjacent to an existing
2 community.

3 **13.4 References Cited**

4 None.