

13.1 Environmental Setting/Affected Environment

This section describes existing land uses and planned future land uses that could be affected by construction and operation of the alternatives in the study area (the area in which impacts may occur), which consists of the Plan Area (the area covered by the BDCP); which is largely formed by the statutory borders of the Delta, along with areas in Suisun Marsh and the Yolo Bypass; and the Areas of Additional Analysis (see Chapter 3, *Description of Alternatives*, Section 3.3.1). This discussion summarizes goals, objectives, and policies from the general plans and other regulations and plans of agencies with jurisdiction over land uses in the Delta, Suisun Marsh, and Yolo Bypass upstream of the statutory Delta. Certain topics discussed in this section are related to topics discussed in substantially greater detail in other sections of this Environmental Impact Report/Environmental Impact Statement (EIR/EIS). Chapter 14, *Agricultural Resources*, examines the effect of the BDCP on Important Farmland, as well as land subject to Williamson Act contracts or in Farmland Security Zones in the Delta, Suisun Marsh, and Yolo Bypass upstream of the statutory Delta. Chapter 16, *Socioeconomics*, discusses the economics of agricultural production in the Delta. Detailed information on public and private recreation facilities is described in Chapter 15, *Recreation*.

This section does not describe the land use setting or potential project effects in the SWP and CVP Export Service Areas (Export Service Areas). This topic is addressed in Chapter 30, *Growth Inducement and Other Indirect Effects*.

13.1.1 Potential Environmental Effects Area

The study area evaluated for potential effects on land use is the Plan Area and the Areas of Additional Analysis and includes the portions of the counties containing the statutory Delta, Suisun Marsh, and Yolo Bypass: Yolo, Solano, Sutter, Contra Costa, San Joaquin, Sacramento, and Alameda Counties (Figure 1-9). Although the study area is comprised primarily of the statutory Delta, Yolo Bypass, and Suisun Marsh, relevant local land use issues are analyzed only where they would be affected by implementation of a Bay Delta Conservation Plan (BDCP) alternative.

13.1.1.1 Existing Land Uses in the Study Area

This section identifies and characterizes the existing land uses in the study area based on recent aerial imagery and county and city general plans. General plan land use designations for seven counties and 17 cities are discussed in Sections 13.2.3.4 and 13.2.3.5 below. A number of unincorporated towns and census-designated places (CDPs) also lie within the study area; however, county land use designations, goals, and policies generally guide land use in these communities.

1 **Statutory Delta**

2 The statutory Delta totals 738,000 acres including approximately 538,000 acres of agricultural land
3 uses, 60,000 acres of open water, and 64,000 acres of urban land uses. The remainder of the region
4 presently consists of open space and wildlife habitat.

5 As part of the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 (Delta Protection Act),
6 the Delta Protection Commission (DPC) designated primary and secondary land management zones
7 within the Delta. The Primary Zone of the Delta encompasses approximately 780 square miles, or
8 500,000 acres, primarily used for farming. This zone extends over the City of Rio Vista and portions
9 of Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties. Unincorporated
10 towns lying along the Sacramento River in the Primary Zone include Clarksburg, Courtland, Hood,
11 Locke, Walnut Grove, and Ryde (Delta Protection Commission 2010). The Secondary Zone of the
12 Delta consists of approximately 238,000 acres and is defined as all the land and water area within
13 the boundaries of the statutory Delta that is not included within the Primary Zone (Delta Protection
14 Commission 2007). The city of Isleton and portions of the cities of Stockton, Rio Vista, Antioch,
15 Oakley, Sacramento, West Sacramento, Elk Grove, Tracy, Lathrop, and Pittsburg are located in or just
16 outside of the Secondary Zone; see Figure 13-1 for a map of the Plan Area, Areas of Additional
17 Analysis, the Primary and Secondary Delta Zones, and the cities and counties that lie within the
18 Delta.

19 **Alameda County**

20 A portion of the study area overlies approximately 4,650 acres of the extreme northeastern corner
21 of Alameda County. This portion of the county is primarily characterized by agricultural land uses,
22 open space, and the Clifton Court Forebay, which extends into Contra Costa County.

23 **Contra Costa County**

24 The study area covers approximately 112,640 acres of eastern Contra Costa County including
25 portions of the cities of Antioch, Brentwood, Oakley, and Pittsburg. The city of Oakley is located in
26 eastern Contra Costa County, and its approximately 10,355 acres fall almost entirely within the
27 study area. Additionally, CDPs and unincorporated towns lying partially or completely within Contra
28 Costa County and within the study area include Bay Point, Bethel Island, Byron, Discovery Bay, and
29 Knightsen. Land uses in this part of the county are primarily agricultural, rural, suburban
30 residential, commercial light industrial, and open space. Clifton Court Forebay extends from
31 Alameda County into Contra Costa County. The Frank's Tract State Recreation Area falls within this
32 part of Contra Costa County.

33 **Sacramento County**

34 Approximately 122,370 acres in the southwestern portion of Sacramento County also lie within the
35 study area. The cities of Sacramento, Elk Grove, and Isleton lie partially or completely within
36 Sacramento County and the study area, along with the unincorporated communities of Courtland,
37 Freeport, Hood, Ryde, Locke, and Walnut Grove. Land uses in the southwestern portion of the county
38 are agricultural, rural, suburban residential, commercial, light industrial, and open space. This
39 portion of Sacramento County also contains the Stone Lakes National Wildlife Refuge (NWR), the
40 Brannan Island State Recreation Area, and the Lower Sherman Island Waterfowl Management Area.

1 **San Joaquin County**

2 The study area includes about 317,360 acres of the western portion of San Joaquin County,
3 representing the jurisdiction with the most land in the study area. This portion of the county is
4 primarily agricultural but also includes areas of open space, particularly along riparian corridors, as
5 well as some rural residential land uses. This area includes portions of the cities of Lathrop, Lodi,
6 Manteca, Stockton, and Tracy. CDPs with at least some land in San Joaquin County and the study area
7 include Country Club, Discovery Bay, French Camp, Lincoln Village, Mountain House, Terminous, and
8 Thornton.

9 **Solano County**

10 Nearly 203,500 acres of southeastern Solano County lies within the study area. This portion of the
11 county is characterized primarily by agricultural land uses and open space but the southern portion
12 of this area also contains some suburban residential development. Rural residential land use is
13 sparse but scattered throughout this portion of the county as well. Portions of the cities of Benicia,
14 Fairfield, Rio Vista, and Suisun City lie within the county and the study area. Solano County also
15 contains Suisun Marsh, the largest contiguous brackish water marsh remaining on the west coast of
16 North America.

17 **Suisun Marsh**

18 At 116,000 acres, the Suisun Marsh includes 52,000 acres of managed wetlands, 27,700 acres of
19 upland grasses, 6,300 acres of tidal wetlands, and 30,000 acres of bays and sloughs. Currently, 90%
20 of the wetlands are diked and managed as food, cover, and nesting habitat for wildlife. A total of 230
21 miles of levees within the marsh provide critical protection of the drinking water for 22 million
22 people by reducing saltwater intrusion into the Delta (California Department of Water Resources
23 2013).

24 Current land use in Suisun Marsh is a mixture of privately and state-managed lands. Existing land
25 use designations in the Marsh include Marsh and Agriculture. The Marsh designation provides for
26 protection of marsh and wetland areas. The land use permits aquatic and wildlife habitat, marsh-
27 oriented recreational uses, agricultural activities compatible with the marsh environment and
28 marsh habitat, educational and scientific research, educational facilities supportive of and
29 compatible with marsh functions, and restoration of historical tidal wetlands (Solano County 2008).
30 The Agriculture designation provides areas for the practice of agriculture as the primary use,
31 including areas that contribute significantly to the local agricultural economy, and allows secondary
32 uses that support the economic viability of agriculture. Commercial land uses in Suisun Marsh are
33 limited to recreation-oriented uses, which include the Little Honker Bay Resort, Collinsville Resort,
34 Pierce Harbor, Suisun Pacific Marina, Port of Suisun Marina, and City of Benicia Marina. As the
35 demand for recreation increases, there may be a need for new facilities or expansion of existing
36 facilities. A water-dependent industrial area is located in the southeast portion of Suisun Marsh east
37 of Montezuma Slough and north of the Sacramento River near Collinsville. This area is specifically
38 designed to accommodate industrial development along the Sacramento River. This waterfront
39 represents one of the few remaining undeveloped areas with deep-water access in the San Francisco
40 Bay Area.

1 **Sutter County**

2 The northernmost section of the study area also includes about 170 acres in southwestern Sutter
3 County near Fremont Weir. This area of the county is designated as Open Space.

4 **Yolo County**

5 The study area includes approximately 111,390 acres in the southeastern portion of Yolo County.
6 This area of the county consists primarily of agricultural land uses. Much of the city of West
7 Sacramento is located within the study area, as well as the unincorporated community of
8 Clarksburg. Approximately 10,200 acres of the Yolo Bypass Wildlife Area spans the northern and
9 north-central portions of this part of the county. The Yolo Bypass Wildlife Area consists of 16,770
10 acres of wildlife habitat and agricultural land managed by the California Department of Fish and
11 Wildlife (DFW) (California Department of Fish and Game 2008).

12 **Yolo Bypass**

13 The Yolo Bypass, a leveed, 59,000-acre floodplain, traverses the county from the Sutter County-Yolo
14 County Line, near the Fremont Weir in the north, to the Yolo County-Solano County line in the south.
15 The Yolo Bypass conveys floodflows generated by runoff from the Sacramento River watershed.
16 Within this flood management context, most of the land within the Yolo Bypass is farmed, with a
17 smaller amount (located largely in the southern portion of the Yolo Bypass within the statutory
18 Delta) dedicated to publically- and privately-managed wetlands (Jones & Stokes 2001). Land use
19 within the Yolo Bypass is restricted by easements held through the Sacramento-San Joaquin
20 Drainage District, as amended by the State of California Reclamation Board (Reclamation Board)
21 (Jones & Stokes 2001). However, these easements do not restrict the use of the land within the Yolo
22 Bypass for agricultural and managed wetland (e.g., duck club) activities.

23 **13.2 Regulatory Setting**

24 This section identifies and discusses the federal, state, and local plans, policies, and regulations that
25 govern land use in the study area. Generally state and federal agencies, as well as some local or
26 regional agencies involved with the location or construction of facilities for the production,
27 generation, storage, treatment, or transmission of water are not subject to local land use regulations
28 and inconsistency with a specific local land use regulation is not by itself an adverse effect on the
29 environment.¹ However, this EIR/EIS, in assessing whether particular categories of environmental
30 effects are adverse or beneficial (NEPA) or significant (CEQA), considers relevant local land use
31 regulations that are adopted for the purpose of avoiding or mitigating an environmental impact.

¹ See, e.g., *Hall v. Taft* (1956), 47 Cal. 2d 177, 183; *Town of Atherton v. Superior Court* (1958) 159 Cal.App.2d 417 and *Lawler v. City of Redding* (1992) 7 Cal. App. 4th 778, 784.

1 **13.2.1 Federal Plans, Policies, and Regulations**

2 **13.2.1.1 Stone Lakes National Wildlife Refuge Comprehensive** 3 **Conservation Plan**

4 The U.S. Fish and Wildlife Service (USFWS) prepared the Stone Lakes National Wildlife Refuge
5 Comprehensive Conservation Plan (CCP) to guide management of fish, wildlife, plants, other natural
6 resources, and visitor use on the refuge for the next 15 years (U.S. Fish and Wildlife Service 2007).
7 The CCP supports a land conservation program that complements other regional efforts and
8 initiatives. Management efforts expand and diversify habitats for migratory birds and a range of
9 species at risk. The CCP promotes cooperative farming opportunities and encourages maintenance
10 of traditional agricultural practices in southwestern Sacramento County that have proven benefits
11 for migratory birds experiencing declines. Through cooperation with other agencies, conservation
12 organizations, neighbors, and other partners, the CCP guides development and management of
13 wetlands in a manner that reflects historic hydrologic patterns and is consistent with local, state,
14 and federal floodplain management goals and programs.

15 The CCP management goals are as follows.

- 16 • Preserve, enhance, and restore a diverse assemblage of native Central Valley plant communities
17 and their associated fish, wildlife, and plants.
- 18 • Preserve, enhance, and restore habitat to maintain and assist in the recovery of rare, threatened,
19 and endangered plants and animals.
- 20 • Preserve, enhance, and restore wetlands and adjacent agricultural lands to provide foraging and
21 sanctuary habitat needed to achieve the distribution and population levels of migratory
22 waterfowl and other water birds consistent with the goals and objectives of the North American
23 Waterfowl Management Plan and Central Valley Habitat Joint Venture.
- 24 • Create linkages between refuge habitats and habitats on adjacent lands to reverse past impacts
25 of habitat fragmentation on wildlife and plants.
- 26 • Coordinate refuge land acquisition and management activities with other agencies and
27 organizations to maximize the effectiveness of refuge contributions to regional habitat needs.
- 28 • Provide for environmental education, interpretation, and fish- and wildlife-oriented recreation
29 in an urban setting accessible to large populations.
- 30 • Manage riverine wetlands and adjacent floodplain lands in a manner consistent with local, state,
31 and federal flood management, sediment and erosion control, and water quality objectives.

32 **13.2.1.2 Uniform Relocation Assistance and Real Property Acquisition** 33 **Policies Act**

34 Implementation of one or more of the BDCP alternatives may require that one or more parcels in the
35 study area be acquired. Federal, state, and local government agencies, and others receiving federal
36 financial assistance for public programs and projects that require the acquisition of real property,
37 must comply with the policies and provisions set forth in the Uniform Relocation Assistance and
38 Real Property Acquisition Policies Act of 1970, as amended in 1987 (42 United States Code [USC]
39 Section 4601 et seq.), and its implementing regulation, 49 Code of Federal Regulations (CFR) Part

1 24. Relocation advisory services, moving cost reimbursement, replacement housing, and
2 reimbursement for related expenses and rights of appeal are provided for by the act.

3 **13.2.1.3 Federal Farmland Protection Policy Act**

4 Under Federal law, the Farmland Protection Policy Act recognizes that the Nation's farmland is a
5 unique natural resource and provides food and fiber necessary for the continued welfare of the
6 people of the United States; that each year, a large amount of the Nation's farmland is irrevocably
7 converted from actual or potential agricultural use to nonagricultural use; that the extensive use of
8 farmland for nonagricultural purposes undermines the economic base of many rural areas; and that
9 Federal actions, in many cases, result in the conversion of farmland to nonagricultural uses where
10 alternatives actions would be preferred. See Chapter 14, *Agricultural Resources*, Section 14.2.1.1, for
11 further discussion of the Farmland Protection Policy Act.

12 **13.2.2 State Plans, Policies, and Regulations**

13 **13.2.2.1 1992 Delta Protection Act**

14 The Delta Protection Act identified the Delta as a natural resource of statewide significance and
15 formalized the state's commitment to preserve its diverse values. The purpose of the Delta
16 Protection Act is to ensure protection, maintenance, and enhancement of the Delta environment;
17 ensure orderly and balanced use of the Delta land resources; and improve flood protection to
18 increase public health and safety.

19 The Delta Protection Act mandated a state-level planning effort to address the needs of Delta
20 communities. DPC was made a permanent state agency in 2000 because a need for continued
21 planning and management was identified. DPC has planning jurisdiction over portions of five
22 counties: Contra Costa, Sacramento, San Joaquin, Solano, and Yolo. It was charged with developing a
23 comprehensive regional plan to guide land use and resource management. The resulting Land Use
24 and Resource Management Plan for the Primary Zone of the Delta was initially adopted by DPC in
25 February 1995 and updated in 2010. With the adoption of the management plan or any
26 amendments by DPC, all local governments, as defined in Public Resources Code Section 29725,
27 must submit to the DPC proposed amendments that will be incorporated into their general plans, as
28 defined in Government Code Section 65300 *et seq.*, being consistent with respect to lands located in
29 the Primary Zone of the Delta.

30 In November 2009, the Delta Protection Act was amended by SB 1 X7, also known as the
31 Sacramento-San Joaquin Delta Reform Act. In addition to changing the size and composition of the
32 Delta Protection Commission, the DPC was required to submit recommendations to the Legislature
33 regarding expansion or changes to the boundaries of the Delta primary zone of the Delta by July 1,
34 2010, in particular with regards to Rio Vista, Isleton, Bethel Island, Brannan-Andrus Island,
35 Cosumnes/Mokelumne floodway, and the San Joaquin/South Delta lowlands. SB 1 X7 also tasked the
36 DPC with developing a proposal to protect, enhance, and sustain the unique cultural, historical,
37 recreational, agricultural, and economic values of the Delta as an evolving place, in a manner
38 consistent with the coequal goals, as well as a plan to establish state and federal designation of the
39 Delta as a place of special significance, which could include application for a federal designation of
40 the Delta as a National Heritage Area. This proposal was to be considered and incorporated into the
41 Delta Stewardship Council's Delta Plan. That proposal evolved into the Delta Plan recommendation
42 DP R1, which states that the Delta Protection Commission should complete its application for

1 designation of the Delta and Suisun March as a National Heritage Area and the federal government
2 should complete the process in a timely manner. The Council and the Delta Plan are described in
3 more detail below.

4 Land uses in the Delta Primary Zone are subject to review by DPC for consistency with the
5 management plan. DPC does not have land use authority, but it can suspend local projects under an
6 appeal process while it reviews them for consistency with the Delta Protection Act and the *Land Use
7 and Resource Management Plan for the Primary Zone of the Delta*. The plan is described in more
8 detail in the following section.

9 **Delta Protection Commission Land Use and Resource Management Plan**

10 The DPC adopted its Land Use and Resource Management Plan (LURMP) for the Primary Zone of the
11 Delta on February 23, 1995. The updated plan was approved by the California Office of
12 Administrative Law (OAL) on October 7, 2010, and became effective on November 6, 2010. It
13 contains policies to protect the Delta's unique character, expand public access and recreation, and
14 locate new transmission lines and utilities within existing corridors to minimize impacts (Delta
15 Protection Commission 2010). These policies are required by law to be incorporated into the local
16 general plans of the counties with jurisdiction over portions of the Primary Zone. Where someone
17 believes that a local planning decision is inconsistent with the LURMP, such a decision can be
18 appealed to the DPC for a determination of consistency with the LURMP. Nothing in the law makes
19 the LURMP binding on state agencies such as the California Department of Water Resources (DWR)
20 as a proponent of the BDCP.

21 The LURMP is composed of seven elements: Land Use, Agriculture, Natural Resources, Recreation
22 and Access, Water, Levees, and Utilities and Infrastructure. Relevant goals and policies from the
23 LURMP related to avoiding and mitigating environmental impacts are listed below (Delta Protection
24 Commission 2010). The relevant goals of the LURMP are as follows.

- 25 • Protect the unique character and qualities of the Primary Zone by preserving the cultural
26 heritage, strong agricultural/economic base, unique recreational resources, and biological
27 diversity of the Primary Zone. Direct new nonagriculturally oriented non-farmworker
28 residential development within the existing unincorporated towns (Walnut Grove, Clarksburg,
29 Courtland, Hood, Locke, and Ryde).
- 30 • To support long-term viability of agriculture and to discourage inappropriate development of
31 agricultural lands.
- 32 • The priority land use of areas in the Primary Zone shall be oriented toward agriculture and open
33 space. If agriculture is no longer appropriate, land uses that protect other beneficial uses of
34 Delta resources and that would not adversely affect agriculture on surrounding lands or the
35 viability or cost of levee maintenance, may be permitted. If temporarily taken out of agriculture
36 production due to lack of adequate water supply or water quality, the land shall remain
37 reinstatable to agriculturally-oriented uses for the future.
- 38 • Preserve and protect the natural resources of the Delta. Promote protection of remnants of
39 riparian and aquatic habitat. Encourage compatibility between agricultural practices and
40 wildlife habitat.
- 41 • Protect and enhance long-term water quality in the Delta for agriculture, municipal, industrial,
42 water-contact recreation, and fish and wildlife habitat uses, as well as all other beneficial uses.

- 1 • Ensure that the construction of new utility and infrastructure facilities is appropriate and the
2 impacts of such new construction on the integrity of levees, wildlife, recreation, agriculture and
3 Delta communities are avoided, minimized and mitigated.

4 Relevant policies identified by the LURMP include those listed below.

- 5 • **Land Use P-3:** New non-agriculturally oriented residential, recreational, commercial, habitat,
6 restoration, or industrial development shall ensure that appropriate buffer areas are provided
7 by those proposing new development to prevent conflicts between any proposed use and
8 existing adjacent agricultural parcels. Buffers shall adequately protect integrity of land for
9 existing and future agricultural uses and shall not include uses that conflict with agricultural
10 operations on adjacent agricultural lands. Appropriate buffer setbacks shall be determined in
11 consultation with local Agricultural Commissioners, and shall be based on applicable general
12 plan policies and criteria included in Right-to-Farm Ordinances adopted by local jurisdictions.
- 13 • **Land Use P-6:** Subsidence control shall be a key factor in evaluating land use proposals.
14 Encourage agricultural, land management, recreational, and wildlife management practices that
15 minimize subsidence of peat soils. Local governments should utilize studies of agricultural and
16 land management methods that minimize subsidence and should assist in educating landowners
17 and managers as to the value of utilizing these methods.
- 18 • **Land Use P-7:** New structures shall be set back from levees and areas that may be needed for
19 future levee expansion consistent with local reclamation district regulations and, upon adoption,
20 with the requirements to be identified in the California Department of Water Resources Central
21 Valley Flood Control Plan.
- 22 • **Land Use P-8:** Local government policies regarding mitigation of adverse environmental
23 impacts under the California Environmental Quality Act may allow mitigation beyond county
24 boundaries, if acceptable to reviewing fish and wildlife agencies and with approval of the
25 recipient jurisdiction, for example in approved mitigation banks or in the case of agricultural
26 loss to mitigation. Mitigation in the Primary Zone for loss of agricultural lands in the Secondary
27 Zone may be appropriate if the mitigation program supports continued farming in the Primary
28 Zone. California Government Code Section 51256.3 (Assembly Bill 797) specifically allows an
29 agricultural conservation easement located within the Primary or Secondary Zone of the Delta
30 to be related to Williamson Act contract rescissions in any other portion of the secondary zone
31 without respect to County boundary limitations.
- 32 • **Land Use P-11:** Local governments may develop programs to cluster residential units that allow
33 property owners to engage in limited property development in order to ensure the efficient use
34 and conservation of agricultural lands, support open space values, and protect sensitive
35 environmental areas in the Primary Zone. Clustered development occurs when contiguous or
36 non-contiguous parcels are developed to cluster lots for residential use. The purpose of
37 clustered development is to provide a mechanism to preserve agricultural land and open space,
38 to locate housing in areas that can readily be served by public services and utilities, and provide
39 the agricultural community an alternative to transfer of development rights. Clustered
40 development programs shall ensure that the number of clustered lots created does not exceed
41 the allowable density requirement for the zoning of the sum of the parcels. Clustered
42 development may only be used one time. Neither the clustered lots nor the remainder lots may
43 be further subdivided. Residential development shall be consistent with local General Plan
44 policies and zoning regulations and standards.

- 1 ● **Land Use P-12:** Local governments may develop transfer of development rights (TDR)
2 programs that allow land owners to transfer the development right from one parcel of land to
3 another. The purpose of these TDR programs would be to ensure the efficient use and
4 conservation of agricultural lands, to support open space values, and to protect sensitive
5 environmental areas within the Primary Zone. This purpose would be achieved by relocating
6 development rights within the Primary Zone to more suitable areas such as adjacent to or within
7 existing urban areas within or outside of the Primary Zone, or to provide expanded
8 opportunities for affordable farm worker housing. TDR programs shall ensure that the
9 transferred development density does not exceed the development density identified for the
10 zoning for the sending parcel, and that any farm worker housing is restricted and regulated for
11 that purpose. The land upon which the development rights are transferred from would be
12 restricted with a permanent conservation easement. Receiving areas must have the
13 infrastructure capacity, public services and utilities to absorb the new development.
- 14 ● **Land Use P-14:** The conversion of an agricultural parcel, parcels, and/or an agricultural island
15 for water impoundment, including reservoirs, water conveyance or wetland development may
16 not result in the seepage of water onto or under the adjacent parcel, parcels, and/or island.
17 These conversions shall mitigate the risks and adverse effects associated with seepage, levee
18 stability, subsidence, and levee erosion, and shall be consistent with the goals of this Plan.
- 19 ● **Agriculture P-2:** Conversion of land to non-agriculturally-oriented uses should occur first
20 where productivity and agricultural values are lowest.
- 21 ● **Agriculture P-5:** Local governments shall encourage implementation of the necessary plans and
22 ordinances to: maximize agricultural parcel size; reduce subdivision of agricultural lands;
23 protect agriculture and related activities; protect agricultural land from conversion to non-
24 agriculturally-oriented uses. An optimum package of regulatory and incentive programs could
25 include: (1) an urban limit line; (2) minimum parcel size consistent with local agricultural
26 practices and needs; (3) strict subdivision regulations regarding subdivision of agricultural
27 lands to ensure that subdivided lands will continue to contain agriculturally-oriented land uses;
28 (4) require adequate buffers between agricultural and non-agricultural land uses particularly
29 residential development outside but adjacent to the Primary Zone; (5) an agriculture element of
30 the general plan; (6) a Right-to-Farm ordinance; and (7) a conservation easement program.
- 31 ● **Agriculture P-6:** Encourage acquisition of agricultural conservation easements from willing
32 sellers as mitigation for projects within each county. Promote use of environmental mitigation in
33 agricultural areas only when it is consistent and compatible with ongoing agricultural
34 operations and when developed in appropriate locations designated on a countywide or Delta-
35 wide habitat management plan.
- 36 ● **Agriculture P-7:** Encourage management of agricultural lands which maximize wildlife habitat
37 seasonally and year-round, through techniques such as fall and winter flooding, leaving crop
38 residue, creation of mosaic of small grains and flooded areas, wildlife friendly farming,
39 controlling predators, controlling poaching, controlling public access, and others.
- 40 ● **Agriculture P-8:** Encourage the protection of agricultural areas, recreational resources and
41 sensitive biological habitats, and the reclamation of those areas from the destruction caused by
42 inundation.

- 1 ● **Natural Resources P-1:** Preserve and protect the natural resources of the Delta. Promote
2 protection of remnants of riparian and aquatic habitat. Encourage compatibility between
3 agricultural practices, recreational uses and wildlife habitat.
- 4 ● **Natural Resources P-2:** Encourage farmers to implement management practices to maximize
5 habitat values for migratory birds and other wildlife. Appropriate incentives, such as: purchase
6 of conservation easements from willing sellers or other actions, should be encouraged.
- 7 ● **Natural Resources P-3:** Lands managed primarily for wildlife habitat should be “Coordinated
8 Resource Management and Planning” (Public Resources Code Section 9408(c)) should ensure
9 full participation by local government and property owner representatives.
- 10 ● **Natural Resources P-4:** Support the non-native invasive species control measures being
11 implemented by the California Department of Fish and Game, the California Department of
12 Boating and Waterways, the California Emergency Management Agency, the California
13 Department of Food and Agriculture, the State Water Resources Control Board, the Central
14 Valley and San Francisco Bay Regional Water Quality Control Boards, and the Agricultural
15 Commissioners for the five Delta Counties (Yolo, Solano, Sacramento, San Joaquin, and Contra
16 Costa), which include controlling the arrival of new species into the Delta.
- 17 ● **Natural Resources P-7:** Incorporate, to the maximum extent feasible, suitable and appropriate
18 wildlife protection, restoration and enhancement on publicly-owned land as part of a Delta-wide
19 plan for habitat management.
- 20 ● **Natural Resources P-9:** Protect and restore ecosystems and adaptively manage them to
21 minimize impacts from climate change and other threats and support their ability to adapt in the
22 face of stress.
- 23 ● **Recreation & Access P-4:** Encourage new regional recreational opportunities, such as Delta-
24 wide trails, which take into consideration environmental, agricultural, infrastructure, and law
25 enforcement needs, and private property boundaries. Also, encourage opportunities for water,
26 hiking, and biking trails.
- 27 ● **Recreation & Access P-8:** Ensure, for the sake of the environment and water quality, the
28 provision of appropriate restroom, pump-out and other sanitation and waste management
29 facilities at new and existing recreation sites, including marinas; encourage the provision of
30 amenities including but not limited to picnic tables and boat-in destinations.
- 31 ● **Recreation & Access P-10:** Promote and encourage Delta-wide communication, coordination,
32 and collaboration on boating and waterway-related programs including but not limited to
33 marine patrols, removal of debris and abandoned vessels, invasive species control and
34 containment, clean and safe boating education and enforcement, maintenance of existing
35 anchorage, mooring and berthing areas, and emergency response in the Delta.
- 36 ● **Water P-1:** State, federal and local agencies shall be strongly encouraged to preserve and
37 protect the water quality of the Delta both for in-stream purposes and for human use and
38 consumption.
- 39 ● **Utilities and Infrastructure P-1:** Impacts associated with construction of transmission lines
40 and utilities can be mitigated by locating new construction in existing utility or transportation
41 corridors, or along property lines, and by minimizing construction impacts. Before new
42 transmission lines are constructed, the utility should determine if an existing line has available
43 capacity. To minimize impacts on agricultural practices, utility lines shall follow edges of fields.

Pipelines in utility corridors or existing rights-of-way shall be buried to avoid adverse impacts to terrestrial wildlife. Pipelines crossing agricultural areas shall be buried deep enough to avoid conflicts with normal agricultural or construction activities. Utilities shall be designed and constructed to minimize any detrimental effect on levee integrity or maintenance, agricultural uses and wildlife within the Delta. Utilities shall consult with communities early in the planning process for the purpose of creating an appropriate buffer from residences, schools, churches, public facilities and inhabited marinas.

- **Utilities and Infrastructure P-3:** Ensure that new municipal sewage treatment facilities (including storage ponds) that support development or business outside of the Delta Primary Zone are not located within the Delta Primary Zone. The Rio Vista project, as described in the adopted Final Environmental Impact Report for such project, and the Ironhouse Sanitary District use of Jersey Island for disposal of treated wastewater and biosolids are exempt from this policy.
- **Utilities and Infrastructure P-4:** Encourage recycling programs for metals, glass, paper, cardboard, and organic materials in order to minimize waste generation. Recycling facilities for these materials should be suitably located to serve Delta residents, visitors, and businesses. High groundwater tables and subsiding soil make the Delta an inappropriate location for solid waste disposal.

Great California Delta Trail Blueprint Report for Contra Costa and Solano Counties

SB 1556 from 2006 requires DPC to establish “a continuous recreation corridor, including bicycle and hiking trails, around the Delta.” The legislation also requires a Great Delta Trail to link to the San Francisco Bay Trail system and planned Sacramento River trails in Yolo and Sacramento counties. To comply with SB 1556, the Delta Protection Commission adopted the Great California Delta Trail Blueprint Report for Contra Costa and Solano Counties (Trail Blueprint) in September 2011. The Trail Blueprint establishes a vision, 11 goals and 68 policies for a system of land and water trails in and through the Delta. The document contains a review of the setting and opportunities in Contra Costa and Solano counties, an action plan to implement the vision and goals, outreach and engagement strategies, and a description of trail concepts (Alta Planning + Design 2010). The Trail Blueprint is also intended to serve as a template for the Great Delta Trail planning process in Sacramento, San Joaquin and Yolo counties.

Many of the Trail Blueprint policies relate in some way to the BDCP. The policies most relevant to the BDCP are listed below.

- **Policy 1.5:** Increase awareness and appreciation of Delta community features, environment, and sensitive resources within the region and beyond.
- **Policy 2.4:** Engage key local, regional and state agencies and organizations and a broad spectrum of community stakeholders in creating and implementing the Delta Trail Plan.
- **Policy 3.8:** Connect the trail to and through existing regional open space areas and publicly owned areas, including but not limited to Liberty Island, Prospect Island, Rush Ranch, Sherman Island, Grand Island, Franks Tract, Brannan Island, Decker Island, Brown Island, Bay Point Regional Shoreline, Big Break Regional Shoreline, Antioch Regional Shoreline, Concord Naval Weapons Station, Martinez Regional Shoreline, Point Edith Wetlands, Carquinez Straight Shoreline, Waterbird Regional Preserve, and the Delta Trail Extension along Old River in East Contra Costa.

- 1 • **Policy 4.1:** Use existing public lands, easements and other public rights-of-way, including
2 established routes and existing levees and utility corridors where possible.
- 3 • **Policy 7.2:** Coordinate trail planning and development and actively identify joint use
4 opportunities with other jurisdictions and organizations, including the counties, local cities,
5 Friends of the Delta Trail, chambers of commerce, the East Bay Regional Parks District,
6 Department of Agriculture, Solano Land Trust, California Department of Parks and Recreation,
7 California Department of Water Resources, U.S. Army Corps of Engineers, California Department
8 of Boating and Waterways, utility and energy companies, the Delta Science Center, Discover the
9 Delta, Dutch Slough Project, Reclamation Districts, and other agencies and groups.
- 10 • **Policy 7.5:** Coordinate and integrate with other Delta projects for ecosystem restoration, flood
11 control, and water supply.
- 12 • **Policy 8.1:** Plan and design trails to avoid or minimize environmental impacts, including natural
13 and cultural resources and impacts on adjacent land uses.
- 14 • **Policy 8.4:** Plan and design to avoid negative impacts to native plants and wildlife habitat,
15 especially sensitive or special-status species and nesting areas.
- 16 • **Policy 8.5:** Plan and manage trails and trail use to avoid impacts of animal access on water
17 quality or adjacent agricultural areas, and to avoid the spread of invasive species (seeds, plants,
18 pathogens, animals).

19 **13.2.2.2 The Delta Plan**

20 In November 2009, the California Legislature enacted SB 1 X7, also known as the Sacramento-San
21 Joaquin Delta Reform Act. The Delta bill created a new Delta Stewardship Council (DSC) and gave
22 this body broad oversight of Delta planning and resource management. The DSC is tasked with
23 developing, adopting, and commencing implementation of a long-term plan (the “Delta Plan”) which
24 will be a legally enforceable, comprehensive management plan designed to meet the two co-equal
25 goals of providing a more reliable water supply for California and protecting, restoring, and
26 enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and
27 enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as
28 an evolving place” (CA Water Code SS 85054).

29 The Delta Plan generally covers five topic areas and goals: increased water supply reliability,
30 restoration of the Delta ecosystem, improved water quality, reduced risks of flooding in the Delta,
31 and protection and enhancement of the Delta. The Delta Stewardship Council does not propose
32 constructing, owning, or operating any facilities related to these five topic areas. Rather, the Delta
33 Plan sets forth regulatory policies and recommendations that seek to influence the actions,
34 activities, and projects of cities and counties and state, federal, regional, and local agencies toward
35 meeting the goals in the five topic areas.

36 Eight draft versions of the Delta Plan were written between February 2011 and November 2012.
37 The Proposed Final Delta Plan, as well as the Final Delta Plan Program EIR and the Final Rulemaking
38 Package, were adopted by the DSC at its May 16, 2013 meeting. Once the State Office of
39 Administrative Law and California Secretary of State approve the plan, the proposed policies in the
40 Delta Plan will become enforceable regulations. The Proposed Final Delta Plan consists of 14 policies
41 and 73 regulations (Delta Stewardship Council 2013).

1 Under Water Code Section 85320, subdivision (e), DSC must incorporate the BDCP into the
 2 approved Delta Plan if the BDCP meets certain requirements. Specifically, DFW must approve the
 3 BDCP in the form of a Natural Community Conservation Plan (NCCP) and must determine that the
 4 BDCP meets the requirements of Section 85320 (including EIR content requirements), and that the
 5 BDCP has been approved under the federal Endangered Species Act (ESA) as a Habitat Conservation
 6 Plan (HCP). The requirements of Section 85320 are summarized below in Section 13.3.1. These
 7 determinations by DFW are subject to appeal to the DSC. The DSC is a responsible agency with
 8 regard to the BDCP.

9 Any project subject to the DSC review must file a certification of consistency with the Delta Plan.
 10 Although the BDCP is not a project for which a certification of consistency must be prepared, the
 11 analysis in this chapter discusses how the BDCP is consistent with the 14 policies of the Final Draft
 12 Delta Plan. Additional discussion of the relationship between BDCP and the Delta Plan can be found
 13 in Appendix 3I, *BDCP Compliance with the 2009 Delta Reform Act*.

14 **13.2.2.3 California Department of Parks and Recreation**

15 **General Plan for Brannan Island and Franks Tract State Recreation Areas**

16 The *General Plan for Brannan Island and Franks Tract State Recreation Areas* was adopted by the
 17 California State Park and Recreation Commission in November 1987. The general plan describes the
 18 resource management policies, allowable use levels, land use and facility recommendations, and
 19 interpretive recommendations for the two state recreation areas. The general plan is intended to
 20 guide acquisition, land use, development, and operation of these two recreation facilities and
 21 describes an improvement program for the Brannan Island State Recreation Area that addresses
 22 many landscape and habitat management zones for the park (California Department of Parks and
 23 Recreation 1987). These management zones establish the basis for various planning strategies that
 24 are consistent with the overall resource management, interpretive, and recreation use goals.

25 The purpose of Brannan Island State Recreation Area is “to make permanently available to the
 26 people the opportunity to use and enjoy a portion of the Delta region of California and its extensive
 27 inland waterways.” In addition, “the function of the Department of Parks and Recreation at Brannan
 28 Island State Recreation Area is to provide facilities and opportunities for the enjoyment of a variety
 29 of water-oriented and other recreational activities, consistent with the declared purpose of the unit.”
 30 The policies for Brannan Island State Recreation Area focus on maintaining and enhancing the
 31 natural resources in the State Recreation Area, some of which are relevant to the restoration actions
 32 proposed under the alternatives evaluated in this EIR/EIS.

- 33 ● Recommend and support all measures to maintain the quality and flow of hydrologic resources
 34 affecting the unit.
- 35 ● Control exotic and undesirable plant species.
- 36 ● Revegetate with indigenous plant species where appropriate.
- 37 ● Restore and enhance riparian and freshwater wetland ecosystems.
- 38 ● Protect and enhance existing rare and endangered plant habitat.
- 39 ● Perpetuate suitable habitat for animal species that are threatened, endangered, or of special
 40 concern.

1 The purpose of Franks Tract State Recreation Area is “to perpetuate as a recreation resource, the
 2 flooded island in the Sacramento-San Joaquin Delta known as ‘Franks Tract,’ and to provide
 3 permanently the opportunity for water-related recreational activities...”; in addition, “the function of
 4 the Department of Parks and Recreation at Franks Tract State Recreation Area is to provide facilities
 5 and services for public enjoyment of the features and recreational opportunities afforded by this
 6 unit.” The policies for Franks Tract State Recreation Area, which encompasses the inundated islands
 7 of Franks Tract and Little Franks Tract, focus on maintaining water quality, protecting soils, and
 8 protecting and enhancing habitat and species. Some of the management goals relevant to the
 9 restoration actions proposed under the alternatives evaluated in this EIR/EIS are as follows.

- 10 • Recommend and support all measures to maintain the quality and flow of hydrologic resources
 11 affecting the unit.
- 12 • Control Himalayan blackberry and other exotic plant species.
- 13 • Landscape with desirable or indigenous plant species.
- 14 • Protect and reestablish riparian and freshwater wetland ecosystems.
- 15 • Locate, protect, and manage existing rare and endangered plants.
- 16 • Develop a wildlife management plan.
- 17 • Perpetuate suitable habitat for animal species that are threatened, endangered, or of special
 18 concern.

19 **Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh**

20 The Sacramento-San Joaquin Delta Reform Act mandated that the Department of Parks and
 21 Recreation develop recommendations to expand state recreation areas in the region. To comply
 22 with the legislation, the Department of Parks and Recreation issued the Recreation Proposal for the
 23 Sacramento-San Joaquin Delta and Suisun Marsh in May 2011. While the Recreation Proposal is not
 24 a binding policy document and it concedes that funding is not currently available to implement the
 25 recommendations, the Recreation Proposal does represent the department’s vision for the region
 26 (California State Parks 2011). The document states, “The proposal recommends a network of
 27 recreation areas, including parks, resorts, boating facilities, historic communities, agritourism
 28 attractions, and other visitor-oriented businesses. These areas would be connected by scenic driving
 29 routes, boating trails, or bicycling and hiking trails. Proposal recommendations aim to provide
 30 visitors and residents authentic outdoor experiences rooted in the unique and enduring character of
 31 the Delta and Suisun Marsh.”

32 The Recreation Proposal recommends improvement and, in some cases, expansion of four
 33 recreation areas in the Delta (Delta Meadows and Locke Boarding House, Stone Lakes, and Brannan
 34 Island and Franks Tract state recreation areas) and six state parks near the Delta and Suisun Marsh
 35 (Old Sacramento State Historic Park and California Indian Heritage Center, Caswell Memorial State
 36 Park, Bethany Reservoir State Recreation Area, the State Historic Park at John Marsh/Cowell Ranch,
 37 Benicia Capitol State Historic Park, and Benicia State Recreation Area). The Recreation Proposal
 38 further recommends creation of four new state parks in the region at Barker Slough, Elkhorn Basin,
 39 Wright-Elmwood Tract and in the south Delta, possibly near Old River.

1 **13.2.2.4 California Department of Fish and Wildlife**

2 DFW owns and manages several areas in the Delta, primarily for habitat and species protection and
 3 enhancement. Land management plans have been prepared for only two of the seven areas owned
 4 by DFW: Yolo Bypass Wildlife Area and Lower Sherman Island Wildlife Area. The other areas are
 5 managed under the California Fish and Game Code and Title 14 of the California Code of Regulations.

6 **Yolo Bypass Wildlife Area Land Management Plan**

7 DFW prepared the Yolo Bypass Wildlife Area Land Management Plan to accomplish the following.

- 8 • Guide the management of habitats, species, appropriate public use, and programs to achieve
 9 DFW's mission.
- 10 • Direct an ecosystem approach to managing the Yolo Bypass Wildlife Area in coordination with
 11 the objectives of the CALFED Ecosystem Restoration Program.
- 12 • Identify and guide appropriate, compatible public-use opportunities within the Yolo Bypass
 13 Wildlife Area.
- 14 • Direct the management of the Yolo Bypass Wildlife Area in a manner that promotes cooperative
 15 relationships with adjoining private-property owners.
- 16 • Establish a descriptive inventory of the sites and the wildlife and plant resources that occur in
 17 the Yolo Bypass Wildlife Area.
- 18 • Provide an overview of the Yolo Bypass Wildlife Area's operation, maintenance, and personnel
 19 requirements to implement management goals, and serve as a planning aid for preparation of
 20 the annual budget for the Bay-Delta region (Region 3).
- 21 • Present the environmental documentation necessary for compliance with state and federal
 22 statutes and regulations, provide a description of potential and actual environmental impacts
 23 that may occur during plan management, and identify mitigation measures to avoid or lessen
 24 these impacts.

25 The land management plan identifies eight elements and eight goals that provide broad guidance for
 26 management of the Yolo Bypass Wildlife Area and tasks to achieve those goals. The goals focus on
 27 managing and maintaining habitat communities for many species; preventing the introduction and
 28 spread of invasive nonnative species; restoring and enhancing wetlands; maintaining, restoring, and
 29 enhancing aquatic, riparian, and upland communities (California Department of Fish and Game
 30 2008).

31 **Lower Sherman Island Wildlife Area Land Management Plan**

32 DFW prepared the Lower Sherman Island Wildlife Area Land Management Plan to accomplish the
 33 following (California Department of Fish and Game 2007).

- 34 • Guide management of habitats, species, and programs to achieve DFW's mission to protect and
 35 enhance wildlife values.
- 36 • Serve as a guide for appropriate public uses of the Lower Sherman Island Wildlife Area.
- 37 • Serve as a descriptive inventory of fish, wildlife, and native plant habitats that occur on and
 38 species that use the wildlife area.

- 1 • Provide an overview of the property’s operation and maintenance and of the personnel
2 requirements associated with implementing management goals.
- 3 • Present the environmental documentation necessary for compliance with state and federal
4 statutes and regulations, provide a description of potentially significant environmental impacts
5 that may occur during plan management, and identify mitigation measures to avoid or lessen
6 these impacts.

7 The land management plan has 11 elements and identifies 34 goals that describe the management of
8 each element and the intended long-term results and 142 tasks that identify individual projects or
9 work elements that implement the goals (California Department of Fish and Game 2007). The goals
10 contained in the Biological Element of the plan all promote habitat restoration or enhancement of
11 riparian areas and marsh and aquatic ecosystems or preventing the introduction and spread of
12 invasive species within the management area. These goals are relevant to the restoration activities
13 proposed under the action alternatives evaluated in this EIR/EIS.

14 **13.2.2.5 California Land Conservation Act of 1965**

15 The California Land Conservation Act (Williamson Act) is an agricultural land protection program
16 enacted by the California Legislature in 1965 to help maintain the agricultural economy of the state
17 by preserving its agricultural land. The Williamson Act discourages premature and unnecessary
18 conversion of agricultural land to urban uses. Cities and Counties implement the legislation by
19 creating agricultural preserves, which are generally comprised of at least 100 acres of farmland.
20 Once a preserve has been established, an individual landowner can enter into a contract with the
21 county, which binds the land to remain in agricultural use for at least ten years. Counties have
22 continuing roles in administering the act with respect to compatibility guidelines and nonrenewal or
23 cancellation of contracts.

24 The Williamson Act also provides for Farmland Security Zones. A Farmland Security Zone (FSZ, also
25 termed “Super-Williamson Act”) is an area created within an agricultural preserve by a board of
26 supervisors or city council at the request of a landowner or landowners. The boundary is designated
27 by resolution of the board having jurisdiction.

28 Unlike a standard Williamson Act contract, cities and special districts that provide non-agricultural
29 services are generally prohibited from annexing land enrolled under an FSZ contract, and school
30 districts are prohibited from acquiring Farmland Security Zone lands for school facilities. Also, the
31 minimum initial term is 20 years. Finally, cancellation of an FSZ contract requires a cancellation fee
32 equal to 25% (compared with 12.5%) of the unrestricted fair market value of the affected property,
33 and, in addition to the approval by the board of supervisors, also requires the approval of the
34 Director of the Department of Conservation (by delegation from the Secretary for Natural
35 Resources).

36 An FSZ contract is otherwise closely related to a standard Williamson Act contract in that it also
37 enforceably restricts land to agricultural or enumerated open space uses. Like a Williamson Act
38 contract, Farmland Security Zone contracts renew annually unless either party files a “notice of
39 nonrenewal.”

40 The Williamson Act imposes procedural responsibilities on public entities seeking to acquire
41 interests in land (including easements) within a preserve, whether or not the land is under contract,
42 and additional procedural requirements when any property interest in land under contract is

1 actually acquired. The Act also provides that if land is acquired by or in lieu of eminent domain, the
2 contract is void for any contracted property subject to the eminent domain action.

3 Under the provisions of the Open Space Subvention Act, the Secretary for Natural Resources is
4 authorized to request the Attorney General to enforce any Williamson Act contract for which any
5 open space subvention payment has ever been made by the State. The Williamson Act also provides
6 broad standing for citizens to enforce a contract.

7 **13.2.2.6 California Relocation Assistance Act**

8 Parallel to the Uniform Relocation Assistance and Real Property Acquisition Policies Act described
9 above in Section 13.2.1.2, California Government Code, Section 7260, et seq. requires state and local
10 governments to provide relocation assistance and benefits to any person, business, farm, or
11 nonprofit operation displaced by programs or projects undertaken by a public entity. Assistance
12 includes providing information regarding availability, sales prices, and rentals of comparable
13 replacement dwellings for displaced homeowners and tenants, and similar information for suitable
14 locations for businesses and farm operations. This Act also includes provisions for payment to
15 displaced individuals for moving and related expenses and requires that, within a reasonable period
16 of time prior to displacement, comparable replacement housing be made available or provided to
17 each displaced person.

18 **13.2.3 Regional and Local Plans, Policies, and Regulations**

19 This section presents the regional and local plans, policies, and regulations that may be relevant to
20 implementation of one or more of the BDCP alternatives. Generally, state and federal agencies, as
21 well as some local or regional agencies involved with the location or construction of facilities for the
22 production, generation, storage, treatment, or transmission of water, are not subject to local land
23 use regulations and inconsistency with a specific local land use regulation is not by itself an adverse
24 effect on the environment.² However, this EIR/EIS, in assessing whether particular categories of
25 environmental effects (e.g., biological or cultural resources) are adverse or beneficial (NEPA) or
26 significant (CEQA), considers relevant local land use regulations that are adopted for the purpose of
27 avoiding or mitigating an environmental impact. Relevant regional or local HCPs and NCCPs are
28 presented in Chapter 12, *Terrestrial Biological Resources*, Section 12.3.3.18, *Effects on Other*
29 *Conservation Plans*.

30 **13.2.3.1 San Francisco Bay Plan**

31 The San Francisco Bay Plan, which was developed to guide the future protection and use of the San
32 Francisco Bay and its shoreline, was developed and adopted by the San Francisco Bay Conservation
33 and Development Commission (SFBCDC) in 1968. The SFBCDC also proposes and ratifies
34 amendments to the Bay Plan. The McAteer-Petris Act, which first established the Commission on a
35 temporary basis, was then revised to direct the SFBCDC to carry out the plan provisions and oversee
36 permitting activities related to placing fill, extracting minerals, or changing the use of any land,
37 water, or structure within the Commission's jurisdictional boundaries, which includes Suisun Marsh.
38 Bay Plan maps and policies guide the protection of the San Francisco Bay and its tributary
39 waterways, marshes, managed wetlands, salt ponds, and shoreline. Plan maps identify areas

² See, e.g., *Hall v. Taft* (1956), 47 Cal. 2d 177, 183; *Town of Atherton v. Superior Court* (1958) 159 Cal.App.2d 417
and *Lawler v. City of Redding* (1992) 7 Cal. App. 4th 778, 784.

1 designated for “priority uses” which include Wildlife Refuge, Waterfront Park, Beach; Water-Related
 2 Industry; Port. Other land designations that the Plan identifies include Tidal Marsh, Salt Pond, and
 3 Managed Wetland.

4 **13.2.3.2 Suisun Marsh Protection Act**

5 In 1974, the California Legislature passed the Suisun Marsh Protection Act, designed to preserve the
 6 Suisun Marsh from residential, commercial, and industrial development. The act directed SFBCDC
 7 and DFW to prepare a protection plan for the Suisun Marsh “to preserve the integrity and assure
 8 continued wildlife use” of the marsh. The planning program conducted by SFBCDC involved
 9 preparation and tentative adoption of a series of nine background planning reports, which provided
 10 the information needed to prepare the findings and policies of the final *Suisun Marsh Protection Plan*,
 11 and allowed extensive opportunities for public involvement through hearings before SFBCDC (San
 12 Francisco Bay Conservation and Development Commission 1976).

13 The objectives of the protection plan are to preserve and enhance the quality and diversity of the
 14 Suisun Marsh aquatic and wildlife habitats and to ensure retention of upland areas adjacent to the
 15 marsh in uses compatible with its protection. The protection plan includes: (1) a primary
 16 management area encompassing the 89,000 acres of tidal marsh, managed wetlands, adjacent
 17 grasslands, and waterways over most of which SFBCDC has jurisdiction; and (2) a secondary
 18 management area of approximately 22,500 acres of significant buffer lands. Under specific
 19 guidelines in each area, Solano County is responsible for preparing and administering a local
 20 protection program. SFBCDC would represent the state’s interest, serving as the land use permitting
 21 agency for major projects in the primary management area, and as an appellate body with limited
 22 functions in the secondary management area (San Francisco Bay Conservation and Development
 23 Commission 1976).

24 **Suisun Marsh Local Protection Program**

25 Under the Suisun Marsh Protection Act, Solano County is required to bring general plan policies,
 26 regulations, programs, and operating procedures into conformity with the provision of the Suisun
 27 Marsh Protection Act and the *Suisun Marsh Protection Plan* through the preparation of a local
 28 protection program. Solano County’s component of the local protection program includes general
 29 plan policies and other policies, programs, and regulations to preserve and enhance the wildlife
 30 habitat of the Suisun Marsh and to ensure retention of upland areas adjacent to the marsh in uses
 31 compatible with its protection (Solano County 2008).

32 All public and private management and development activities within the primary and secondary
 33 management areas of the Suisun Marsh will be consistent with the policies and provisions of the
 34 Suisun Marsh Protection Plan as adopted by the SFBCDC. The plan contains many policies under the
 35 headings of Environment, Water Supply and Quality, and Land Use and Marsh Management which
 36 promote habitat protection, restoration, and enhancement and are relevant to the restoration
 37 activities proposed under the action alternatives evaluated in this EIR/EIS.

38 **13.2.3.3 Local Airport Land Use Compatibility Plans**

39 The State Aeronautics Act (California Public Utilities Code Section 21670 *et seq.*) establishes the
 40 statewide requirements for the conduct of airport land use compatibility planning. The local Airport
 41 Land Use Commission (ALUC), which is typically a county or regional entity, adopts airport land use
 42 compatibility plans (sometimes called airport comprehensive land use plans) for public use airports

1 and airports with scheduled airline service within the ALUC's jurisdiction. A compatibility plan
 2 adopted by an ALUC is intended to protect public health, safety, and welfare through the adoption of
 3 land use standards that minimize the public's exposure to safety hazards and excessive noise, and to
 4 prevent the encroachment of incompatible land uses around public-use airports, thereby preserving
 5 the utility of these airports. A compatibility plan establishes planning boundaries around the airport
 6 and sets compatibility guidelines. Government Code Section 65302 requires city and county general
 7 plans, specific plans, zoning ordinances and other land use regulations to comply with an adopted
 8 airport land use compatibility plan. However, while a plan adopted by an ALUC designates
 9 compatible and incompatible uses within an airport's planning area, the plan is not controlling. A
 10 local board of supervisors or city council, if it makes certain findings, can overrule an airport plan
 11 and approve regulations and development projects that the airport plan deems necessary. An ALUC
 12 does not have jurisdiction over airport operations.

13 Several public and private airports lie within or near the study area. Water conveyance facilities may
 14 be constructed within the vicinity of Borges-Clarksburg Airport and Byron Airport. In addition,
 15 Kingdon Executive, New Jerusalem, Rio Vista, Sacramento International and Tracy Municipal
 16 airports and Travis Air Force Base also lie within or near the study area. Land use compatibility
 17 plans have been adopted for all of these airports and are discussed below. Potential hazards
 18 involving the risk of increased aircraft-bird strikes as a result of the proposed restoration activities
 19 are evaluated as Impact HAZ-8 in Chapter 24, *Hazards and Hazardous Materials*.

20 **Borges-Clarksburg Airport Comprehensive Land Use Plan**

21 The Sacramento Area Council of Governments (SACOG) serves as the Airport Land Use Commission
 22 for Sacramento, Sutter, Yolo and Yuba counties. SACOG adopted the Borges-Clarksburg Airport
 23 Comprehensive Land Use Plan (CLUP) in 1994. The facility is a privately owned, general aviation
 24 airport in Eastern Yolo County, about one mile northeast of the town of Clarksburg. At the time the
 25 Borges-Clarksburg CLUP was adopted, the airport had about 6,000 annual operations, and 18
 26 aircraft were based there. The Borges-Clarksburg CLUP applies to land in unincorporated Yolo and
 27 Sacramento counties.

28 The Borges-Clarksburg CLUP designates three safety zones: A Clear Zone that covers the runway
 29 and extends outward 1,000 feet from the ends, an Approach/Departure Zone that extend 2,000 feet
 30 from the runway ends, and an Overflight Zone that generally coincides with normal air traffic
 31 patterns. The airport and all territory covered by the safety zones lie within the study area, and the
 32 location of some water conveyance facilities would be within the Overflight Zone.

33 The Borges-Clarksburg CLUP finds the following uses to be incompatible with the Clear Zone and
 34 Approach/Departure Zone.

- 35 • Any use that would direct distracting lights at an aircraft.
- 36 • Any use that would cause sunlight to reflect toward a climbing or landing aircraft.
- 37 • Any use that would generate smoke, attract large concentrations of birds, or affect safe aircraft
 38 navigation.
- 39 • Any use that could generate electrical interference that could deter aircraft or airport
 40 instrumentation.
- 41 • Hazardous installations such as aboveground oil, gas or chemical storage, except facilities for
 42 noncommercial, private domestic or private agricultural use.

1 The Borges-Clarksburg CLUP deems nearly all development other than limited agricultural uses to
 2 be incompatible with the Clear Zone. Among uses considered compatible with the Approach/
 3 Departure Zone are roads, highways and rail lines; parking lots; open space and natural areas;
 4 natural water areas; and agricultural activities. Open space and natural areas and natural water
 5 areas are considered incompatible if they result in concentrations of more than 25 people per acre,
 6 the aboveground storage of flammable or explosive material, a water area that may cause ground
 7 fog, a bird hazard, or high-intensity uses such as ballfields or picnic pavilions.

8 Most land uses are considered compatible with the Overflight Zone, unless they have the potential to
 9 cause ground fog or a bird hazard, interfere with aircraft or airport instrumentation, or attract large
 10 congregations of people.

11 **Byron Airport Land Use Compatibility Plan**

12 The Byron Airport, located west of Clifton Court Forebay in Contra Costa County, has a Land Use
 13 Compatibility Plan (LUCP) that outlines different policies based on proximity to the airport. In
 14 addition to those specific guidelines mentioned below, the plan describes the applicability of
 15 exceptions to usage intensity limits, acceptable noise exposure levels, a prohibition of any land use
 16 in the Byron Airport influence area which would result in an increased attraction of birds, and a
 17 description of open land criteria.

18 In those areas closest to the airport, "Zone A," policies include the following.

- 19 • No new structures are permitted other than aeronautical facilities the location of which is set by
 20 FAA Criteria.
- 21 • Outdoor activities shall be limited to a maximum of 10 people per gross acre.
- 22 • Storage of fuel and other hazardous materials is specifically prohibited.
- 23 • Any future nonaviation development or use of property within *Compatibility Zone A* shall meet
 24 the criteria for open land.

25 "Zone B1," policies include the following.

- 26 • An average intensity of no more than 25 people per gross acre on the site at any time.
- 27 • A maximum intensity on any single acre of no more than 50 people at any time.
- 28 • Buildings shall be located as far as practical from the extended runway centerline and shall be
 29 limited to a maximum of two stories in height.
- 30 • Aboveground bulk storage of hazardous materials is prohibited with the exception of on-airport
 31 storage of aviation fuel or up to 2,000 gallons of nonaviation flammable materials.
- 32 • ALUC review for any proposed object taller than 35 feet.
- 33 • Open land characteristics provided on at least 30% of the land within this zone.

34 "Zone B2," policies include the following.

- 35 • An average intensity of no more than 50 people per gross acre on the site at any time.
- 36 • A maximum intensity on any single acre of no more than 100 people at any time.
- 37 • Aboveground bulk storage of hazardous materials is prohibited with the exception of on-airport
 38 storage of aviation fuel or up to 2,000 gallons of nonaviation flammable materials.

- 1 • ALUC review for any proposed object taller than 70 feet.
- 2 • Open land characteristics provided on at least 20% of the land within this zone.

3 “Zone C1 and Zone C2,” policies include the following.

- 4 • An average intensity of no more than 100 people per gross acre on the site at any time.
- 5 • A maximum intensity on any single acre of no more than 300 people at any time.
- 6 • ALUC review for any proposed object taller than 100 feet.
- 7 • Open land characteristics provided on at least 10% of the land within this zone.

8 “Zone D,” policies include the following.

- 9 • ALUC review for any proposed object taller than 100 feet.

10 The Byron ALUCP outlines different policies based on proximity to the airport. In those areas closest
11 to the airport, “Zone A,” policies include the following.

- 12 • No new structures are permitted other than aeronautical facilities the location of which is set by
13 FAA Criteria.
- 14 • Outdoor activities shall be limited to a maximum of 10 people per gross acre.
- 15 • Storage of fuel and other hazardous materials is specifically prohibited.
- 16 • Any future nonaviation development or use of property within *Compatibility Zone A* shall meet
17 the criteria for open land.

18 The BDCP study area contains portions of the airport property and territory in every compatibility
19 zone.

20 **Rio Vista Airport Land Use Compatibility Plan**

21 The Solano County ALUC adopted the Rio Vista Airport Land Use Compatibility Plan (Rio Vista
22 ALUCP) in 1988 for the then-existing airport and for a proposed new airport (Solano County Airport
23 Land Use Commission 1988). The then-existing airport has since closed, and the new airport has
24 been developed and is now in operation on the western edge of Rio Vista, in eastern Solano County.
25 In 2007, the city of Rio Vista, which owns and operates the airport, adopted an updated airport
26 master plan that calls for an expansion of facilities. The Solano County ALUC has begun work on an
27 update to the Rio Vista ALUCP.

28 The Rio Vista ALUCP designates six compatibility zones in and around the airport in the city of Rio
29 Vista and unincorporated Solano County (Solano County Airport Land Use Commission 1988). Those
30 six zones are detailed below.

31 Zone A covers the runways and the immediately adjacent clear zone. Zone A policies include the
32 following provisions.

- 33 • Assemblages of people, noise-sensitive uses, and structures exceeding Federation Aviation
34 Regulations for height are prohibited.
- 35 • Uses that could be hazardous to flight, including uses that are sources of distracting lights, glare,
36 smoke, or electrical interference or that attract birds, are prohibited.
- 37 • All structures must be set back at least 50 feet from the extended runway centerline.

- 1 • All development requires dedication of an avigation easement.
- 2 • Heavy poles, signs and large trees are discouraged.
- 3 Zone B applies to the inner approach and departure zone. Policies include the following provisions.
- 4 • Noise-sensitive uses, schools, libraries, hospitals and nursing homes are prohibited.
- 5 • Uses involving a substantial amount of highly flammable or explosive materials are prohibited.
- 6 • Uses hazardous to flight, including uses that are sources of distracting lights, glare, smoke, or
- 7 electrical interference or that attract birds, are prohibited.
- 8 • All structures should be set back as far as possible from the extended runway centerline.
- 9 • Residences and office buildings must reduce outside noise by 25 dB.
- 10 • All development requires dedication of an avigation easement.
- 11 Zone C applies to the outer approach and departure zones and areas adjacent to the runway. Policies
- 12 include the following provisions.
- 13 • Schools, libraries, hospitals, nursing homes, and noise-sensitive outdoor activities are
- 14 prohibited.
- 15 • Uses hazardous to flight, including uses that are sources of distracting lights, glare, smoke, or
- 16 electrical interference or that attract birds, are prohibited.
- 17 • All development requires dedication of an avigation easement.
- 18 Zone D covers the extended approach and departure zone. Policies include the following provisions.
- 19 • Noise-sensitive outdoor activities are prohibited.
- 20 • Uses hazardous to flight, including uses that are sources of distracting lights, glare, smoke, or
- 21 electrical interference or that attract birds, are prohibited.
- 22 • Development requires dedication of an overflight easement.
- 23 • Residential development of more than 4 units per acre, schools, libraries, hospitals, nursing
- 24 homes and large shopping malls are discouraged.
- 25 Zone E applies to areas adjacent to the runway or final approach. Zone E policies include provisions
- 26 listed below.
- 27 • Highly noise-sensitive outdoor activities are prohibited.
- 28 • Uses hazardous to flight, including uses that are sources of distracting lights, glare, smoke, or
- 29 electrical interference or that attract birds, are prohibited.
- 30 • Development requires dedication of an overflight easement.
- 31 Zone F covers the airport environs and has few land use restrictions other than a requirement for
- 32 dedication of an overflight easement.
- 33 Rio Vista Airport and portions or all of the territory within the six compatibility zones lie within the
- 34 study area.

1 **Sacramento International Airport Comprehensive Land Use Plan**

2 SACOG adopted the Sacramento International Airport Comprehensive Land Use Plan (Sacramento
3 International CLUP) in 1984 and most recently amended the document in 1994. The Sacramento
4 International CLUP designates an Airport Height Restriction Area that protects navigable airspace,
5 an Airport Noise Restriction Area that minimizes the number of people exposed to aircraft noise,
6 and an Airport Safety Restriction Area, which is further divided into a Clear Zone immediately
7 adjacent to the runways, an Approach/Departure Zone that extends for 7,500 feet beyond the ends
8 of runways, and an Overflight Zone that coincides with the normal air traffic pattern (Sacramento
9 Area Council of Governments 1984).

10 Some of the Yolo Bypass portion of the study area lies within the Overflight Zone, and the study area
11 boundary is approximately 1 mile from the Approach/Departure Zone.

12 The Sacramento International CLUP calls for the permanent agricultural zoning of the Yolo Bypass
13 to remain in place, and recommends that areas west of the airport and south of the Sacramento
14 River to be reserved for agricultural or appropriate recreational uses. These areas could include
15 portions of the study area.

16 The Sacramento International CLUP finds the uses listed below to be incompatible with the Clear
17 Zone and Approach/Departure Zone.

- 18 • Any use that would direct distracting lights at an aircraft.
- 19 • Any use that would cause sunlight to reflect toward a climbing or landing aircraft.
- 20 • Any use that would generate smoke, attract large concentrations of birds, or affect safe aircraft
21 navigation.
- 22 • Any use that could generate electrical interference that could deter aircraft or airport
23 instrumentation.
- 24 • Hazardous installations such as aboveground oil, gas or chemical storage, except facilities for
25 noncommercial, private domestic or private agricultural use.

26 The Sacramento International CLUP deems nearly all development other than limited agricultural
27 uses to be incompatible with the Clear Zone. Among uses considered compatible with the
28 Approach/Departure Zone are roads, highways and rail lines; parking lots; open space and natural
29 areas; natural water areas; and agricultural activities. Open space and natural areas, and natural
30 water areas are considered incompatible if they result in concentrations of more than 25 people per
31 acre, the aboveground storage of flammable or explosive material, a water area that may cause
32 ground fog, a bird hazard, or high-intensity uses such as ballfields or picnic pavilions.

33 Most land uses are considered compatible with the Overflight Zone, unless they involve water areas
34 that could generate ground fog or result in a bird hazard, or attract concentrations of people.

35 **San Joaquin County Airport Land Use Compatibility Plan**

36 The San Joaquin County Airport Land Use Compatibility Plan (San Joaquin ALUCP) serves as the
37 compatibility plan for five airports in San Joaquin County, three of which lie within the study area or
38 have planning compatibility areas within the study area: Kingdon Executive Airport, New Jerusalem
39 Airport, and Tracy Municipal Airport. The San Joaquin ALCUP also addresses the Byron Airport, for

1 which the Contra Costa County ALUC has adopted an LUCP. The San Joaquin Council of
2 Governments, which serves as the county's ALUC, adopted the San Joaquin ALUCP in 2009.

3 The plan designates a total of eight compatibility zones at and around each airport: Runway
4 Protection Zone, Inner Approach/Departure Zone, Inner Turning Zone, Outer Approach/Departure
5 Zone, Sideline Safety Zone, Airport Property, Traffic Pattern Zone, and Airport Influence Area
6 (Coffman Associates 2009). The compatibility zones have a descending level of land use restriction,
7 with Runway Protection Zone prohibiting all development and the Airport Property, Traffic Pattern
8 Zone and Airport Influence Area placing few limitations on development.

9 The study area includes territory within the Traffic Pattern Zone and Airport Influence Area of
10 Kingdon Executive Airport, a privately owned facility between the cities of Lodi and Stockton. These
11 two compatibility zones prohibit hazards to flight, such as tall objects, visual and electronic
12 interference with aircraft operations, and land use development that may increase the attraction of
13 birds.

14 The study area includes territory within the Airport Influence Area of New Jerusalem Airport, which
15 the city of Tracy owns and operates. The Airport Influence Area prohibits hazards to flight, such as
16 tall objects, visual and electronic interference with aircraft operations, and land use development
17 that may increase the attraction of birds.

18 The study area includes territory within the Runway Protection Zone, Inner Approach/ Departure
19 Zone, Outer Approach/Departure Zone, Traffic Pattern Zone and Airport Influence Area of Tracy
20 Municipal Airport, which the city of Tracy owns and operates. The Runway Protection Zone
21 prohibits essentially all development, while the Inner Approach/Departure Zone prohibits most
22 development, including hazards to flight and waterways that create a bird hazard. The Outer
23 Approach/Departure Zone prohibits buildings taller than 3 stories, highly noise-sensitive outdoor
24 nonresidential uses and certain types of noise-sensitive development. The Traffic Pattern Zone and
25 Airport Influence Area prohibit hazards to flight.

26 **Travis Air Force Base Land Use Compatibility Plan**

27 The Solano County ALUC adopted the Travis Air Force Base Land Use Compatibility Plan (Travis
28 LUCP) in 2002. The Travis LUCP sets forth land use compatibility policies applicable to future
29 development in the vicinity of the base (Shutt Moen Associates 2002). The policies are designed to
30 ensure that future land uses surrounding the base will be compatible with the foreseeable, ultimate
31 aircraft activity at the base.

32 The Travis LUCP divides territory on and around the base into five zones, which are detailed below.
33 There is also a height review overlay zone that applies to certain hilly areas in the vicinity of the
34 base. The Travis LUCP applies to land in the incorporated cities of Fairfield, Suisun City, Vacaville
35 and Dixon, as well as unincorporated Solano County. The Travis LUCP area also extends into small
36 pieces of unincorporated Napa and Yolo counties, over which the Solano County ALUC has no
37 jurisdiction.

38 Zone A of the Travis LUCP applies to the runway primary surface and the immediately adjacent clear
39 zone. Zone A contains the strictest policies for buildings, objects and land uses, including these
40 development provisions.

- 41 ● All structures except aeronautical facilities with locations set by U.S. Department of Defense
42 criteria are prohibited.

- 1 • All assemblages of people are prohibited.
- 2 • Objects exceeding Federation Aviation Regulations height criteria are prohibited.
- 3 • Aboveground bulk storage of hazard materials is prohibited.
- 4 • Hazards to flight, including land development that may attract birds, are prohibited.
- 5 • All development must include an aviation easement dedication.

6 Zone B1 comprises the Accidental Potential Zone 1 as defined by the Air Force. These areas lie
7 within 7,500 feet of the runway ends and are subject to potential noise levels in excess of 80 decibel
8 (dB) Community Noise Equivalent Level (CNEL). Zone B1 policies include the following
9 development provisions.

- 10 • Aboveground bulk storage of hazardous materials is prohibited.
- 11 • Hazards to flight, including land development that may attract birds, are prohibited.
- 12 • Structures must be located a maximum distance away from the extended runway centerline.
- 13 • Buildings with noise-sensitive uses must reduce outside noise by 40 dB.
- 14 • Airspace review is required for objects more than 35 feet tall.
- 15 • All development must include an aviation easement dedication.

16 Zone B2 is comparable to Accident Potential Zone II as defined by the Air Force, expanded to
17 encompass approach and departure flight tracks not aligned with the runway. There is a high risk
18 of noise levels in the 70-to-80 dB CNEL range. Zone B2 policies include the following development
19 provisions.

- 20 • Aboveground bulk storage of hazardous materials is prohibited.
- 21 • Hazards to flight, including land development that may attract birds, is prohibited.
- 22 • Residences and buildings with noise-sensitive uses must reduce outside noise by 35 dB.
- 23 • Airspace review is required for objects more than 50 feet tall.
- 24 • All development must include an aviation easement dedication.

25 Zone C encompasses locations exposed to potential noise in excess of 60 dB CNEL, together with
26 areas occasionally affected by concentrated numbers of low-altitude (below 3,000 feet mean sea
27 level) aircraft overflights. Developed residential areas within existing city limits are excluded. Zone
28 C policies include the following development provisions.

- 29 • Land divisions are limited to current zoning designations.
- 30 • Hazards to flight, including land development that may attract birds, is prohibited.
- 31 • Residences and buildings with noise-sensitive uses must reduce outside noise by 20 dB.
- 32 • A deed notice is required.
- 33 • Airspace review is required for objects taller than 100 feet.

34 Zone D covers all locations beneath any of the Travis Air Force Base airspace protection surfaces
35 delineated under Federal Aviation Regulations. Zone D prohibits hazards to flight, including land
36 development that may attract birds, and requires review for objects more than 200 feet tall.

1 The study area contains territory within Zones B1, B2, C, and D.

2 **13.2.3.4 County General Plans**

3 California Government Code Section 65300 *et seq.* establishes the obligation of cities and counties to
 4 adopt and implement general plans. The general plan is a comprehensive, long-term document that
 5 describes plans for the physical development of a city or county and of any land outside its
 6 boundaries that, in the city's or county's judgment, bears relation to its planning. The general plan
 7 addresses a broad range of topics, including, at a minimum, land use, circulation, housing,
 8 conservation, open space, noise, and safety. It may also include other elements, including
 9 agriculture. In addressing these topics, the general plan identifies the goals, objectives, policies,
 10 principles, standards, and plan proposals that support the city's or county's vision for the area.
 11 Finally, although the general plan serves as a blueprint for future development and identifies the
 12 overall vision for the planning area, it remains general enough to allow for flexibility in the approach
 13 taken to achieve the plan's goals.

14 This section identifies relevant land use designations, goals, objectives, and policies related to land
 15 use in adopted local general plans of the counties within the study area: Alameda, Contra Costa,
 16 Sacramento, San Joaquin, Solano, Sutter, and Yolo. These counties have incorporated policies
 17 developed by DPC under the Delta Protection Act into their general plans and zoning codes, which
 18 enables implementation of the *Land Use and Resource Management Plan for the Primary Zone of the*
 19 *Delta* at the county level. The Primary Zone lands generally are designated for agriculture or special
 20 Delta resources in their respective general plans. The zoning codes allow a variety of uses in the
 21 Primary Zone: agriculture and agriculturally oriented uses; outdoor recreation; wildlife habitat;
 22 public facilities; and limited areas for commercial, industrial, and rural residential development. The
 23 parcel sizes specified in the general plans and zoning codes range from 5 to 160 acres, with most of
 24 the Primary Zone in the 20- to 80-acre minimum parcel sizes. General plan policies relevant to
 25 specific resource areas (e.g., aesthetics, cultural resources, minerals, visual resources,
 26 transportation) are discussed in the chapters of this EIR/EIS corresponding to those resources.

27 **Alameda County**

28 **East County Area Plan**

29 Land use planning in the eastern portion of Alameda County is governed by the *East County Area*
 30 *Plan* (ECAP), which was adopted as part of the general plan by the County in May 1994. The ECAP
 31 governs land uses in the county over an area that generally extends eastward from the hilly region
 32 through the middle of the county. In November 2000, Alameda County approved the Save
 33 Agriculture and Open Space Lands Initiative (Measure D; effective date, December 22, 2000). The
 34 initiative amended portions of the county general plan, including the ECAP. The current general plan
 35 incorporates the revisions called for by the initiative (Alameda County 2000).

36 The portion of Alameda County potentially affected by the project is designated primarily as Large
 37 Parcel Agriculture and Major Public. The Large Parcel Agriculture designation is intended mainly for
 38 low-intensity agriculture and grazing, and related uses while the Major Public designation provides
 39 for government-owned regional and subregional facilities such as hospitals, jails, colleges, civic
 40 centers, and similar and compatible uses. Designations covering smaller areas of the study area are
 41 for commercial and residential uses. Among the ECAP policies that could be implicated by the BDCP
 42 are these:

- 1 ● **Policy 52:** The County shall preserve open space areas for the protection of public health and
2 safety, provision of recreational opportunities, production of natural resources (e.g., agriculture,
3 windpower, and mineral extraction), protection of sensitive viewsheds, preservation of
4 biological resources, and the physical separation between neighboring communities.
- 5 ● **Policy 53:** The County shall preserve a continuous band of open space consisting of a variety of
6 plant communities and wildlife habitats to provide comprehensive, rather than piecemeal,
7 habitat conservation for all of East County. This open space should, as much as possible, be
8 outside of the Urban Growth Boundary and contiguous to large open space areas of Contra
9 Costa, Santa Clara, and San Joaquin Counties.
- 10 ● **Policy 71:** The County shall conserve prime soils (Class I and Class II, as defined by the USDA
11 Soil Conservation Service Land Capability Classification) and Farmland of Statewide Importance
12 and Unique Farmland (as defined by the California Department of Conservation Farmland
13 Mapping and Monitoring Program) outside the Urban Growth Boundary.
- 14 ● **Policy 73:** The County shall require buffers between those areas designated for agricultural use
15 and new non-agricultural uses within agricultural areas or abutting parcels. The size,
16 configuration and design of buffers shall be determined based on the characteristics of the
17 project site and the intensity of the adjacent agricultural uses, and if applicable, the anticipated
18 timing of future urbanization of adjacent agricultural land where such agricultural land is
19 included in a phased growth plan. The buffer shall be located on the parcel for which a permit is
20 sought and shall provide for the protection of the maximum amount of arable, pasture, and
21 grazing land feasible.
- 22 ● **Policy 74:** The County shall require that, where conflicts between a new use and existing use
23 are anticipated, the burden of mitigating the conflicts be the responsibility of the new use.
- 24 ● **Policy 89:** The County shall retain rangeland in large, contiguous blocks of sufficient size to
25 enable commercially viable grazing.
- 26 ● **Policy 92:** The County shall encourage the retention of existing large parcels of greater than 320
27 acres in remote areas designated “Large Parcel Agriculture” or “Resource Management,” where
28 the parcels are not well served by roads, infrastructure, and services.

29 **Contra Costa County**

30 **Contra Costa County General Plan**

31 A comprehensive update to the *Contra Costa County General Plan 2005–2020* was adopted on
32 January 18, 2005, to guide future growth, development, and resource conservation through 2020
33 (Contra Costa County 2005). Amendments to the general plan occurred in 1996 and 2005 to reflect
34 changes to the land use map and the incorporation of the city of Oakley, and the Housing Element
35 was updated in 2009 (Contra Costa County 2010).

36 The primary land use designations and allowed uses associated with each in the portion of Contra
37 Costa County potentially affected by the action alternatives are listed below.

- 38 ● **Agriculture Core:** This designation applies to and attempts to protect lands considered the
39 most suitable for raising a wide variety of crops from conversion to non-agricultural uses.
- 40 ● **Agricultural Lands:** This designation applies to lands not suitable for raising as wide a range of
41 crops as those designated as AC. These lands are commonly used for grazing or raising dry

1 grains. This designation attempts to protect land capable of producing food, fiber, or plant
2 material but does not exclude conversion to other non-urban uses.

- 3 • **Public/Semi-Public:** This designation applies to publicly owned facilities (e.g., libraries, fire
4 stations, schools), transportation corridors, and public and privately owned utility corridors. It
5 prohibits construction of private residences or private commercial uses.
- 6 • **Delta Recreation and Resources:** The primary uses allowed in the Delta Recreation and
7 Resources designation are those agricultural production and processing activities allowed in the
8 Agricultural Lands designation. Additional uses that may be allowed through the issuance of a
9 land use permit include: marinas, shooting ranges, duck and other hunting clubs, campgrounds,
10 and other outdoor recreation complexes. Conditional uses allowed in the Delta Recreation and
11 Resources designation are limited to those low- to medium-intensity establishments that do not
12 rely on urban levels of service or infrastructure, i.e., a public water or sewer system, and which
13 will not draw large concentrations of people to flood-prone areas.
- 14 • **Open Space:** This designation applies to open lands which are not designated as Public/Semi-
15 Public, Watershed, or Parks and Recreation, and includes wetlands, tidelands, other ecological
16 resources, and geologic hazards. Allowed uses in this area include resource management,
17 recreation, or establishment of safety zones. The only permanent structures allowed must be
18 oriented toward recreation or resource conservation or a single-family residence on an existing
19 legally established lot.
- 20 • **Off-Island Bonus Area:** A bonus density is identified in the off-island area of Bethel Island
21 planning area east of Jersey Island Road. The base dwelling of this area is 1 unit per 5 acres.
22 The density shall be increased through a bonus program if the applicant participates in the
23 Residential Projects program or purchases development rights for land with an Agricultural
24 Land designation.
- 25 • **Commercial:** This designation allows a broad range of commercial uses compatible with small-
26 scale communities and along thoroughfares such as retail, personal services, and limited office
27 and financial uses.
- 28 • **Single-Family Residential – Very Low:** This designation allows a maximum density of 0.9
29 detached single family dwelling units per acre and accessory structures incidental to the
30 primary use. Activities and other uses allowed in this area are those consistent with a rural
31 lifestyle including keeping a small number of livestock, childcare facilities, and churches.
- 32 • **Single-Family Residential – Low:** This designation allows the same land uses as the Single-
33 Family Residential – Very Low designation but the maximum density allowed is 1.0–2.9 dwelling
34 units per acre.
- 35 • **Single-Family Residential – Medium:** This designation allows the same land uses as the Single-
36 Family Residential – Very Low and Low designations but the maximum density allowed is 3.0–
37 4.9 dwelling units per acre.
- 38 • **Single-Family Residential – High:** This designation allows the same land uses as the Single-
39 Family Residential – Very Low, Low, and Medium designations but the maximum density
40 allowed is 5.0–7.2 dwelling units per acre with attached single family dwelling units allowed in
41 some specific areas.
- 42 • **Multiple-Family Residential – Low:** This designation allows attached single- and multiple-
43 family residences up to a maximum density of 7.3–11.9 dwelling units per acre. Land uses such

1 as mobile home parks and accessory structures auxiliary to the primary land use are allowed in
 2 this area as well as secondary uses such as churches, home occupations, and childcare facilities
 3 when they do not conflict with other uses.

- 4 ● **Multiple-Family Residential – Medium:** This designation allows the same land uses as the
 5 Multiple-Family Residential – Low designation but the maximum density allowed is 12.0–21.9
 6 dwelling units per acre.
- 7 ● **Multiple-Family Residential – High:** This designation allows the same land uses as the
 8 Multiple-Family Residential – Low and Medium designations but the maximum density allowed
 9 is 22.0–29.9 dwelling units per acre.

10 The General Plan also contains a number of goals and policies that relate to the BDCP, many of which
 11 are listed below.

- 12 ● **Goal 3-G:** To discourage development on vacant rural lands outside of planned urban areas
 13 which is not related to agriculture, mineral extraction, wind energy or other appropriate rural
 14 uses.
- 15 ● **Policy 3-12:** Preservation and buffering of agricultural land should be encouraged as it is
 16 critical to maintaining a healthy and competitive agricultural economy and assuring a balance of
 17 land uses. Preservation and conservation of open space, wetlands, parks, hillsides and ridgelines
 18 should be encouraged as it is crucial to preserve the continued availability of unique habitats for
 19 wildlife and plants, to protect unique scenery and provide a wide range of recreational
 20 opportunities for County residents.
- 21 ● **Policy 3-46:** Water-oriented recreation uses shall be permitted in East County provided that
 22 such development is compatible with the Delta’s unique ecology.
- 23 ● **Policy 3-54:** All public and private management and development activities within the Primary
 24 Zone of the Delta shall be consistent with the goals, policies and provisions of the “Land Use and
 25 Resource Management Plan for the Primary zone of the Delta as adopted and as may be
 26 amended by the Delta Protection Commission.
- 27 ● **Policy 3-64:** To retain the characteristics of Bethel Island that make it a unique place in the
 28 Delta with its own separate identity, development shall be limited to a low overall density, and
 29 open space buffers shall be required. In addition, agricultural, open space, and wetland areas,
 30 along with rare plant communities, shall be preserved and protected.
- 31 ● **Policy 8-2:** Areas that are highly suited to prime agricultural production shall be protected and
 32 preserved for agriculture and standards for protecting the viability of agricultural land shall be
 33 established.
- 34 ● **Policy 8-9:** Areas determined to contain significant ecological resources, particularly those
 35 containing endangered species, shall be maintained in their natural state and carefully regulated
 36 to the maximum legal extent. Acquisition of the most ecologically sensitive properties within the
 37 County by appropriate public agencies shall be encouraged.
- 38 ● **Policy 8-10:** Any development located or proposed within significant ecological resource areas
 39 shall ensure that the resource is protected.
- 40 ● **Policy 8-11:** The County shall utilize performance criteria and standards which seek to regulate
 41 uses in and adjacent to significant ecological resource areas.

- 1 • **Policy 8-13:** The critical ecological and scenic characteristics of rangelands, woodlands, and
2 wildlands shall be recognized and protected.
- 3 • **Policy 8-15:** Existing vegetation, both native and non-native, and wildlife habitat areas shall be
4 retained in the major open space areas sufficient for the maintenance of a healthy balance of
5 wildlife populations.
- 6 • **Policy 8-16:** Native and/or sport fisheries shall be preserved and re-established in the streams
7 within the County wherever possible.
- 8 • **Policy 8-17:** The ecological value of wetland areas, especially the salt marshes and tidelands of
9 the bay and delta, shall be recognized. Existing wetlands in the County shall be identified and
10 regulated. Restoration of degraded wetland areas shall be encouraged and supported whenever
11 possible.
- 12 • **Policy 8-19:** The County shall actively oppose any and all efforts to construct a peripheral canal
13 or any other water diversion system that reduces Delta water flows unless and until it can be
14 conclusively demonstrated that such a system would, in fact, preserve and enhance water
15 quality and fisheries of the San Francisco Bay-Delta estuary system.
- 16 • **Policy 8-29:** Large contiguous areas of the County should be encouraged to remain in
17 agricultural production, as long as economically viable.
- 18 • **Policy 8-33:** The County shall encourage agriculture to continue operating adjacent to
19 developing urban areas.
- 20 • **Policy 8-84:** Riparian resources in the Delta and along the shoreline shall be protected and
21 enhanced.
- 22 • **Policy 8-91:** Grading, filing and construction activity near watercourses shall be conducted in
23 such a manner as to minimize impacts from increased runoff, erosion, sedimentation,
24 biochemical degradation, or thermal pollution.
- 25 • **Policy 8-93:** Particular care shall be exercised by development proposals to preserve and
26 enhance riparian corridors along creeks which connect to the freshwater marsh segments of
27 coastal areas in the North Central and East County areas.
- 28 • **Policy 9-20:** New power lines shall be located parallel to existing lines in order to minimize
29 their visual impact.
- 30 • **Policy 9-44:** As a unique resource of State-wide importance, the Delta shall be developed for
31 recreation use in accordance with the State environmental goals and policies. The recreational
32 value of the Delta shall be protected and enhanced.
- 33 • **Policy 9-46:** Public trail facilities shall be integrated into the design of flood control facilities
34 and other public works whenever possible.

35 **Sacramento County**

36 **Sacramento County General Plan**

37 The *Sacramento County General Plan* update was adopted on November 9, 2011. The plan seeks to
38 provide a sustainable growth management program for the unincorporated territory through 2030.

1 The portion of Sacramento County potentially affected by the action alternatives is largely
 2 agricultural. The small, unincorporated communities of Courtland, Hood, Locke and Walnut Grove
 3 are located in the vicinity of some action alternatives. Nearly all of the industrial, commercial and
 4 residential land use designations described below are located in these communities.

5 The primary land use designations and allowed uses associated with each in the portion of
 6 Sacramento County potentially affected by the action alternatives are listed below, as are some of
 7 the general plan policies considered applicable to the BDCP.

8 **Agricultural Cropland and Resource Conservation Area (combining designation):** The
 9 Agricultural Cropland designation represents agricultural lands most suitable for intensive
 10 agricultural activities, including row crops, tree crops, irrigated grains, and dairies. Residential uses
 11 at one single-family dwelling unit per 40 acres are also considered suitable in this area. The
 12 Resource Conservation Area combining designation identifies areas with special resource
 13 management needs. The designation targets certain natural resources as being important while
 14 recognizing the validity of the underlying land use designation. The intent is to develop programs
 15 and incentives to assist land owners with resource protection and enhancement. Compliance with
 16 the Resource Conservation designation relies on the voluntary support of landowners who seek
 17 cooperative conservation agreements with the County.

18 The goal of the Agriculture Element is to protect the county's agricultural lands and maintain the
 19 productivity of these lands. This element includes an "agri-tourism" component, which promotes
 20 continued economic viability of agricultural activities throughout the county. Agricultural Element
 21 policies that relate to the BDCP are listed below (Sacramento County 2011).

- 22 • **Policy AG-5:** Projects resulting in the conversion of more than fifty (50) acres of farmland shall
 23 be mitigated within Sacramento County, except as specified in the paragraph below, based on a
 24 1:1 ratio, for the loss of the following farmland categories through the specific planning process
 25 or individual project entitlement requests to provide in-kind or similar resource value
 26 protection (such as easements for agricultural purposes):
 - 27 ○ Prime, statewide importance, unique, local importance and grazing farmlands located out
 28 the USB (Urban Services Boundary);
 - 29 ○ Prime, statewide importance, unique, and local importance farmlands located inside the
 30 USB.
 - 31 ○ The Board of Supervisors retains the authority to override impacts to Unique, Local, and
 32 Grazing farmlands, but not with respect to Prime and Statewide farmlands.
 - 33 ○ However, if that land is also required to provide mitigation pursuant to a Sacramento
 34 County endorsed or approved HCP, then the Board of Supervisors may consider the
 35 mitigation land provided in accordance with the HCP as meeting the requirements of this
 36 section including land outside of Sacramento County.
- 37 • **Policy AG-10:** The County shall balance the protection of prime, statewide importance, unique
 38 and local importance farmlands and farmlands with intensive agricultural investments with the
 39 preservation of natural habitat so that the protection of farmland can also serve to protect
 40 habitat.
- 41 • **Policy AG-11:** Cooperation shall be encouraged between landowners of prime, statewide
 42 importance, unique and local importance farmlands or land with intensive agricultural
 43 investments and landowners of natural resource preserves, including mitigation banks,

1 mitigation sites, and wildlife refuges, so that both habitat preservation and standard farming
2 practices mutually benefit.

- 3 ● **Policy AG-12:** The County will cooperate with landowners of agriculturally zoned properties to
4 promote the placing of natural preserve/mitigation amenities on land, such as trees and other
5 biota enhancing improvement, by making sure amenities are assets to both the natural
6 preserve/mitigation areas and agriculture practices.
- 7 ● **Policy AG-14:** Initiate intergovernmental agreements with State and Federal Wildlife
8 management authorities in order to mitigate loss of prime, statewide importance, unique and
9 local importance farmlands or land with intensive agricultural investment due to natural habitat
10 conversion.
- 11 ● **Policy AG-15:** The County shall pursue opportunities to create mitigation banks, environmental
12 mitigation sites, wildlife refuges, or other natural resource preserves wherein substantial
13 agricultural activities that are compatible with protection of high habitat values continue, but
14 incompatible activities and conversion for development are precluded by conservation
15 easements.
- 16 ● **Policy AG-17:** The establishment of conservation easements combining preservation of
17 agricultural uses, habitat values, and open space on the same property should be encouraged
18 where feasible.
- 19 ● **Policy AG-25:** Outside the Urban Service Boundary, encourage landowners to enter into
20 Williamson Act contracts or, as appropriate, to rescind Notices of Nonrenewal. Provide support
21 to keep property in the Williamson Act by allowing agricultural-friendly land use practices that
22 include additional economic incentives, and support replacing existing Williamson Act contracts
23 with amended contracts that include agricultural-friendly land use practices.

24 **Natural Preserve:** The purpose of this designation is to identify critical natural habitat for priority
25 resource protection. The designation includes riparian Valley Oak woodland and permanent or
26 seasonal marshes with outstanding wildlife value. Natural Preserve lands are designated on both
27 public and privately owned land. Preserve boundaries do not include intensively farmed areas.

28 The goal of the Open Space Element is the permanent protection of open space lands through a
29 variety of programs. Open Space Element policies that are considered applicable to the BDCP are
30 listed here.

- 31 ● **Policy OS-1:** Actively plan to protect, as open space, areas of natural resource value, which may
32 include but are not limited to wetlands preserves, riparian corridors, woodlands, and
33 floodplains associated with riparian drainages.
- 34 ● **Policy OS-2:** Maintain open space and natural areas that are interconnected and of sufficient
35 size to protect biodiversity, accommodate wildlife movement and sustain ecosystems.

36 **Industrial Intensive:** This land use designation allows for manufacturing and related activities
37 including research, processing, warehousing, and supporting commercial uses, the intensive nature
38 of which require urban services. Industrial Intensive areas are located within the urban portion of
39 the county and receive an urban level of public infrastructure and services.

40 **Commercial and Offices:** The Commercial and Offices designation provides for a full range of
41 neighborhood, community and regional shopping centers and a variety of business and professional
42 offices. Uses include locally-oriented retail, professional offices, and regional commercial operations.

1 The location and size of commercial areas is based upon accessibility, historic development patterns,
 2 community and neighborhood needs, and minimization of land use conflicts. Ideally, commercial
 3 areas are designed to integrate with the community, including the provision for pedestrian
 4 amenities.

5 **Medium Density Residential:** The Medium Density Residential designation provides for areas of
 6 attached units, including apartments and condominiums, along transit corridors and throughout the
 7 urban area. This designation establishes urban densities between 13 and 30 dwelling units per acre,
 8 resulting in population densities ranging from approximately 32.5 to 73.5 persons per acre. Medium
 9 density development includes apartments, condominiums, and group housing. These uses are
 10 appropriate near commercial areas, transportation and transit corridors, and employment centers.

11 **Low Density Residential:** This designation provides for areas of predominantly single family
 12 housing with some attached housing units. It allows urban densities between 1 and 12 dwelling
 13 units per acre, resulting in population densities ranging from approximately 2.5 to 30 persons per
 14 acre. Typical low density development includes detached single family homes, duplexes, triplexes,
 15 fourplexes, townhouses, lower density condominiums, cluster housing, and mobile home parks.

16 **Agricultural-Residential:** This land use designation is designed for rural residential uses including
 17 animal husbandry, small-scale agriculture, and other limited agricultural activities. The designation
 18 allows between one and ten acres per unit, resulting in a development density of 2.5 to 0.25 persons
 19 per acre.

20 San Joaquin County

21 San Joaquin County General Plan Goals and Policies

22 The *San Joaquin County General Plan 2010* was adopted on July 29, 1992. The general plan intends to
 23 provide guidance for future growth in a manner that preserves the county's natural and rural assets.
 24 Most of the urban growth is directed to existing urban communities.

25 The study area includes area with land use designations of General Agriculture and Open Space/
 26 Resource Conservation under the San Joaquin County general plan. Those designations are defined
 27 as follows:

28 **General Agriculture:** This designation applies to areas suitable for agriculture outside areas
 29 planned for urban development where the soils are capable of producing a wide variety of crops
 30 and/or supporting grazing; parcel sizes are generally large enough to support commercial
 31 agricultural activities; and there exists a commitment to commercial agriculture in the form of
 32 Williamson Act contracts and/or capital investments. Typical uses include crop production, feed and
 33 grain storage and sales, crop spraying, and animal raising and sales.

34 **Open Space/Resource Conservation:** The Open Space/Resource Conservation designation
 35 provides for areas with significant resources that generally are to remain in open space.

36 The Resources Element of the plan addresses countywide protection of various natural resources,
 37 including open space and agricultural lands. Policies from the Resources Element that are
 38 considered relevant to the BDCP are listed below (San Joaquin County 1992).

- 39 • **Open Space Policy 3:** Development may be permitted in Resource Conservation Areas only if
 40 proposed uses will not have significant impacts on the continued existence or use of the
 41 resource.

- 1 • **Open Space Policy 4:** Areas with serious development constraints, such as the Delta, should be
2 predominantly maintained as open space.
- 3 • **Open Space Policy 5:** Ridgelines and major hilltops shall remain undeveloped.
- 4 • **Open Space Policy 6:** The County shall consider waterways, levees, and utility corridors as
5 major elements of the open space network and shall encourage their use for recreation and
6 trails in appropriate areas.
- 7 • **Open Space Policy 13:** Development proposals along scenic routes shall not detract from the
8 visual and recreational experience.
- 9 • **Agricultural Lands Policy 5:** Agricultural areas shall be used principally for crop production,
10 ranching, and grazing. All agricultural support activities and non-farm uses shall be compatible
11 with agricultural operations and shall satisfy the following criteria:
 - 12 ○ The use requires a location in an agricultural area because of unusual site area
13 requirements, operational characteristics, resource orientation, or because it is providing a
14 service to the surrounding agricultural area;
 - 15 ○ The operational characteristics of the use will not have a detrimental impact on the
16 management or use of surrounding agricultural properties;
 - 17 ○ The use will be sited to minimize any disruption to the surrounding agricultural operations;
18 and
 - 19 ○ The use will not significantly impact transportation facilities, increase air pollution, or
20 increase fuel consumption.

21 **San Joaquin County General Plan Update**

22 San Joaquin County began a comprehensive general plan update in 2008. As of February 2013, the
23 county planning commission had published a white paper outlining the commission's recommended
24 alternative for the plan, which included preservation of agriculture and open space as a key feature
25 (San Joaquin County 2013).

26 **Solano County**

27 **Solano County General Plan Goals and Policies**

28 The *Solano County General Plan* was adopted on August 5, 2008. The Agriculture and Resources
29 Elements of the general plan address conservation of agricultural land. The general plan is the guide
30 for both land development and conservation in the unincorporated portions of the county
31 and contains the policy framework necessary to fulfill the community's vision for Solano County in
32 2030.

33 The study area incorporates lands designated as Agriculture or Marsh with a Resource Conservation
34 overlay in the southeastern portion of Solano County. The Agriculture designation provides areas for
35 the practice of agriculture as the primary use, including areas that contribute significantly to the
36 local agricultural economy, and allows for secondary uses that support the economic viability of
37 agriculture. The Marsh designation provides for protection of marsh and wetland areas and permits
38 aquatic and wildlife habitat, marsh-oriented recreational uses, agricultural activities compatible
39 with the marsh environment and marsh habitat, educational and scientific research, educational
40 facilities supportive of and compatible with marsh functions, and restoration of historic tidal

1 wetlands. The Resource Conservation overlay identifies and protects areas of the county with
 2 special resource management needs by requiring study of potential effects if development is
 3 proposed in these locations and providing mitigation to support urban development in cities
 4 (Solano County 2008). An additional area covers the Lambie Industrial Park, designated as a Specific
 5 Project Area and dedicated primarily to general industrial uses. The following policies contained in
 6 the general plan are relevant to the action alternatives.

7 ***Agriculture Element***

- 8 • **Policy AG.P-4:** Require farmland conversion mitigation for either of the following actions:
 - 9 ○ a general Plan amendment that changes the designation of any land from an agricultural to a
 10 nonagricultural use or
 - 11 ○ an application for a development permit that changes the use of land from production
 12 agriculture to a nonagricultural use, regardless of the general Plan designation.
- 13 • **Policy AG.P-28:** Recognize that agriculture is to be the predominant land use in the Dixon
 14 Ridge, Elmira and Maine Prairie, Montezuma Hills, Ryer Island, and Winters regions. These are
 15 agricultural areas where preservation efforts should be focused and conflicting land uses
 16 avoided.

17 ***Resources Element***

- 18 • **Policy RS.P-1:** Protect and enhance the county's natural habitats and diverse plant and animal
 19 communities, particularly occurrences of special-status species, wetlands, sensitive natural
 20 communities, and habitat connections.
- 21 • **Policy RS.P-2:** Manage the habitat found in natural areas and ensure its ecological health and
 22 ability to sustain diverse flora and fauna.
- 23 • **Policy RS.P-3:** Focus conservation and protection efforts on high-priority habitat areas depicted
 24 in Figure RS-1 of the general plan.
- 25 • **Policy RS.P-4:** Together with property owners and federal and state agencies, identify feasible
 26 and economically viable methods of protecting and enhancing natural habitats and biological
 27 resources.
- 28 • **Policy RS.P-5:** Protect and enhance wildlife movement corridors to ensure the health and long-
 29 term survival of local animal and plant populations. Preserve contiguous habitat areas to
 30 increase habitat value and to lower land management costs.
- 31 • **Policy RS.P-6:** Protect oak woodlands and heritage trees and encourage the planting of native
 32 tree species in new developments and along road rights-of-way.
- 33 • **Policy RS.P-7:** Preserve and enhance the diversity of habitats in marshes, delta to maintain
 34 these unique wildlife resources.
- 35 • **Policy RS.P-8:** Protect marsh waterways, managed wetlands, tidal marshes, seasonal marshes,
 36 and lowland and grasslands because they are critical habitats for marsh-related wildlife and are
 37 essential to the integrity of the marshes.
- 38 • **Policy RS.P-9:** Encourage restoration of historic marshes to wetland status, either as tidal
 39 marshes or managed wetlands. When managed wetlands are no longer used for waterfowl
 40 hunting, restore them as tidal marshes.

- 1 • **Policy RS.P-10:** The County shall preserve and enhance wherever possible the diversity of
2 wildlife and aquatic habitats found in the Suisun Marsh and surrounding upland areas to
3 maintain these unique wildlife resources.
- 4 • **Policy RS.P-11:** The County shall protect its marsh waterways, managed and natural wetlands,
5 tidal marshes, seasonal marshes and lowland grasslands which are critical habitats for marsh
6 related wildlife.
- 7 • **Policy RS.P-12:** Existing uses should continue in the upland grasslands and cultivated areas
8 surrounding the critical habitats of the Suisun Marsh in order to protect the Marsh and preserve
9 valuable marsh-related wildlife habitats. Where feasible, the value of the upland grasslands and
10 cultivated lands as habitat for marsh-related wildlife should be enhanced.
- 11 • **Policy RS.P-13:** Agriculture within the Primary Management Area of the Suisun Marsh should
12 be limited to activities compatible with, or intended for, the maintenance or improvement of
13 wildlife habitat. These include extensive agricultural uses such as grain production and grazing.
14 Intensive agricultural activities involving removal or persistent plowing of natural vegetation
15 and maintenance of fallow land during part of the year should not be permitted.
- 16 • **Policy RS.P-14:** Agricultural uses consistent with protection of the Suisun Marsh, such as
17 grazing and grain production, should be maintained in the Secondary Management Area. In the
18 event such uses become infeasible, other uses compatible with protection of the Marsh should
19 be permitted.
- 20 • **Policy RS.P-16:** The County shall ensure that development in the County occurs in a manner
21 which minimizes impacts of earth disturbance, erosion and water pollution.
- 22 • **Policy RS.P-17:** The County shall preserve the riparian vegetation along significant County
23 waterways in order to maintain water quality and wildlife habitat values.
- 24 • **Policy RS.P-20:** The goals, policies, and provisions of the Land Use and Resource Management
25 Plan for the Primary Zone of the Delta are incorporated by reference. Ensure that all public and
26 private management and development activities within the Primary Zone of the Delta are
27 consistent with the goals, policies and provisions of the Land Use and Resource Management
28 Plan for the Primary Zone of the Delta as adopted and as may be amended by the Delta
29 Protection Commission.
- 30 • **Policy RS.P-21:** Preserve and protect the natural resources of the Delta including soils and
31 riparian habitat. Lands managed primarily for wildlife habitat should be managed to provide
32 inter-related habitats.
- 33 • **Policy RS.P-23:** Ensure that extension of new utilities and infrastructure facilities, including
34 those that support uses and development outside the Delta, is consistent with the Land Use and
35 Resource Management Plan for the Primary Zone of the Delta. Where construction of new utility
36 and infrastructure facilities is appropriate, the effects of such new construction on the integrity
37 of levees, wildlife, and agriculture activities shall be minimized to the extent feasible.
- 38 • **Policy RS.P-24:** Protect the unique character and qualities of the Primary Zone by preserving
39 the cultural heritage and the strong agricultural base.

1 Sutter County

2 Sutter County General Plan Goals and Policies

3 The updated *Sutter County General Plan* became effective on April 28, 2011 (Sutter County 2012).
 4 The Agricultural Resources and Environmental Resources elements of the general plan enumerate
 5 goals and policies intended to reduce environmental impacts in the county (Sutter County 2010).

6 The study area covers approximately 160 acres of the southwestern part of Sutter County. This area
 7 is designated exclusively for Open Space, a designation intended to identify and permanently protect
 8 lands with values for habitat, topography, scenic quality, public safety, or comparable purposes. A
 9 number of policies considered relevant to the BDCP are listed below.

10 ***Agriculture Element***

- 11 • **Goal AG 1:** Preserve and protect high quality agricultural lands for long-term agricultural
 12 production.
- 13 • **Policy AG 1.1:** Agricultural Land Preservation: Preserve and maintain agriculturally designated
 14 lands for agricultural use and direct urban/suburban and other nonagricultural related
 15 development to the cities, unincorporated rural communities, and other clearly defined and
 16 comprehensively planned development areas.
- 17 • **Policy AG 1.5:** Agricultural Land Conversion: Discourage the conversion of agricultural land to
 18 other uses unless all of the following findings can be made:
 - 19 ○ The net community benefit derived from conversion of the land outweighs the need to
 20 protect the land for long-term agricultural use;
 - 21 ○ There are no feasible alternative locations for the proposed use that would appreciably
 22 reduce impacts upon agricultural lands; and
 - 23 ○ The use will not have significant adverse effects, or can mitigate such effects, upon existing
 24 and future adjacent agricultural lands and operations.
- 25 • **Policy AG 1.10:** Transfer of Development Rights: Explore and, if determined feasible, implement
 26 programs to permanently preserve agricultural lands through the use of voluntary transfer of
 27 development rights to guide development to more suitable areas.
- 28 • **Goal AG 3:** Protect the natural resources needed to ensure that agriculture remains an essential
 29 and sustainable part of Sutter County's future.
- 30 • **Policy AG 3.3:** Water Quality and Quantity: Maintain water resource quality and quantity for the
 31 irrigation of productive farmland.
- 32 • **Policy AG 3.4:** Water Competition from Urban Uses: Oppose the loss of agricultural water due to
 33 competition from urban water consumption both within and outside the County.

34 ***Environmental Resources Element***

- 35 • **Goal ER 1:** Support a comprehensive approach for the conservation, enhancement, and
 36 regulation of Sutter County's significant habitat and natural open space resources.
- 37 • **Policy ER 1.4:** Interconnected Habitat: Emphasize the preservation, enhancement, and creation
 38 of sustainable, interconnected habitat and open space areas that highlight unique resources and
 39 integrate educational and recreational opportunities as appropriate.

- 1 ● **Policy ER 1.6:** Avoidance: Ensure that new development projects avoid, to the extent feasible,
2 significant biological resources (e.g., areas of rare, threatened or endangered species of plants,
3 riparian areas, vernal pools), except where such projects are identified as “Authorized
4 Development” within an adopted Habitat Conservation Plan.
- 5 ● **Policy ER 1.7:** Mitigation: Mitigate biological and open space effects that cannot be avoided in
6 accordance with an applicable Habitat Conservation Plan and federal, State, and local
7 regulations.
- 8 ● **Goal ER 2:** Conserve, protect, and enhance Sutter County’s significant natural wetland and
9 riparian habitats.
- 10 ● **Policy ER 2.1:** No Net Loss: Require new development to ensure no net loss of state and
11 federally regulated wetlands, other waters of the United States (including creeks, rivers, ponds,
12 marshes, vernal pools, and other seasonal wetlands), and associated functions and values
13 through a combination of avoidance, restoration, and compensation.
- 14 ● **Goal ER 3:** Conserve, protect, and enhance Sutter County’s varied wildlife and vegetation
15 resources.
- 16 ● **Policy ER 3.1:** Special-Status Species: Preserve special-status fish, wildlife, and plant species
17 (e.g., rare, threatened or endangered species) and habitats consistent with an applicable Habitat
18 Conservation Plan and federal, State, and local regulations.
- 19 ● **Policy ER 3.5:** Wildlife Corridors: Preserve and enhance wildlife movement corridors between
20 natural habitat areas to maintain biodiversity and prevent the creation of biological islands.
21 Preserve contiguous habitat areas when possible.
- 22 ● **Policy ER 3.6:** Natural Vegetation: Preserve important areas of natural vegetation and the
23 ecological integrity of these habitats, where feasible, including but not limited to riparian, vernal
24 pool, marshes, oak woodlands and annual grasslands.
- 25 ● **Goal ER 4:** Conserve, protect, and enhance Sutter County’s unique natural open space lands and
26 resources.
- 27 ● **Policy ER 4.1:** Preserve Natural Resources: Preserve natural land forms, natural vegetation, and
28 natural resources as open space to the extent feasible.
- 29 ● **Policy ER 4.3:** River Corridors: Preserve the Sacramento, Feather, and Bear River corridors as
30 important habitat, recreation and open space resources. Support efforts to increase public
31 access and recreational uses along the County’s river corridors.
- 32 ● **Policy ER 4.5:** Minimize New Development Impacts: Require new development to minimize its
33 impacts to open space areas.

34 **Yolo County**

35 **Yolo County General Plan Goals and Policies**

36 The *Yolo County General Plan* was adopted on November 10, 2009, and provides for growth and
37 development in the unincorporated area through 2030. The general objective of the general plan is
38 to guide decision making in the unincorporated areas in the county toward the most desirable future
39 possible and to identify efficient urbanization with the preservation of productive farm resources
40 and open space amenities (Yolo County 2009). The general plan contains policies relating to urban

1 development, including urban communities and the infrastructure necessary to serve them. Other
 2 sections of the general plan describe strategies to recognize and preserve areas of open space and
 3 natural resources.

4 The study area includes lands in the southeastern portion of Yolo County designated as Agriculture
 5 with a Delta Protection overlay. The Agriculture designation includes all agriculture and agricultural
 6 support land uses including worker housing and incidental wildlife habitat areas. Within the area
 7 encompassed by the Delta Protection overlay, land uses consistent with the base designation and the
 8 DPC's Land Use and Resource Management Plan are allowed.

9 The Land Use and Community Character Element, the Agriculture and Economic Development
 10 Element, and the Conservation and Open Space Element of the general plan include policies
 11 applicable to the BDCP. The Land Use and Community Character Element seeks to preserve and
 12 foster the rural character of the county and establishes goals for regional collaboration and equity,
 13 green building standards, sustainable community design, and net community benefits from new
 14 growth. The Agriculture and Economic Development Element seeks to support, sustain, reinvent,
 15 and diversify the agricultural economy. The Conservation and Open Space Element focuses on
 16 balanced management of the county's multiple natural and cultural resources, seeks to establish a
 17 connected and accessible open space system with communities separated by agriculture and natural
 18 spaces linked by a network of trails, and encourages open spaces that complement other land areas
 19 in a way that benefits both natural resources and the community (Yolo County 2009). The following
 20 policies contained in the general plan are relevant to the action alternatives.

21 ***Land Use and Community Character Element***

- 22 ● **Policy LU-2.3:** Prohibit the division of land in an agricultural area if the division is for non-
 23 agricultural purposes and/or if the result of the division will be parcels that are infeasible for
 24 farming. Projects related to clustering and/or transfers of development rights are considered to
 25 be compatible with agriculture.
- 26 ● **Policy LU-3.5:** Avoid or minimize conflicts and/or incompatibilities between land uses.
- 27 ● **Policy LU-4.1:** Recognize the unique land use constraints and interests of the Delta area.

28 ***Agriculture and Economic Development Element***

- 29 ● **Policy AG-1.3:** Prohibit the division of agricultural land for non-agricultural uses.
- 30 ● **Policy AG-1.4:** Prohibit land use activities that are not compatible within agriculturally
 31 designated areas.
- 32 ● **Policy AG-1.5:** Strongly discourage the conversion of agricultural land for other uses. No lands
 33 shall be considered for redesignation from Agricultural or Open Space to another land use
 34 designation unless all of the following findings can be made:
 - 35 ○ There is a public need or net community benefit derived from the conversion of the land
 36 that outweighs the need to protect the land for long-term agricultural use.
 - 37 ○ There are no feasible alternative locations for the proposed project that are either
 38 designated for non-agricultural land uses or are less productive agricultural lands.
 - 39 ○ The use would not have a significant adverse effect on existing or potential agricultural
 40 activities on surrounding lands designated Agriculture.

- 1 • **Policy AG-1.6:** Continue to mitigate at a ratio of no less than 1:1 the conversion of farmland
2 and/or the conversion of land designated or zoned for agriculture, to other uses.
- 3 • **Policy AG-2.9:** Support the use of effective mechanisms to protect farmers potentially impacted
4 by adjoining habitat enhancement programs, such as “safe harbor” programs and providing
5 buffers within the habitat area.
- 6 • **Policy AG-2.10:** Encourage habitat protection and management that does not preclude or
7 unreasonably restrict on-site agricultural production.
- 8 • **Policy AG-6.1:** Continue to promote agriculture as the primary land use in the portion of Yolo
9 County that lies within the Primary Zone of the Sacramento-San Joaquin Delta.
- 10 • **Policy AG-6.3:** Within the Delta Primary Zone, ensure compatibility of permitted land use
11 activities with applicable agricultural policies of the Land Use and Resource Management Plan of
12 the Delta Protection Commission.

13 ***Conservation and Open Space***

- 14 • **Policy CO-1.17:** Out-of-county mitigation easements in Yolo County for the loss of open space,
15 agriculture, or habitat in other jurisdictions, and flood easements in Yolo County are not
16 acceptable unless the project meets all of the following criteria.
 - 17 ○ Prior notification to Yolo County.
 - 18 ○ Consistency with the goals and policies of the Yolo County General Plan, particularly as
19 related to planned growth, infrastructure, and agricultural districts.
 - 20 ○ Secured water rights and infrastructure to economically maintain the proposed mitigation
21 use.
 - 22 ○ Requirements that existing agricultural operations continue to be farmed for commercial
23 gain.
 - 24 ○ Prohibitions on residential use.
 - 25 ○ Mandatory wildlife-friendly strategies and practices.
 - 26 ○ Compensation to Yolo County for all lost direct and indirect revenue.
 - 27 ○ Accommodation of recreational uses, such as hunting, fishing, birdwatching, hiking, etc.

28 Where proposed easements meet the above criteria, no further approval is needed. Where
29 one or more criteria are not met, discretionary approval is required.

30 **Yolo County Habitat Project Moratorium**

31 In October 2010, the Yolo County Board of Supervisors enacted a 45-day moratorium on habitat
32 mitigation projects within the county. In November 2010, that moratorium was extended to a full
33 2 years (Sacramento Bee 2010). The halt on projects intended to mitigate habitat damage will allow
34 the County to develop an ordinance that establishes its authority over such projects. Such an
35 ordinance is intended to protect the County’s economic and environmental interests and control the
36 conversion of revenue-generating agricultural land to habitat restoration and mitigation lands.
37 While DWR and federal agencies are not subject to this moratorium, as described in Section 13.2.3,
38 this ordinance could apply to other agencies’ adjoining HCPs. Further discussion of consistency with

1 HCPs is located in Chapter 12, *Terrestrial Resources*, Section 12.3.3.18, *Effects on Other Conservation*
 2 *Plans*.

3 **13.2.3.5 City General Plans**

4 A total of 17 incorporated cities lie partially or completely within the study area: Antioch, Benicia,
 5 Brentwood, Elk Grove, Fairfield, Isleton, Lathrop, Lodi, Manteca, Oakley, Pittsburg, Rio Vista,
 6 Sacramento, Stockton, Suisun City, Tracy, and West Sacramento. Each of these cities has adopted a
 7 general plan, outlining a range of land use designations, goals, and policies including those designed
 8 to reduce impacts upon the environment.

9 **City of Antioch**

10 Antioch updated its general plan in 2003 (City of Antioch 2003). The Resource Management element
 11 of Antioch's general plan identifies goals, objectives, policies and designations that seek to avoid
 12 environmental impacts. The general resource management goal is to conserve and enhance the
 13 unique natural beauty of Antioch's physical setting, and control the expansion of urban development
 14 by protecting open space where it is important to preserve natural environmental processes and
 15 areas of cultural and historical value. From this goal, objectives and policies specific to open space,
 16 biological resources, open space transitions and buffers, air quality, water resources, and cultural
 17 resources are identified. The Environmental Hazards element outlines regulations specific to
 18 reducing effects of seismicity, floods, fires, noise, and hazardous materials. Approximately the
 19 northern half of Antioch lies within the study area. This area is covered by predominantly urban
 20 land use designations; however, areas dedicated to Open Space, which are intended, in part, to
 21 protect sensitive environmental resources, are located throughout the city. Additionally, the Dow
 22 Wetlands Preserve is located adjacent to the San Joaquin River.

23 **City of Benicia**

24 The City of Benicia General Plan was adopted on June 15, 1999 (City of Benicia 1999). The Open
 25 Space and Conservation of Resources element of Benicia's general plan lists policies and
 26 designations with the purpose of avoiding environmental impacts. The community identity element
 27 includes policies and programs related to historical, cultural and visual resources, as well as
 28 measures designed to protect open space and natural resources, including the protection of
 29 agricultural uses. Goals, policies, and programs designed specifically for the protection of biotic,
 30 water, mineral, and energy resources are also identified. The Community Health and Safety element
 31 incorporates measures designed to avoid hazards related to geology and seismicity, flood, fire,
 32 utilities, hazardous materials, noise, and those related to water and air quality. Only about 125
 33 acres—bordering Suisun Bay in the southeastern part of the city—lies within the study area. This
 34 area is covered by the Waterfront Industrial designation.

35 **City of Brentwood**

36 The City of Brentwood's General Plan, 2001–2021, includes a Resources and Hazards section that
 37 identifies land use policies and designations intended to reduce environmental impacts (City of
 38 Brentwood 2011). Designations introduced within the Plan's Land Use Element include Agricultural
 39 Conservation, Park/Recreation, and Open Space. The Conservation/Open Space Element lists goals
 40 and policies specific to the preservation of agricultural lands, historic and cultural resources, water
 41 resources, natural resources, and open space. The Safety and Noise Elements include measures to

1 reduce the effects of hazards within the city. The study area contains a majority of Brentwood's land
2 area.

3 **City of Elk Grove**

4 The City of Elk Grove's general plan was adopted on November 19, 2003 (City of Elk Grove 2003).
5 Plan elements relating to conservation and air quality; historic resources; noise; parks, trails, and
6 open space; and safety identify policies and designations that seek to avoid or mitigate
7 environmental impacts. Designations related to the avoidance environmental effects include Public
8 and Private Open Space/Recreation and Rural and General Agriculture. A roughly 200-acre strip of
9 land between Interstate 5 and the eastern border of the study area represents the portion of the city
10 falling within the study area.

11 **City of Fairfield**

12 The City of Fairfield comprehensively amended its general plan in June 2002 and has updated
13 several elements since that time. The overarching goal of the Open Space, Conservation, and
14 Recreation Element is to designate, preserve, and protect agricultural, ecological, recreational and
15 scenic lands in Fairfield and surrounding areas for now and future generations. This section includes
16 objectives and policies intended to preserve agricultural lands, protect sensitive resources, preserve
17 and protect natural resources, and preserve cultural and historic resources. The Agriculture
18 Element is geared specifically toward supporting agricultural resources and activities in the city
19 (City of Fairfield 2002). The Health and Safety Element addresses topics including the minimization
20 of effects from seismic and geologic hazards, as well as those related to floods, fires, aircraft,
21 hazardous materials, and noise. Relevant land designations include Intensive Agriculture, Extensive
22 Agriculture, Recreation, Conservation, and a Resource Conservation Overlay (City of Fairfield 2004).
23 About 360 acres of the city fall within study area borders in the northwestern part of the Suisun
24 Marsh.

25 **City of Isleton**

26 The City of Isleton is located entirely within the study area. The city is approximately 0.5 square mile
27 (320 acres) and is located along the Sacramento River and SR 160 on Brannan Island. It is located at
28 the southern end of Sacramento County and is generally in the middle of the Delta. Land uses in
29 Isleton are primarily low-density residential and commercial, with some smaller areas of industrial
30 uses. The City of Isleton includes designations for Low Density Residential; Low Density Residential
31 Reserve; Medium Density Residential; High Density Residential; Central Commercial District; Mixed
32 Use; Industrial; and Public, Semi-Public, and Private Facilities.

33 **City of Lathrop**

34 The *Comprehensive General Plan for the City of Lathrop* was adopted December 17, 1991, and was
35 last amended November 9, 2004 (City of Lathrop 2004). The Resource Management Element of
36 Lathrop's general plan sets forth policies establishing open space for the protection of agricultural
37 resources; mineral resources; vegetation, fish, and wildlife habitat; and archaeological and cultural
38 resources. The Community Development and Hazard Management Elements cover policies related
39 to reducing the effects of hazards including seismic risks, fires, floods, and noise. Designations, goals,
40 and policies intended to reduce environmental impacts vary by plan sub-area and include

1 Resource/Conservation/Open Space, and Open Space designations. The majority of Lathrop's land
2 area lies within the study area.

3 **City of Lodi**

4 The City of Lodi's general plan was adopted on April 7, 2010. Plan elements focusing on
5 Conservation and Parks, Recreation, and Open Space identify policies and designations that aim to
6 avoid or mitigate environmental impacts (City of Lodi 2010). These include consideration of
7 agricultural and soil resources, biological resources, cultural resources, historic resources, water
8 quality, energy, and air quality. Other elements specific to the themes of Safety and Noise identify
9 policies with respect to flooding, hazardous materials, seismic and geologic hazards, fires, and noise.
10 A roughly 1,000-acre section of city-owned land lies within the study area. This area is not
11 contiguous with the rest of the city and is dedicated strictly to public and quasi-public uses
12 (specifically, the Lodi wastewater treatment facility).

13 **City of Manteca**

14 The City of Manteca adopted its general plan on October 6, 2003 (with updates to the Housing and
15 Circulation Elements in 2010 and 2011, respectively). The Resource Conservation Element of
16 Manteca's general plan identifies policies with the purpose of avoiding effects on the environment
17 and resources which include water, energy, soils, minerals, agriculture, biological resources, and
18 cultural resources (City of Manteca 2003). The Noise and Safety elements also contain policies
19 designed to avoid environmental effects. Relevant land use designations identified in the plan
20 include Agriculture and Open Space. The southwestern part of the city lies within the study area.

21 **City of Oakley**

22 The *City of Oakley 2020 General Plan* was adopted December 16, 2002, and amended January 26,
23 2010 (City of Oakley 2010). The Open Space and Conservation Element identifies policies and
24 designations that aim to avoid environmental impacts with respect to agricultural, air quality,
25 biological, cultural, historic, open space, and scenic resources. The Health and Safety and Noise
26 Elements also address the reduction of environmental effects. Designations related to
27 environmental mitigation include the Agriculture Limited and Agriculture designations, whose
28 purpose is to accommodate agricultural activities, and Delta Recreation and Parks and Recreation,
29 which are designed to protect public access to recreational opportunities. Nearly the entire city lies
30 within the study area.

31 **City of Pittsburg**

32 The Pittsburg General Plan, adopted in 2001 and amended in 2010, incorporates a number of
33 policies and land use designations designed to avoid environmental impacts, including those
34 relating to biological resources and habitat, drainage and erosion, water quality, air quality, and
35 historical resources conservation (City of Pittsburg 2004). The Health and Safety and Noise
36 Elements also incorporate policies that mitigate risks related to other potential environmental
37 effects. Open Space and Park land use designations also support these policies. The majority of the
38 city lies within the study area, including that portion bordering the eastern entrance to Suisun Bay.

1 **City of Rio Vista**

2 The City of Rio Vista's general plan was adopted on July 18, 2002 (City of Rio Vista 2002). The plan's
3 Resource Conservation and Management sets out policies that aim to preserve and protect open
4 space areas, sensitive local resource areas, agricultural lands, the Sacramento River Delta, soils, and
5 biological resources. Other policies are designed to protect water quality, preserve air quality,
6 preserve historical resources, and protect visual and scenic resources. The city also identifies
7 Agricultural and Open Space land use designations. Only land in the northwest portion of the city
8 lies within the study area.

9 **City of Sacramento**

10 The Sacramento City Council adopted the city's general plan on March 3, 2009. The Land Use and
11 Urban Design Element of the city's plan introduces land designations, goals, and policies intended to
12 reduce environmental impacts. These include Open Space and Parks and Recreation designations,
13 goals, and policies outlining the preservation of such areas for their environmental and community
14 values. The Environmental Resources Element incorporates policies for protecting water, biological
15 species and habitat, urban forest, agricultural land, mineral resources, air, and scenic resources. The
16 Environmental Constraints Element incorporates policies related to flooding, noise, and seismic and
17 geologic hazards while the Public Health and Safety Element addresses risks related to fires and
18 hazardous materials (City of Sacramento 2009). The southwestern portion of the city, including the
19 Pocket area, lies within the study area.

20 **City of Stockton**

21 The Stockton City Council approved an update to its general plan on December 11, 2007. The Land
22 Use Element of Stockton's general plan establishes an Open Space/Agriculture designation that aims
23 to preserve natural resources and agriculture that are to remain under the jurisdiction of San
24 Joaquin County. The Natural and Cultural Resources Element outlines policies designed to reduce
25 environmental effects within the city. The element addresses biological, cultural, agricultural, soil,
26 scenic, mineral, and energy resources, defining goals and policies aimed toward these resources.
27 Other plan elements, including those dedicated to public facilities and services, recreation and
28 waterways, and health and safety—add other policies and guidelines related to avoiding or reducing
29 environmental effects in the city (City of Stockton 2007, 2011). Of the land assigned land use
30 designations in the city's general plan, approximately the western third lies within the study area.

31 **City of Suisun City**

32 Suisun City's general plan land use map identifies land as Agriculture-Open Space and Park. In the
33 plan's individual elements, and particularly in the Open Space and Conservation Element, the city
34 identifies goals, objectives, and policies related to protecting agricultural resources, natural
35 resources related to the Suisun Marsh, air resources, and visual and historical resources. (City of
36 Suisun City 1992). Only a southern portion of the city representing approximately 430 acres lies
37 within the study area, north of Suisun Marsh.

38 **City of Tracy**

39 The City of Tracy's general plan was updated on February 1, 2011 (City of Tracy 2011). The plan's
40 Open Space and Conservation Element addresses the preservation of open space and agricultural
41 land and the conservation of natural resources and enumerates goals, objectives, and policies

1 related to threatened and endangered habitat and species, agricultural lands, mineral resources,
 2 parks and recreational opportunities, and energy conservation. Other plan elements relating to
 3 safety, noise, and air quality also identify policies and designations that seek to avoid or mitigate
 4 environmental impacts. A majority of the land in the city is located within the study area.

5 **City of West Sacramento**

6 West Sacramento's general plan policy document was last revised and adopted on October 8, 2008.
 7 The Natural Resources Element of the document identifies policies that are intended to reduce
 8 environmental impacts and includes measures specific to water quality; agricultural land; sensitive
 9 native vegetation, wildlife communities, and habitat; and air quality (City of West Sacramento 2004).
 10 An element dedicated to recreational and cultural resources includes policies designed to mitigate
 11 other effects. The general plan policy document also describes Open Space and Agriculture land use
 12 designations. The study area contains a majority of West Sacramento's land area.

13 **13.3 Environmental Consequences**

14 This section describes potential direct (both temporary and permanent) and indirect effects on land
 15 uses that would result with implementation of each alternative. For the purposes of this chapter,
 16 temporary effects are defined as those occurring during the construction period and not continuing
 17 substantially beyond the construction period (in some cases, temporary land use effects created
 18 during the nine-year construction period could last beyond the completion of construction activities,
 19 as in the cases of reestablishing natural communities or agricultural production). Permanent effects
 20 are those effects that would be expected to last considerably beyond the construction period, for the
 21 duration of the permit term. The impact analysis separates each of the alternatives' proposed
 22 features into two categories; water conveyance facilities (CM1), which are project-level features and
 23 other conservation measures (CM2–CM21), which are programmatic features. CM22 (Avoidance and
 24 Minimization Measures) is not anticipated to result in any meaningful effects on land use in the
 25 study area because actions associated with this measure are not, for the most part, land-based or
 26 land-focused activities, nor would they be expected to result in any direct or indirect effects on land
 27 use in the study area. As such, this measure will not be addressed further in this analysis.

28 **13.3.1 Methods for Analysis**

29 Potential temporary, permanent, direct, and indirect land use impacts associated with each
 30 alternative were assessed based on the compatibility of constructing and operating the alternatives
 31 with the existing and planned land uses in the study area, which includes all or portions of the
 32 following geographic areas: Alameda, Contra Costa, Sacramento, San Joaquin, Solano, Sutter, and
 33 Yolo Counties; incorporated cities lying partially or fully within the study area; the Stone Lakes
 34 National Wildlife Refuge, Lower Sherman Island Wildlife Area, and Brannan Island and Franks Tract
 35 State Recreation Areas within the Delta; the Suisun Marsh west of the Delta; and the Yolo Bypass
 36 upstream of the Delta.

37 For purposes of determining land use compatibility, aerial imagery was reviewed to identify
 38 residences and other structures (e.g., commercial and industrial units, storage or support facilities
 39 relating to agricultural operations, private recreational structures such as docks or pools) in the
 40 study area. It was assumed that some land uses including residential uses, schools, religious

1 institutions, and open space are sensitive uses that could potentially be disrupted by changes in
2 adjacent land uses because of BDCP implementation.

3 Generally state and federal agencies, as well as some local or regional agencies involved with the
4 location or construction of facilities for the production, generation, storage, treatment, or
5 transmission of water are not subject to local land use regulations and inconsistency with a specific
6 local land use regulation is not by itself an adverse effect on the environment.³ However, this
7 EIR/EIS, in assessing whether particular categories of environmental effects are adverse (NEPA) or
8 significant (CEQA), considers relevant local land use regulations that are adopted for the purpose of
9 avoiding or mitigating an environmental impact. BDCP compatibility and potential effects on
10 planned future land uses were assessed by reviewing land use designations, goals, and policies
11 described above in Section 13.2, *Regulatory Setting*, and are listed as follows.

- 12 • Delta Stewardship Council Delta Plan
- 13 • DPC Land Use and Resource Management Plan
- 14 • Stone Lakes National Wildlife Refuge Comprehensive Conservation Plan
- 15 • Lower Sherman Island Wildlife Area Land Management Plan
- 16 • General Plan for Brannan Island and Franks Tract State Recreation Areas
- 17 • Yolo Bypass Wildlife Area Land Management Plan
- 18 • San Francisco Bay Plan
- 19 • Suisun Marsh Protection Plan
- 20 • California Land Conservation Act of 1965 (Williamson Act)
- 21 • Alameda County East County Area Plan
- 22 • Contra Costa County General Plan 2005–2020
- 23 • Sacramento County General Plan
- 24 • San Joaquin County General Plan
- 25 • Solano County General Plan
- 26 • Sutter County General Plan
- 27 • Yolo County 2030 Countywide General Plan
- 28 • General plans for the cities of Antioch, Benicia, Brentwood, Elk Grove, Fairfield, Isleton, Lathrop,
29 Lodi, Manteca, Oakley, Pittsburg, Rio Vista, Sacramento, Stockton, Suisun City, Tracy, and West
30 Sacramento
- 31 • Borges-Clarksburg Airport Comprehensive Land Use Plan
- 32 • Byron Airport Land Use Compatibility Plan
- 33 • Rio Vista Airport Land Use Compatibility Plan
- 34 • Sacramento International Airport Comprehensive Land Use Plan
- 35 • San Joaquin County Airport Land Use Compatibility Plan
- 36 • Travis Air Force Base Land Use Compatibility Plan

³ See, e.g., *Hall v. Taft* (1956), 47 Cal. 2d 177, 183; *Town of Atherton v. Superior Court* (1958) 159 Cal.App.2d 417 and *Lawler v. City of Redding* (1992) 7 Cal. App. 4th 778, 784.

1 As noted above, land use designations were also classified into general land use categories and
 2 mapped for those counties potentially affected by the action alternatives and for those cities
 3 specifically affected by the temporary or permanent footprint of water conveyance facilities (Figure
 4 13-2). The land uses for each land use designation were identified by reviewing each county and
 5 applicable city general plan.

6 **13.3.2 Determination of Effects**

7 The impacts of the alternatives on land use may result from both construction and operation of
 8 BDCP features. This impact analysis assumes that an action alternative would have an adverse effect
 9 (under NEPA) and a significant impact (under CEQA) on land use according to the degree of
 10 landscape change associated with the following conditions. Thus, an alternative would cause
 11 adverse effects on land use if it would result in one of the following conditions.

- 12 • Physically divide any established community, including incorporated cities and Legacy
 13 Communities. For the purpose of this analysis, this includes any activities lasting longer than
 14 one year that would cross a community or create physical structures that would serve to
 15 substantially alter the setting of a community or its immediate surroundings.
- 16 • Conflict with or threaten to violate any applicable land use plan, policy, or regulation of an
 17 agency adopted for the purpose of avoiding or mitigating an environmental effect, with the
 18 consequence that significant effects on the physical environment would result.
- 19 • Create land uses substantially incompatible with existing land uses within or adjacent to the
 20 study area. For the purpose of this analysis, this would include where implementing a BDCP
 21 alternative would result in the relocation of residents, the relocation of public service facilities,
 22 or a physical impact to existing structures, with the consequence that significant effects on the
 23 physical environment would result.

24 Because conflicts with the above listed land use policies, regulations, or plans, even those that (unlike
 25 local planning documents or the DPC's LURMP) are applicable to DWR as a state agency, do not by
 26 themselves constitute adverse alterations of, or effects on, the physical environment, the Lead
 27 Agencies, in preparing this assessment (in Impacts LU-1 and LU-4), have framed their conclusions in
 28 terms of whether proposed BDCP alternatives are "compatible" or "incompatible" with such
 29 enactments, rather than whether any environmental impacts are "adverse," "beneficial," "significant,"
 30 or "less than significant." If the incompatibility relates to an applicable plan, policy, or regulation
 31 adopted to avoid or mitigate environmental effects, then an incompatibility might be indicative of a
 32 related significant or adverse effect under CEQA and NEPA, respectively. An example of this general
 33 approach exists with respect to agricultural preserves, for purposes of notice, and to contracts under
 34 the Williamson Act and Farmland Security Zone designations. Those contracts must be enforceable
 35 under the provisions of California Constitution, Article XIII, Sec. 8. Because these contracts restrict the
 36 use of the land to agricultural and strictly defined open space uses during the course of the contract,
 37 the early termination of the contract is indicative of a significant adverse environmental effect, unless
 38 the new use will fit within the permitted or compatible uses for a time at least as long as the time
 39 remaining on the contract. The physical effect in these cases would be the susceptibility of the land to
 40 uses not previously restricted during the life of the abrogated restriction or contract. As noted below,
 41 such physical effects are addressed in other chapters focusing on specific resource categories (e.g.,
 42 biological resources). The Lead Agencies, in preparing an assessment of other aspects of land use
 43 (Impacts LU-2, LU-3, LU-5, and LU-6), have framed their conclusions in terms of whether any
 44 environmental impacts are "adverse," "beneficial," "significant," or "less than significant."

1 The potential for conflicts with an existing HCP or NCCP is addressed in Chapter 12, *Terrestrial*
 2 *Biological Resources*, Section 12.3.3.18, *Effects on Other Conservation Plans*; effects associated with
 3 designated recreational facilities are addressed in Chapter 15, *Recreation*; potential effects on air
 4 transportation involving the risk of increased aircraft-bird strikes as a result to the proposed
 5 restoration activities are addressed in Chapter 24, *Hazards and Hazardous Materials*; and effects
 6 associated with impacts on community character are addressed in Chapter 16, *Socioeconomics*. In
 7 addition, Chapter 14, *Agricultural Resources* addresses potential project-related impacts to or
 8 conflicts with agriculture, including temporary and permanent conversion of agricultural lands to
 9 non-agricultural uses, as well as direct conflicts with land subject to Williamson Act contracts or in
 10 Farmland Security Zones (the potential for indirect conflicts relating to the Williamson Act are
 11 discussed in this chapter, however). Physical effects resulting from relocation of residents or public
 12 utilities are respectively discussed in Chapter 16, *Socioeconomics*, and Chapter 20, *Public Services*
 13 *and Utilities*. Potential effects from hazardous materials associated with the removal of existing
 14 structures are discussed further in Chapter 24, *Hazards and Hazardous Materials*, as are potential
 15 aviation hazards as a result of BDCP implementation within the vicinity of airports. Potential
 16 conflicts with traditional cultural properties or unique archaeological resources are addressed in
 17 Chapter 18, *Cultural Resources*. Potential temporary or permanent direct or indirect effects on land
 18 use in the SWP and CVP Export Service Area Region are evaluated in Chapter 30, *Growth Inducement*
 19 *and Other Indirect Effects*.

20 Compatibility with plans and policies related to specific resource areas are discussed throughout the
 21 document in specific resource chapters. Please see the following chapters and sections for further
 22 discussion of compatibility with plans and policies: Chapter 9, *Geology and Seismicity*, Section
 23 9.3.2.1; Chapter 10, *Soils*, Section 10.3.2.1; Chapter 12, *Terrestrial Biological Resources*, Impact BIO-
 24 186; Chapter 15, *Recreation*, Impact REC-12; Chapter 16, *Socioeconomics*, Section 16.3.2.1; Chapter
 25 17, *Aesthetics and Visual Resources*, Impact AES-7; Chapter 18, *Cultural Resources*, Impact CUL-8;
 26 Chapter 19, *Transportation*, Impact TRANS-11; Chapter 20, *Public Services and Utilities*, Section
 27 20.3.2.1; Chapter 21, *Energy*, Impact ENG-3; Chapter 22, *Air Quality and Greenhouse Gases*, Impacts
 28 AQ-1 through AQ-9; Chapter 23, *Noise*, Impacts NOI-1 through NOI-4; Chapter 24, *Hazards and*
 29 *Hazardous Materials*, Section 24.3.2; Chapter 25, *Public Health*, Section 25.3.2; Chapter 26, *Minerals*,
 30 Section 26.3.2; Chapter 27, *Paleontological Resources*, Section 27.3.2.1; Chapter 28, *Environmental*
 31 *Justice*, Section 28.5.5.1; Chapter 29, *Climate Change*, Section 29.7; and Chapter 30, *Growth*
 32 *Inducement and Other Indirect Effects*, Section 30.3.3.2. Regional plans and those geared toward the
 33 management of specific areas, including the Stone Lakes National Wildlife Refuge CCP, Brannan
 34 Island and Franks Tract State Recreation Areas, Yolo Bypass Wildlife Area Land Management Plan,
 35 Lower Sherman Island Wildlife Area Land Management Plan, San Francisco Bay Plan, and Suisun
 36 Marsh Protection Plan are primarily designed to preserve and enhance the natural resource and
 37 recreation qualities of these areas. Implementing the BDCP alternatives may create disruptions
 38 related to facility and restoration improvements. Proposed restoration areas in the Yolo Bypass, on
 39 Sherman Island, and in Suisun Marsh would be designed to be consistent with and complement the
 40 current management direction for these areas and would be required to adapt restoration proposals
 41 to meet current policy established for managing these areas.

42 In addition to compliance with the plans listed above, the BDCP must comply with the Delta Reform
 43 Act in its consideration of alternatives and topics for review and analysis. These topics and their
 44 relevant section(s) in the EIR/EIS are summarized in Table 13-1, below. A more detailed account of
 45 Delta Reform Act requirements and the BDCP EIR/EIS treatment of these requirements is provided
 46 by Appendix 3I, *BDCP Compliance with Delta Reform Act*.

1 **Table 13-1. BDCP EIR/EIS Compliance with the Delta Reform Act**

Topic	Relevant Section(s) of EIR/EIS
Range of BDCP Flow Criteria, Rates of Diversion, and Operational Criteria	The Delta Reform Act requires comprehensive review and analysis of “A reasonable range of flow criteria, rates of diversion, and other operational criteria required to satisfy the criteria for approval of a natural community conservation plan as provided in subdivision (a) of Section 2820 of the Fish and Game Code, and other operational requirements and flows necessary for recovering the Delta ecosystem and restoring fisheries under a reasonable range of hydrologic conditions, which will identify the remaining water available for export and other beneficial uses.” Ranges of flow criteria and rates of diversion are described in Chapter 3, <i>Description of Alternatives</i> , Sections 3.4.2 and 3.6.4.2. Effects on fisheries are discussed in Chapter 11, <i>Fish and Aquatic Resources</i> , Section 11.3 and effects on water supply are discussed in Chapter 5, <i>Water Supply</i> , Section 5.3.
Range of BDCP Conveyance Alternatives	The Delta Reform Act requires comprehensive review and analysis of “A reasonable range of conveyance alternatives, including through-Delta, dual conveyance, and isolated conveyance alternatives and including further capacity and design options of a lined canal, an unlined canal, and pipelines.” A range of conveyance alternatives are described in Chapter 3, <i>Description of Alternatives</i> , Sections 3.4.1 and 3.5. Analysis of the environmental effects of these conveyance alternatives appears in chapters throughout this EIR/EIS.
Effects of Climate Change on BDCP activities	The Delta Reform Act requires comprehensive review and analysis of “The potential effects of climate change, possible sea level rise up to 55 inches, and possible changes in total precipitation and runoff patterns on the conveyance alternatives and habitat restoration activities considered in the environmental impact report.” These potential effects are described and assessed in Chapter 29, <i>Climate Change</i> . Effects of climate change are also considered as a baseline factor in assessing the long-term consequences of the project on water supply, as described in Chapter 5, <i>Water Supply</i> , Section 5.3.1.
BDCP effects on Fish and Aquatic Resources	The Delta Reform Act requires comprehensive review and analysis of “The potential effects on migratory fish and aquatic resources.” These effects are assessed in Chapter 11, <i>Fish and Aquatic Resources</i> , Section 11.3.
BDCP effects on Flood Management	The Delta Reform Act requires comprehensive review and analysis of “The potential effects on Sacramento River and San Joaquin River flood management.” These issues are described in Chapter 6, <i>Surface Water</i> , Section 6.3.
Effects of Natural Disasters on BDCP conveyance alternatives	The Delta Reform Act requires comprehensive review and analysis of “The resilience and recovery of Delta conveyance alternatives in the event of catastrophic loss caused by earthquake or flood or other natural disaster.” Potential effects of natural disasters on BDCP alternatives are discussed in Chapter 6, <i>Surface Water</i> , Section 6.3, and Chapter 9, <i>Geology and Seismicity</i> , Section 9.3. Risks associated with climate change are also described in Chapter 29, <i>Climate Change</i> , and Appendix 3E, <i>Potential Seismic and Climate Change Risks to SWP/CVP Water Supplies</i> .
BDCP effects on Water Quality	The Delta Reform Act requires comprehensive review and analysis of “The potential effects of each Delta conveyance alternative on Delta water quality.” These effects are described and assessed in Chapter 8, <i>Water Quality</i> , Section 8.3.

1 13.3.3 Effects and Mitigation Approaches

2 13.3.3.1 No Action Alternative

3 **NEPA Effects:** The No Action Alternative describes expected future conditions at the year 2060
4 resulting from a continuation of existing policies and programs by federal, state, and local agencies
5 in the absence of the BDCP alternatives. As described in Chapter 3, *Description of Alternatives*, the No
6 Action Alternative assumptions are limited to Existing Conditions, programs adopted during the
7 early stages of development of the EIR/EIS, facilities that are permitted or under construction
8 during the early stages of development of the EIR/EIS, and foreseeable changes in development that
9 would occur with or without the BDCP.

10 Under the No Action Alternative, statewide and federal programs to preserve open space and
11 agricultural lands would continue to be implemented. Additionally, those projects and programs
12 listed in Table 13-2 are also considered part of the No Action Alternative. The land uses in the Delta
13 would be similar to those of today because only limited types of development are allowed in the
14 Primary Zone of the Delta.

15 Under the No Action Alternative some change in study area land use and local communities would
16 occur as a result of localized population growth and conversion of agricultural land uses. In recent
17 years California has lost agricultural land at a rate of about 50,000 acres annually. This loss is due in
18 part to urban development fueled by a number of factors including population growth (University of
19 California Agricultural Issues Center 2009) as well as drainage problems, loss of a reliable or
20 affordable water supply, and conversion to wildlife habitat. These circumstances suggest that
21 existing Delta land use patterns and agricultural uses may experience change related to continued
22 development pressure in areas outside the primary zone. Other factors that may affect agricultural
23 and rural land use conditions in the study area over the long term include continued land
24 subsidence on Delta islands, levee instability and potential flood risk, and sea level rise effects on
25 land uses near existing waterways. These potential effects are discussed further in Chapter 29,
26 *Climate Change*, and Appendix 3E, *Potential Seismic and Climate Change Risks to SWP/CVP Water*
27 *Supplies*.

28 Foreseeable land use changes in the study area could be incompatible with applicable land use
29 designations, goals, and policies. Habitat restoration or development projects would take place on
30 land governed by policies designed to avoid or mitigate environmental effects, as identified in the
31 Delta Protection Commission Land Use and Resource Management Plan and the Delta Stewardship
32 Council Proposed Final Delta Plan. The Delta Plan policies most closely associated with land use are
33 ER P2 (Restore Habitats at Appropriate Elevations), ER P3 (Protect Opportunities to Restore
34 Habitat), DP P1 (Locate New Urban Development Wisely), and DP P2 (Respect Local Land Use When
35 Siting Water or Flood Facilities or Restoring Habitats). Depending on its location and other
36 characteristics, habitat restoration and urban development projects may result in incompatibilities
37 with these policies and with local land use plans.

1 **Table 13-2. Effects on Land Use from the Plans, Policies, and Programs for the No Action Alternative**

Agency	Program/Project	Status	Description of Program/Project	Effects on Land Use
California Department of Water Resources	Mayberry Farms Subsidence Reversal and Carbon Sequestration Project	Completed October 2010	Permanently flood 308-acre parcel of DWR owned land (Hunting Club leased) and restore 274 acres of palustrine emergent wetlands within Sherman Island to create permanent wetlands and to monitor waterfowl, water quality, and greenhouse gases.	Previous land use was winter-flooded emergent wetlands and grazing land.
Contra Costa Water District	Contra Costa Canal Fish Screen Project (Rock Slough)	Under construction as of July 2011	Installation of a fish screen at Rock Slough Intake.	Contra Costa Water District provides water to 20 agricultural customers. Construction activities may affect intake operations.
Contra Costa Water District, Bureau of Reclamation, and California Department of Water Resources	Middle River Intake and Pump Station (previously known as the Alternative Intake Pump Station)	Project completed and was formally dedicated July 20, 2010	This project includes a potable water intake and pump station to improve drinking water quality for Contra Costa Water District customers.	Project resulted in permanent conversion to nonagricultural uses of 6–8 acres of Prime Farmland and Farmland of Statewide Importance in San Joaquin County, on Victoria Island, at the intake and pump stations. Additionally, temporary construction easement impacts included approximately 25–40 acres identified as Prime Farmland and Farmland of Statewide Importance.
California Department of Water Resources	Federal Energy Regulatory Commission (FERC) License Renewal for Oroville Project	Draft Water Quality Certification issued December 6, 2010 and comments on Draft received December 10, 2010	The renewed federal license will allow the Oroville Facilities to continue providing hydroelectric power and regulatory compliance with water supply and flood control.	No effects on agricultural acreages are anticipated. A slight change in water temperatures, however, may affect rice production.
Freeport Regional Water Authority and Bureau of Reclamation	Freeport Regional Water Project	Project was completed late 2010.	Project includes an intake/pumping plant near Freeport on the Sacramento River and a conveyance structure to transport water through Sacramento County to the Folsom South Canal.	Project resulted in permanent conversion of approximately 50–70 acres of farmland to nonagricultural uses. Approximately 35–45 acres of farmland and 415 acres of land subject to Williamson Act contracts were temporarily affected.

Table 13-2. Continued

Agency	Program/Project	Status	Description of Program/Project	Effects on Land Use
California Department of Water Resources and Solano County Water Agency	North Bay Aqueduct Alternative Intake Project		This project will construct an alternative intake on the Sacramento River and a new segment of pipeline to connect it to the North Bay Aqueduct system.	Construction activities will temporarily disrupt existing land uses; permanent footprints of facilities may also create land use conflicts.
Reclamation District 2093	Liberty Island Conservation Bank		This project includes the restoration of inaccessible, flood prone land, zoned as agriculture but not actively farmed, to area enhancement of wildlife resources.	Although this will result in a modification in zoning, the project will not convert active farmland to nonagricultural uses.
City of Stockton	Delta Water Supply Project (Phase 1)	The project is currently under construction.	This project consists of a new intake structure and pumping station adjacent to the San Joaquin River; a water treatment plant along Lower Sacramento Road; and water pipelines along Eight Mile, Davis, and Lower Sacramento Roads.	This will result in permanent conversion of 56 acres of farmland to water conveyance uses.
Bureau of Reclamation and State Water Resources Control Board	Battle Creek Salmon and Steelhead Restoration Project	Project is ongoing.	This project includes restoration of approximately 48 miles of habitat in Battle Creek and its tributaries to improve passage, growth, and recovery for anadromous fish populations.	This will result in a conversion of traditional farmland to aquaculture farming. Because the land will be used for agriculture, this would not constitute a land use change.
Tehama Colusa Canal Authority and Bureau of Reclamation	Red Bluff Diversion Dam Fish Passage Project	Expected completion in 2012.	Proposed improvements include modifications made to upstream and downstream anadromous fish passage and water delivery to agricultural lands within CVP.	Project provides beneficial effects on agricultural water deliveries within the CVP and increased pumping capacity during irrigation season. Therefore, no adverse effects on agriculture would occur.
Bureau of Reclamation, California Department of Fish and Wildlife, and Natomas Central Mutual Water Company	American Basin Fish Screen and Habitat Improvement Project		This three-phase project includes consolidation of diversion facilities; removal of decommissioned facilities; aquatic and riparian habitat restoration; and installing fish screens in the Sacramento River. Total project footprint encompasses about 124 acres east of the Yolo Bypass.	The project will result in the permanent conversion of 70 acres of farmland to other uses.

Table 13-2. Continued

Agency	Program/Project	Status	Description of Program/Project	Effects on Land Use
Bureau of Reclamation, U.S. Army Corps of Engineers, Sacramento Area Flood Control Agency, and Central Valley Flood Protection Board	Folsom Dam Safety and Flood Damage Reduction Project	Expected completion by 2016.	This project includes implementation of an auxiliary spillway, dam safety modifications, security and reduction improvements, and flood damage prevention.	This project includes minor changes to land uses.
Bureau of Reclamation	Delta-Mendota Canal/California Aqueduct Intertie	Anticipated completion by 2012.	The purpose of the intertie is to better coordinate water delivery operations between the California Aqueduct (state) and the Delta-Mendota Canal (federal) and to provide better pumping capacity for the Jones Pumping Plant. New project facilities include a pipeline and pumping plant.	Under the preferred alternative, approximately 2 acres of grazing land has been permanently converted to developed land.
Yolo County	General Plan Update	General plan was adopted November 10, 2009.	Anticipated implementation of policies and programs such as the Farmland Conversion Mitigation Program would minimize conversion of agricultural land to nonagricultural uses through mitigation.	While buildout of the Yolo County General Plan would likely result in some conversion of farmland to nonagricultural uses, the Farmland Conversion Mitigation Program would minimize the occurrence of conversion and mitigate the effects.
Zone 7 Water Agency and California Department of Water Resources	South Bay Aqueduct Improvement and Enlargement Project	Project is ongoing.	The project includes construction of the Dyer Reservoir, Altamont Water Treatment Plant, and a pipeline to transport the water from the enlarged South Bay Aqueduct.	During Stage 3 of the project, Brushy Creek and Dyer Reservoir will permanently convert 27 acres of grazing land to other uses.
National Marine Fisheries Service, U.S. Fish and Wildlife Service	2008 and 2009 Biological Opinions	Ongoing	The Biological Opinions issued by NMFS and USFWS establish certain RPAs and RPMs to be implemented. Some of the RPAs require habitat restoration which may require changes to existing land uses.	Habitat restoration actions required under the RPAs could result in up to 8,000 acres of land use conversions. Land use could be temporarily affected by changes in operation of the Yolo Bypass.

1 Such changes to land use would also be expected to conflict with existing land uses. Habitat
 2 restoration or urban development would directly affect land uses within the study area by both
 3 temporarily converting existing land uses during construction and permanently converting existing
 4 land uses. Indirect impacts would primarily happen as a result of incompatibility with adjacent land
 5 uses or the loss or increased difficulty of access to parcels. However, due to land use restrictions in
 6 the Primary Zone of the Delta, activities creating conflicts with existing land uses would likely be
 7 limited to a small percentage of the total land area within the study area.

8 Land use changes under the No Action Alternative would not be anticipated to result in the physical
 9 division of any existing communities within the study area.

10 Overall, the effects of plans, policies, programs, and other reasonably foreseeable circumstances
 11 included as part of the No Action Alternative would not be anticipated to result in adverse effects on
 12 land use within the study area.

13 **Climate Change and Catastrophic Seismic Risks**

14 Land uses within the study area are primarily agricultural in nature. The potential for major seismic
 15 events, along with the potential effects of climate change, could affect ongoing agricultural uses if
 16 they resulted in the failure of levees or in climatic conditions less favorable for productive
 17 agricultural uses. Such events could also result in the physical division of existing Delta communities
 18 and effects on individual homes and businesses. (See Chapter 29, *Climate Change*, and Appendix 3E,
 19 *Potential Seismic and Climate Change Risks to SWP/CVP Water Supplies* for more detailed discussion
 20 of seismic and climate change risks).

21 **CEQA Conclusion:** Under the No Action Alternative, existing land use designations, goals, and
 22 policies would guide land use in the Delta in a similar way as it exists today. Physical impacts on land
 23 use are anticipated to be less than significant under this alternative. Potential future effects on land
 24 use are discussed further in Chapter 29, *Climate Change*, and Appendix 3E, *Potential Seismic and*
 25 *Climate Change Risks to SWP/CVP Water Supplies*.

26 **13.3.3.2 Alternative 1A—Dual Conveyance with Pipeline/Tunnel and** 27 **Intakes 1–5 (15,000 cfs; Operational Scenario A)**

28 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a** 29 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

30 **NEPA Effects:** Alternative 1A would result in the construction of permanent and temporary features
 31 associated with the proposed water conveyance facility across land governed by the general plans of
 32 Sacramento, San Joaquin, Contra Costa, and Alameda Counties. Constructing Alternative 1A would
 33 require land use activities that would be incompatible with land use designations, goals and policies
 34 ascribed to the study area and for the purposes of reducing environmental impacts. To the extent
 35 that constructing Alternative 1A would result in incompatibilities with land use designations, goals
 36 and policies designed to avoid or reduce environmental effects, these potential incompatibilities are
 37 described below. As discussed in Section 13.3.2, to the extent that BDCP alternatives are
 38 incompatible with such land use designations, goals, and policies, any related environmental effects
 39 are discussed in other chapters.

1 Because the primary conveyance component for Alternative 1A would be an underground tunnel,
2 there would be no permanent adverse physical effects on or incompatibilities with surface land use
3 solely due to this subsurface component; similarly, conveyance pipelines would not result in a
4 permanent land surface change, and accordingly there would be no direct permanent
5 incompatibilities with existing land use designations due to these subsurface features. As such,
6 excepting construction activities potentially occurring over the nine-year construction period (e.g.,
7 tunneling and open-trench installation of pipelines) and surface features related to the tunnels and
8 conveyance pipelines (e.g., reusable tunnel material [RTM] areas, shafts, access roads), permanent
9 incompatibilities with existing land uses as they pertain to the proposed tunnel and pipelines are
10 not discussed further.

11 Table 13-3 displays the temporary and permanent structures associated with the water conveyance
12 facility, the local land designations on which they would occur, and the number of acres that would
13 be affected. Mapbook Figure M13-1 displays relevant generalized land use designations where they
14 could overlap with proposed water conveyance structures and temporary work areas. Note that not
15 all of these structures would be built under any individual alternative. For further discussion of the
16 locations of various structures, please refer to Chapter 3, *Description of Alternatives*.

17 ***State and Regional Plan Policies***

18 Under Alternative 1A, construction activities associated with the features listed in Table 13-3 would
19 take place on land governed by policies designed to avoid or mitigate environmental effects, as
20 identified in the Delta Protection Commission Land Use and Resource Management Plan and the
21 Delta Stewardship Council Final Draft Delta Plan. The Delta Plan policies most closely associated
22 with land use are ER P2 (Restore Habitats at Appropriate Elevations), ER P3 (Protect Opportunities
23 to Restore Habitat), DP P1 (Locate New Urban Development Wisely), and DP P2 (Respect Local Land
24 Use When Siting Water or Flood Facilities or Restoring Habitats). Because CM1 would not involve
25 habitat restoration nor residential, commercial, or industrial development, ER P2 and DP P1 would
26 not be applicable. Additionally, because CM1 activities would occur outside of priority habitat
27 restoration areas as identified by the Delta Plan, ER P3 would not apply. Policy DP P2 requires that
28 parties responsible for proposed actions avoid or reduce incompatibilities with existing or planned
29 uses when feasible. In some cases, commitments and mitigation measures identified in this
30 document (see, for example, Chapter 14, *Agricultural Resources*, Mitigation Measure AG-1: Develop
31 an Agricultural Lands Stewardship Plan [ALSP] to preserve agricultural productivity and mitigate
32 for loss of Important Farmland and land subject to Williamson Act contracts or in Farmland Security
33 Zones) will help meet this requirement. However, avoidance of all incompatibilities is likely to be
34 infeasible; thus, activities associated with CM1 would be compatible with Policy DP P2.

1 Table 13-3. Water Conveyance Incompatibilities with Land Use Designations under Alternative 1A (acres)

Surface Feature	Alameda County				Contra Costa County						Sacramento County						San Joaquin County			
	Agriculture	Commercial	Public	Residential	Agricultural Lands	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Intensive Industrial	Low Density Residential	Medium Density Residential	Natural Preserve	Recreation	Commercial / Offices	Agriculture / General	Open Space / Resource Conservation	Residential / Very Low Density
Forebay					141	526		26	160	2	1,002									
Intake											267	1		3	7	54				
Potential Borrow Area											584				0					
Potential Spoil Area	205	1	7	4	406				1											
Shaft Location											85				0			199	66	
Transmission Line	2	0	1	0	7	12	1		6	1	79	1		0	2	5	1	98	28	0
Reusable Tunnel Material Area											695							887	14	
Subtotal Permanent	207	1	8	4	554	538	1	26	167	3	2,712	2		3	9	59	1	1,184	108	0
Access Road Work Area					0				6											
Barge Unloading Facility											27					5		42	99	
Concrete Batch Plant				0	2						44							40		
Control Structure Work Area					1				3											
Fuel Station	1			1	0						6							2		
Intake Work Area											497	2	4	0	9	79	0			
Pipeline											66									
Pipeline Work Area											114		25							
Road Work Area					0				1											
Safe Haven Work Area											37			0	0			68	1	
Transmission Line	1	0	1	0	5	11	0		7	1	101	0	1	2	1	0		83	47	0
Tunnel Work Area											69							62		
Subtotal Temporary	2	0	1	1	8	11	0		17	1	961	2	30	0	11	85	0	297	147	0
Grand Total	209	1	8	5	562	549	1	26	184	4	3,673	4	30	3	20	144	1	1,481	255	0

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines.

Acreages are rounded; acreage less than 0.5 has been rounded to 0.

1 Alternative 1A may also result in incompatibilities with LURMP policies related to land use. Many of
2 these policies focus on local government activities; however, Land Use P-7 declares that new
3 structures should be set back from levees. Intake structures require contact with water and cannot
4 feasibly be set back from levees. Additionally, Land Use P-14 states that agricultural lands converted
5 to water impoundment may not result in seepage of water and that such conversions must mitigate
6 associated risks and effects. Forebays constructed for this alternative would avoid and mitigate for
7 the effects of seepage, as described under Impact GW-5 in Chapter 7, *Groundwater*, and its
8 associated mitigation measure. Forebay design, as well as this proposed mitigation, would establish
9 compatibility with this policy. Incompatibilities could occur with other LURMP policies, including
10 Agriculture P-2, which suggests that agricultural land conversion should occur first where
11 productivity and values are lowest. As discussed in Chapter 14, *Agricultural Resources*, some higher-
12 value agricultural land would be converted under construction and operation of CM1. These
13 potential incompatibilities suggest the potential for a physical effect on the environment. As
14 discussed in Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use
15 designations, goals and policies, any related environmental effects are discussed in other chapters.

16 Under this alternative, indirect effects on land use may also arise through conflicts with land subject
17 to Williamson Act contracts or in Farmland Security Zones. If the construction and operation of
18 water conveyance facilities under this alternative results in contract nonrenewal, cancellation, or
19 otherwise removes land within an agricultural preserve from a Williamson Act contract, the county
20 overseeing the preserve may decide to manage the preserve differently; for instance, the county
21 could modify the rules governing compatible uses on remaining land within the preserve. However,
22 this effect is speculative and its magnitude or geographical incidence cannot be evaluated with
23 enough certainty. Chapter 14, *Agricultural Resources*, discusses the potential for direct conflicts with
24 land subject to Williamson Act contracts or in Farmland Security Zones.

25 ***Sacramento County***

26 Permanent surface features associated with that portion of the water conveyance facility that would
27 fall in Sacramento County include five intakes (with associated features), an intermediate forebay,
28 borrow areas, shaft locations, RTM areas, and transmission lines. RTM areas are considered
29 permanent surface impacts for the purposes of impact analysis. However, as described in Appendix
30 3B, *Environmental Commitments*, it is anticipated that the RTM would be removed from these areas
31 and reused, as appropriate, as bulking material for levee maintenance, as fill material for habitat
32 restoration projects, or other beneficial means of reuse identified for the material. Following
33 removal of material, stockpiled topsoil at RTM storage areas would be reapplied, and disturbed
34 areas will be returned as near as feasible to preconstruction conditions by carefully grading to re-
35 establish surface conditions and reconstructing features such as irrigation and drainage facilities.
36 Temporary features include barge unloading facilities, concrete batch plants, fuel stations,
37 transmission lines, and work areas for construction of physical features. Table 13-3 summarizes
38 these impacts and the land use designations with which they would be incompatible. These
39 construction activities would be incompatible with general plan agriculture and open space policies,
40 including Policy AG-5, regarding the conversion of farmland, and Policies OS-1 and OS-2, regarding
41 the protection of open space and natural areas. These incompatibilities suggest the potential for a
42 physical effect on the environment. As discussed in Section 13.3.2, such effects are discussed in
43 other chapters throughout this EIR/EIS. Portions of the Alternative 1A water conveyance facilities,
44 including Intake 1, would be built within the Borges-Clarksburg Airport CLUP Overflight Zone,
45 which contains territory in Sacramento and Yolo counties. Construction and facilities operations and

1 maintenance activities have the potential to be incompatible with an Overflight Zone policy limiting
2 congregations of people.

3 ***San Joaquin County***

4 Alternative 1A would result in the permanent conversion of land designated as Agriculture/General,
5 Open Space/Resource Conservation, and Residential in San Joaquin County due to the construction
6 of tunnel shafts, RTM areas, transmission lines, and temporary features including barge unloading
7 facilities, concrete batch plants, a fuel station, and work areas. Table 13-3 summarizes these impacts
8 and the land use designations with which they would be incompatible. While RTM areas are
9 considered permanent surface impacts for the purposes of impact analysis, it is anticipated that the
10 RTM would be removed from these areas and reused, as appropriate, as bulking material for levee
11 maintenance, as fill material for habitat restoration projects, or other beneficial means of reuse
12 identified for the material, as described above and in Appendix 3B, *Environmental Commitments*.
13 Many of the temporary features would likely be in place for the first nine or more years of project
14 implementation (i.e., during the near-term implementation or the nine-year project construction
15 period). During that period, lands designated as Agriculture would be temporarily converted to non-
16 agricultural use. Construction during this period and permanent conversion of agricultural land
17 would be incompatible with general plan policies, including Agricultural Lands Policy 5, which
18 reserves agricultural areas principally for crop production, ranching and grazing. These
19 incompatibilities suggest the potential for a physical effect on the environment. As discussed in
20 Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

21 The placement of tunnel shafts, transmission lines, and RTM areas, were they to occur on or adjacent
22 to lands designated under the San Joaquin County General Plan as Open Space/Resource
23 Conservation would be incompatible with this land use designation. These incompatibilities suggest
24 the potential for a physical effect on the environment. As discussed in Section 13.3.2, such effects are
25 discussed in other chapters throughout this EIR/EIS.

26 ***Contra Costa County***

27 Under Alternative 1A, permanent project water conveyance features in Contra Costa County would
28 include Bryon Tract Forebay, associated water control structures, spoil areas, and transmission
29 lines. Table 13-3 summarizes these impacts and the land use designations with which they would be
30 incompatible. Constructing the forebay on lands within the Delta Recreation and Resources
31 designation would be incompatible with the goals of the Contra Costa County General Plan related to
32 this land use designation, which focus on the preservation of land for recreation and agricultural
33 production and processing over the placement of new infrastructure. Construction of the forebay
34 may be incompatible with the general plan Goal 3-G, which discourages development not related to
35 agriculture, mineral extraction, wind energy or other appropriate rural uses on vacant rural lands.
36 These incompatibilities suggest the potential for a physical effect on the environment. As discussed
37 in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

38 A narrow area of land running through the proposed future location of Byron Tract Forebay is
39 designated Public/Semi-Public. The Public/Semi-Public designation includes properties owned by
40 public governmental agencies such as libraries, fire stations, and schools. This designation is also
41 applied to public transportation corridors, as well as privately owned transportation and utility
42 corridors. The Public/Semi-Public designation applies to properties owned by public agencies and
43 privately owned transportation and utility corridors. Because this designation exists for large-scale
44 infrastructure and utilities, these project features would be compatible with this designation.

1 Temporary project features in Contra Costa County associated with the construction of the water
 2 conveyance facility would include a concrete batch plant, part of a fuel station, transmission lines,
 3 and various work areas. Many of these temporary features would likely be in place for the first nine
 4 or more years of project implementation (i.e., during the near-term implementation or the nine-year
 5 project construction period). Temporary land use incompatibilities would be of the same nature as
 6 the permanent incompatibilities described above; however, they would occur over a shorter period
 7 of time. These incompatibilities suggest the potential for a physical effect on the environment. As
 8 discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

9 Portions of Alternative 1A water conveyance facilities at Clifton Court Forebay would be built in
 10 areas covered by Byron Airport LUCP Zones B2, C1, and D. Construction and facilities operations and
 11 maintenance activities could be incompatible with policies that limit congregations of people,
 12 require ALUC review of tall objects, and prohibit aboveground bulk storage of hazardous materials.

13 ***Alameda County***

14 Under Alternative 1A, the only permanent project water conveyance features proposed within
 15 Alameda County are a spoil area and transmission lines, which would be constructed on land
 16 designated for Agriculture, Commercial, Public, and Residential uses, as indicated in Table 13-3.
 17 Small sections (approximately 1.5 acres) of a fuel station and concrete batch plant, along with other
 18 transmission lines, would comprise the potential temporary effects of this alternative on land use in
 19 Alameda County. These areas would be located on land designated for the uses listed above, which
 20 would be incompatible with the designation and potentially with ECAP policies, including Policy 71,
 21 which seeks to conserve farmland soils. As discussed in Section 13.3.2, such effects are discussed in
 22 other chapters throughout this EIR/EIS.

23 ***CEQA Conclusion:*** These incompatibilities indicate the potential for a physical consequence to the
 24 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 25 chapters throughout this document. The relationship between plans, policies, and regulations and
 26 impacts on the physical environment is discussed in Section 13.3.1.

27 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 28 **Water Conveyance Facility (CM1)**

29 ***NEPA Effects:*** Construction of the proposed water conveyance facility under Alternative 1A could
 30 directly affect land uses within the study area by both temporarily converting existing land uses
 31 during construction and permanently converting existing land uses (including displacement of
 32 existing structures and residences) because of the construction of permanent features of the facility.
 33 Indirect impacts would primarily happen as a result of incompatibility with adjacent land uses or
 34 the loss or increased difficulty of access to parcels.

35 Construction of water conveyance features associated with Alternative 1A would directly affect land
 36 use in the study area by temporarily converting land currently under agricultural and open space
 37 uses to temporary access roads, spoils areas, and temporary work and staging areas. These effects
 38 would be temporary with this land returning to agricultural use following construction.

39 Construction of water conveyance features associated with Alternative 1A would also directly affect
 40 land use in the study area by permanently converting land currently under agricultural land use and
 41 open space to permanent access roads, intakes and associated facilities, pumping plants, control
 42 structures, a small segment of canal, two new forebays, RTM areas, and footings for electric

1 transmission line towers. While RTM areas are considered permanent surface impacts for the
 2 purposes of impact analysis, it is anticipated that the RTM would be removed from these areas and
 3 reused, as appropriate, as bulking material for levee maintenance, as fill material for habitat
 4 restoration projects, or other beneficial means of reuse identified for the material, as described in
 5 Appendix 3B, *Environmental Commitments*. In addition, approximately 204 permanent structures
 6 would be removed or relocated within the water conveyance facility footprint under this alternative.
 7 This includes an estimated 59 residential buildings. Other structures affected would consist
 8 primarily of storage or agricultural support facilities; however, several private recreational
 9 structures would also be affected. One fire station in the community of Hood would also be affected.
 10 Table 13-4 summarizes the estimated number of structures affected across structure type and
 11 alternative and Mapbook Figure M13-1 shows the distribution of these effects across the
 12 Pipeline/Tunnel conveyance alignment. The physical footprints of intakes and intake pumping plant
 13 facilities, along with associated work areas, are anticipated to create the largest disruption to
 14 structures, conflicting with 100 structures in the vicinity of the east bank of the Sacramento River.
 15 Among the five intake sites, 38 residential structures would be affected. Construction of pipelines to
 16 convey water between the intakes is estimated to create conflicts with another 27 structures,
 17 including 8 residential structures. These conflicts would be located where the conveyance pipeline
 18 from Intake 3 crosses the community of Hood and near the point where the conveyance pipeline
 19 from Intake 1 would connect to the initial tunnel. The footprint of the proposed Byron Tract forebay
 20 would also affect approximately 29 structures. These would be concentrated on the east side of the
 21 forebay near Old River and on the west side of the forebay near the approach channel to the
 22 California Aqueduct. Other features—including tunnel shaft sites, RTM areas, tunnel work areas,
 23 borrow areas, barge unloading facilities, and fuel stations—would also create disruptions to existing
 24 structures.

25 **Table 13-4. Estimated Water Conveyance Conflicts with Existing Structures**

Alternative	Type of Structure				Total
	Residential	Recreational	Storage/Support	Other ^a	
1A	59	15	120	10	204
1B	109	22	257	21	409
1C	194	31	469	32	726
2A	70	15	124	13	222
2B	121	23	262	25	431
2C	194	31	469	32	726
3	37	7	90	10	144
4	19	8	45	9	81
5	29	4	81	9	123
6A	59	15	120	10	204
6B	109	22	257	21	409
6C	194	31	469	32	726
7	38	8	88	9	143
8	38	8	88	9	143
9	74	69	93	19	255

^a *Other* structures include power/utility structures, bridges, and other types of infrastructure.

26

27 Indirect effects on existing land uses may also arise from changes in access to parcels of land. For
 28 example, the removal of access for agricultural vehicles and machinery could jeopardize the ability
 29 of that land to continue serving productive agricultural uses. As described in Chapter 19,
 30 *Transportation*, the levee road along State Route (SR) 160 and Randall Island Road would require

1 temporary detour roads during construction of the intakes. Because temporary access routes
 2 around these construction areas would be built prior to the disruption of the existing road network,
 3 residents and travelers through the Delta would not experience substantial delays in travel from one
 4 side of the intake area to the other.

5 This loss of access would not be considered an adverse effect under this impact. The removal of a
 6 substantial number of existing permanent structures as a result of constructing the water
 7 conveyance facility, however, would be considered a direct, adverse socioeconomic effect of this
 8 alternative under NEPA. Where applicable, the BDCP proponents will provide compensation to
 9 property owners for losses due to implementation of the alternative, which would reduce the
 10 severity of economic effects related to this physical impact, but would not reduce the severity of the
 11 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
 12 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
 13 release of hazardous materials contained in structures to be demolished are addressed in Chapter
 14 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
 15 are addressed in Chapter 18, *Cultural Resources*.

16 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
 17 removal of a substantial number of existing permanent structures. The removal of existing
 18 structures is not, in itself, considered an environmental impact, though removal might entail
 19 economic impacts. Significant environmental impacts would only result if the structures qualified as
 20 “historical resources” or the removal of structures led to physical effects on certain other resources.
 21 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
 22 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 23 *Utilities*; potential impacts on the public and environment related to the potential release of
 24 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 25 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
 26 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*. In
 27 sum, there are no land use effects under CEQA due solely to the removal of physical structures that
 28 are not treated under other impact categories. Where applicable, BDCP proponents will provide
 29 compensation to property owners for losses due to implementation of the BDCP. This compensation
 30 would not constitute mitigation for any related physical impact; however, it would reduce the
 31 severity of economic effects.

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 Water Conveyance Facility (CM1)**

34 **NEPA Effects:** Under Alternative 1A, the construction of permanent facilities and associated work
 35 areas would be located in and around the community of Hood, in some cases displacing structures in
 36 the community and creating linear construction zones between structures within the community.
 37 Intake 4 and its associated pumping plant, transmission lines, and access roads, would be
 38 constructed along the southern border of the community over a period of approximately four years.
 39 While access to the community from the south would continue with the construction of a temporary
 40 roadway, the point where this access occurs would change during this period. Work areas
 41 associated with construction of the conveyance pipeline carrying water from Intake 3 to the
 42 intermediate forebay would run north to south in the eastern section of the community. During
 43 construction of this project facility, access would be limited between the main portion of the
 44 community and its easternmost structures (as well as other points to the east). Additionally,
 45 construction and the long-term placement of Intake 3 and the intermediate forebay (about one-half

1 mile north and south of Hood, respectively) would substantially alter the lands surrounding Hood.
 2 While a permanent physical surface crossing of the community itself is not anticipated to result from
 3 these features, activities associated with their construction would create a linear construction area
 4 for a limited period of time, making it difficult to travel within Hood in certain areas. Additionally,
 5 the lasting placement of the intake facilities and intermediate forebay would represent physical
 6 structures that would substantially alter the setting of the community and its immediate
 7 surroundings, constituting an adverse effect. Mitigation Measures TRANS-1a and TRANS-1b are
 8 available to address this effect.

9 **CEQA Conclusion:** During the construction of the conveyance pipeline between Intake 3 and the
 10 intermediate forebay, construction activities would cross the community of Hood, limiting access
 11 between some of the community's easternmost structures and the main section of the community.
 12 Even though access to and from the community would be maintained over the long-term, the
 13 placement of Intake 4 and its associated facilities, as well as the nearby construction of Intake 3 and
 14 the intermediate forebay, would create permanent physical structures that would substantially alter
 15 the setting of the community and its immediate surroundings. These structures would therefore
 16 result in a significant and unavoidable impact. Implementation of Mitigation Measures TRANS-1a
 17 and TRANS-1b would reduce the severity of this impact by supporting continued access to and from
 18 the community on transportation routes; however, permanent structures would remain, and the
 19 impact would be significant.

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

22 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 23 1A, Impact TRANS-1.

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

26 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 27 1A, Impact TRANS-1.

28 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 29 **Result of Implementing the Proposed Conservation Measures 2-21**

30 **NEPA Effects:** This section assesses the compatibility of CM2–CM21 that would be implemented
 31 across 11 conservation zones (CZs) (described in detail in Chapter 3, *Description of Alternatives*,
 32 Section 3.3.2) with the predominant applicable county land use designations in those zones, as well
 33 as with other applicable local and regional land use designations, goals, and policies. Table 13-5
 34 identifies county land use designations and the county land use jurisdictions for each of the CZs.
 35 Small acreage inclusions of other specific land use designations are also within each zone. Table 13-
 36 5 provides a general overview of the designations in each zone rather than an identification of every
 37 land use or jurisdiction in each zone. Note that none of these measures are proposed for
 38 implementation in CZ 10; CZs were delineated primarily on the basis of landscape characteristics
 39 and logical geographic or landform divisions to create a structured approach to how and where
 40 conservation actions, as part of the conservation measures, would be carried out within the Plan
 41 Area (which lies within the study area for this chapter).

1 **Table 13-5. Predominant Land Use Designations in the Conservation Zones (CZs)**

CZ	Jurisdiction	General Plan Land Use Designation
1	Solano County	Agriculture
2	Solano County Sutter County Yolo County	Agriculture Open Space Agriculture, Open Space
3	Solano County Yolo County Sacramento County	Agriculture Agriculture, Open Space Agricultural Cropland
4	Sacramento County San Joaquin County	Agricultural Cropland, Agriculture-Recreation Reserve, Natural Preserve General Agriculture, Open Space/Resource Conservation
5	Sacramento County San Joaquin County	Agricultural Cropland, Agriculture-Recreation Reserve, Natural Preserve General Agriculture, Open Space/Resource Conservation
6	Contra Costa County San Joaquin County	Single Family Residential Low Density, Agricultural Lands, Public/Semi Public, Open Space General Agriculture, Open Space/Resource Conservation
7	San Joaquin County	General Agriculture, Open Space/Resource Conservation
8	San Joaquin County Contra Costa County Alameda County	Commercial Recreation, Residential-Medium and Low Density, General Agriculture Agriculture Core, Delta Recreation and Resources Large Parcel Agriculture, Major Public
9	Contra Costa County	Agriculture Core, Delta Recreation and Resources
10 ^a	Contra Costa County	Delta Recreation, Open Space, Heavy Industry, Commercial, Multi-Family Residential Low, Single Family Residential High
11	Solano County	Marsh, Agriculture

^a Note that none of these conservation measures are proposed for CZ 10; CZs were delineated primarily on the basis of landscape characteristics and logical geographic or landform divisions to create a structured approach to how and where conservation actions would be carried out within the Plan Area (which lies within the study area for this chapter). CZ 10 occurs in a very urbanized portion of Contra Costa County with a diverse number of land use designations.

2
3 Over the 50-year BDCP implementation period, the BDCP Implementation Office would secure
4 sufficient lands to restore approximately 65,000 acres of tidal communities; 10,000 acres of
5 seasonally inundated floodplain; 5,000 acres of riparian natural community; 2,000 acres of
6 grasslands; and 1,200 acres of nontidal marsh. Additionally, CM2–CM21 would enhance 20 linear
7 miles of channel margin habitat and restore vernal pool complexes to achieve no net loss resulting
8 from covered activities. Under the BDCP Reserve System, approximately 69,000 acres of land
9 hosting various natural communities would be acquired and protected, including approximately
10 52,000 acres of cultivated lands. Protection of existing natural communities would be anticipated to
11 be generally compatible with all regional and local designations, goals, and policies intended to
12 avoid environmental effects, including the protection of existing agricultural uses specific to
13 provisions under CM3 and CM11. Under these two measures, agricultural lands or easements would
14 be acquired and managed for continued agricultural production and specific habitat values for
15 species including Swainson’s hawk, giant garter snake, greater sandhill crane, white-tailed kite, and
16 tricolored blackbird. The management activities would include the minimization or discontinuation

1 of pesticide use and the creation of grassland edges, hedgerows, and small woodlots—activities that
2 would be generally compatible with land use designations, goals, and policies relating to agricultural
3 and natural resources. The implementation period for the various restoration and enhancement
4 components would vary based on land identification, acquisition, planning coordination,
5 construction duration, and other variables. These conservation measures would be located in CZs -9
6 and/or 11, in Contra Costa, Sacramento, San Joaquin, Solano, Sutter, and Yolo Counties. Across these
7 CZs, agricultural and open space land use designations encompass the largest total acreage. Smaller
8 constituent land uses in these zones include natural preserve, marsh, recreational, residential, public
9 infrastructure, commercial, and industrial designations.

10 Implementation of CM2–CM21 would take place on land governed by policies designed to avoid or
11 mitigate environmental effects, as identified in the Delta Protection Commission Land Use and
12 Resource Management Plan and in the Delta Stewardship Council draft Delta Plan. As described
13 under Impact LU-1, Delta Plan policies most closely associated with land use are ER P2 (Restore
14 Habitats at Appropriate Elevations), ER P3 (Protect Opportunities to Restore Habitat), DP P1 (Locate
15 New Urban Development Wisely), and DP P2 (Respect Local Land Use When Siting Water or Flood
16 Facilities or Restoring Habitats). Because CM2–CM21 would not involve residential, commercial, or
17 industrial development, DP P1 would not be applicable. Because CM2–CM21 activities would
18 primarily support habitat restoration, particularly in the priority habitat restoration areas (which
19 substantially coincide with the Restoration Opportunity Areas identified for tidal natural
20 communities under BDCP CM4), these activities would be compatible with ER P3. Additionally, a
21 potential restoration site’s cross-sectional profile and ability to accommodate sea level rise will be
22 considered in choosing sites for tidal habitat restoration efforts under CM4. If habitats were
23 restored at different elevations, scientific rationale would be provided in site-specific plans. These
24 activities would be compatible with Policy ER P2. As under effects related to CM1, however, Policy
25 DP P2 requires that parties responsible for proposed actions avoid or reduce incompatibilities with
26 existing or planned uses when feasible. In some cases, commitments and mitigation measures
27 identified in this document (see, for example, Chapter 14, *Agricultural Resources*, Mitigation Measure
28 AG-1: Develop an ALSP to preserve agricultural productivity and mitigate for loss of Important
29 Farmland and land subject to Williamson Act contracts or in Farmland Security Zones) will help
30 meet this requirement. However, avoidance of all incompatibilities is likely to be considered
31 infeasible; thus, activities associated with CM2–CM21 would be compatible with Policy DP P2.

32 Incompatibilities could potentially arise with LURMP policies. Land Use P-3 provides that new
33 habitat or restoration development ensure that appropriate buffers are provided to prevent
34 incompatibilities with existing adjacent land uses. Land Use P-14 provides that agricultural lands
35 converted to wetland development may not result in seepage of water and that such conversions
36 must mitigate associated risks and effects. While restoration activities in CM3–CM11 would create
37 potential incompatibilities with these policies by creating restoration areas that could have effects
38 on adjacent land uses through crop predation and seepage, implementation of mitigation measures
39 proposed in other chapters would help ensure compatibility with this policy. These include
40 Mitigation Measure AG-1: Develop an ALSP to preserve agricultural productivity and mitigate for
41 loss of Important Farmland and land subject to Williamson Act contracts or in Farmland Security
42 Zones, described in Chapter 14, *Agricultural Resources*, and Mitigation Measure GW-5: Agricultural
43 lands seepage minimization, in Chapter 7, *Groundwater*. Incompatibilities could occur with other
44 LURMP policies, however, including Agriculture P-2, which suggests that agricultural land
45 conversion should occur first where productivity and values are lowest. Depending on the locations
46 for implementation of these measures, however, high-value agricultural land would be converted,

1 creating the potential for incompatibility with this policy. Chapter 14, *Agricultural Resources*,
2 discusses the potential for direct conflicts with Important Farmland.

3 Indirect effects on land use may also arise through incompatibilities with land subject to Williamson
4 Act contracts or in Farmland Security Zones. If implementation of this alternative results in contract
5 nonrenewal, cancellation, or otherwise removes land within an agricultural preserve from a
6 Williamson Act contract, the county overseeing the preserve may decide to manage the preserve
7 differently; for instance, the county could modify the rules governing compatible uses on remaining
8 land within the preserve. However, this effect is speculative and its magnitude or geographical
9 incidence cannot be evaluated with certainty. Chapter 14, *Agricultural Resources*, discusses the
10 potential for direct conflicts with land subject to Williamson Act contracts or in Farmland Security
11 Zones.

12 Implementation of CM2–CM21 in areas under the jurisdiction of an airport LUCP could be
13 incompatible with LUCP policies if implementation could result in an attraction of birds, create foggy
14 conditions, or place congregations of people in certain airport compatibility zones. However,
15 because the footprints for these conservation measures are not yet known, compatibility with
16 airport LUCPs cannot be fully evaluated. The potential for effects related to airports is further
17 discussed in Chapter 24, *Hazards and Hazardous Materials*, Impacts HAZ-4 and HAZ-8. In addition,
18 these issues would be addressed in greater detail in site-specific environmental documents for
19 restoration proposals.

20 Conservation Measures 2–21 may also be implemented on lands guided by land use designations,
21 goals and policies identified by county and city general plans in the study area. To the extent that
22 implementing these conservation measures may result in incompatibilities with land use
23 designations, goals and policies designed to avoid or reduce environmental effects, these potential
24 incompatibilities are described below. As discussed in Section 13.3.2, to the extent that BDCP
25 alternatives are incompatible with such land use designations, goals and policies, any related
26 environmental effects are discussed in other chapters.

27 Protection of existing natural communities would be anticipated to be generally compatible with all
28 regional and local designations, goals, and policies intended to avoid environmental effects,
29 including the protection of existing agricultural uses specific to provisions under CM3 and CM11.

30 However, where restoration or enhancement actions would directly convert agricultural land uses
31 (in Contra Costa, San Joaquin, Sacramento, Solano, and Yolo Counties), these actions would
32 potentially be incompatible with local land use designations and related policies that are intended to
33 preserve agricultural resources including Contra Costa County Policy 8-2 and Agricultural Core or
34 Agricultural Lands designations; the Sacramento County designation for Agricultural Cropland; San
35 Joaquin County Agricultural Lands Policy 5 and the General Agricultural designation; Solano County
36 Policies AG.P-4 and AG.P-28, along with the Agriculture designation; and Yolo County's Agriculture
37 designation and Policies AG-1.3, AG-1.4, and AG-1.5. Physical effects implied by these potential
38 incompatibilities would result in the loss of productive agricultural lands, which is discussed further
39 in Chapter 14, *Agricultural Resources*.

40 Open Space, and Open Space/Recreation land use designations (in Contra Costa, San Joaquin, Sutter,
41 and Yolo Counties), Natural Preserve (Sacramento County), and Marsh (Solano County) land use
42 designations would typically be compatible with the activities associated with conservation
43 measures that could be implemented in those counties as part of the alternative (e.g., restoration of
44 tidal marsh, riparian habitat, grasslands, and floodplain enhancement and restoration). As such, no

1 permanent adverse effects would be anticipated to result based upon land use incompatibilities. In
2 November 2010, the Yolo County Board of Supervisors approved a two-year moratorium on habitat
3 mitigation projects within the county. While DWR and federal agencies are not subject to this
4 moratorium, this ordinance could apply to other habitat mitigation projects by private and other
5 public entities. Further discussion of compatibility with HCPs is located in Chapter 12, *Terrestrial*
6 *Biological Resources*, Section 12.3.3.18, *Effects on Other Conservation Plans*, and further discussion of
7 effects on recreation is located in Chapter 15, *Recreation*.

8 As described below, measures designed at the species-level to support viability and reduce the
9 effects of environmental stressors on covered species would also carry the potential to alter land use
10 within the study area. In some cases, the location of implementation for these measures is not yet
11 known and only theoretical effects can be discussed.

12 Actions to manage methylmercury under CM12 could include a number of methods, including the
13 initial characterization of soil mercury at potential restoration sites, the reduction of organic
14 material at potential restoration sites, site design that enhances the photodegradation of
15 methylmercury, sediment remediation, and capping of mercury-laden sediments. While these
16 activities would not, in themselves, be anticipated to create incompatibilities with land use
17 designations, additional standards or measures designed and implemented through the adaptive
18 management process could create the potential for incompatibilities with land use designations,
19 goals, and policies within the study area were they to restrict land uses or result in a change in land
20 use necessary for the management of methylmercury.

21 CM13 would control nonnative aquatic vegetation including Brazilian waterweed, water hyacinth,
22 and other nonnative submerged and floating aquatic vegetation in BDCP tidal habitat restoration
23 areas. Site-specific conditions and the intended goal would dictate the specific method of removal.
24 Operations associated with vegetation control, including mechanical removal, could be incompatible
25 with existing land use designations if the construction of new facilities and structures is necessary to
26 house related equipment and machinery. Additionally, operations under this measure may require
27 facilities dedicated to the storage of removed vegetation, which, depending on their location, could
28 potentially be incompatible with the land use designations or policies identified above.

29 Implementation of CM14 would include the operation and maintenance of an oxygen aeration
30 facility in the Stockton Deep Water Ship Channel to increase dissolved oxygen concentrations. This
31 conservation measure would modify the existing aeration facility as necessary and, if necessary,
32 additional aerators and associated infrastructure would be added to optimize oxygen delivery to the
33 river. To the extent that this facility would require physical modification on additional land not
34 currently dedicated to similar purposes, this measure could potentially be incompatible with the
35 land use policies or designations identified above.

36 CM15 is intended to reduce local effects of predators on covered fished species by conducting
37 predator control in areas with high predator density. Predator hot spots would be identified and
38 control methods would be adopted including removal of predator hiding spots, modification of
39 channel geometry, targeted removal of predators, and other focused methods as dictated by site-
40 specific conditions and the intended outcome or goal. The extent of this effect would depend on the
41 locations identified for implementation and the extent to which methods with physical components
42 were implemented under this measure. For instance, land-based capture of target predators need
43 not require a change in land use. However, modification of channel geometry undertaken to create

1 habitats less favorable for predators could potentially be incompatible with land use designations or
2 policies identified above.

3 Installation of non-physical fish barriers at the head of Old River, the Delta Cross Channel, and
4 Georgiana Slough would occur under CM16. Other possible locations include Turner Cut, Columbia
5 Cut, the Delta Mendota Canal intake, Clifton Court Forebay, and potentially other future locations. In
6 addition to the installation of the barrier itself between October and June, the installation and
7 operation could require the construction of transmission facilities and access roads, and potentially
8 other facilities. Additionally, barriers would be removed and stored off-site while not in operation.
9 Further discussion of this measure is provided in Chapter 3 of the BDCP, Section 3.4.16.⁴ Temporary
10 (e.g., work and staging areas) or construction of permanent storage facilities associated with these
11 barriers could be potentially incompatible with land designations for General Agriculture or
12 Resource Conservation in San Joaquin County along with Agriculture Lands Policy 5 and Open Space
13 Policies 3, 4, 6, and 13; land designated by the City of Lathrop as Recreation Residential and Public
14 (Schools, Parks, & Open Space); Sacramento County Policy OS-1 and land designations for Natural
15 Preserve, Agricultural Cropland; and potentially other policies and designations identified above,
16 depending on barrier design and selection of locations.

17 To address the illegal harvest of covered species across the study area, CM17 would provide funds to
18 hire and equip 22 additional staff, including 17 game wardens, to increase enforcement of fishing
19 regulations. To the degree that these staff would require the construction of additional office space,
20 storage areas, or vehicle parking areas on lands not currently designated by local entities for such
21 uses, the measure could be potentially incompatible with land use designations or policies identified
22 above.

23 Under CM18, a new conservation hatchery would be developed by USFWS to support delta and
24 longfin smelt populations. The facility as planned would consist of two sites: a science-oriented
25 genetic refuge and research facility on the edge of the Sacramento River, and a larger
26 supplementation production facility nearby. These facilities are anticipated to be located in the
27 vicinity of the City of Rio Vista; their construction and long-term operation would create the
28 potential for temporary or permanent incompatibilities with the city's general plan land use
29 designations, goals, and policies. However, these facilities would potentially be on land designated
30 as Army Base Reuse Area and Industrial/Employment District – General; thus, incompatibilities are
31 not anticipated. This measure would also fund the expansion of the University of California (UC)
32 Davis Fish Conservation and Culture Laboratory, near Byron, California. Expansion of the existing
33 facility could be potentially incompatible with Contra Costa County land use designations for
34 Agricultural Lands or Delta Recreation.

35 CM19 would further existing efforts to reduce loads of toxic contaminants in stormwater and urban
36 runoff throughout the Delta. Activities associated with implementation of this measure could include
37 the construction of retention or irrigation holding ponds for the capture and irrigation use of
38 stormwater, establishment of vegetated buffer strips to slow runoff velocities, construction of
39 bioretention systems, among other features whose construction or long-term functions would occur
40 upon lands deemed for other uses by local entities. Based upon the potentially wide geographic
41 scope of this measure, any incompatibilities with land use designations or policies would not be
42 known until locations for these facilities are chosen. However, the placement of the physical features

⁴ As described in Chapter 1, *Introduction*, Section 1.1, the full Draft EIR/EIS should be understood to include not only the EIR/EIS itself and its appendices but also the proposed BDCP documentation including all appendices.

1 proposed under this measure could be potentially incompatible with general plan land use
2 designations or policies identified above.

3 Implementation of CM20 would include the provision of wash stations with sufficient cleaning
4 abilities to kill aquatic invasives on watercraft, trailers, and other equipment leaving water bodies
5 within California that are infested with zebra or quagga mussels. Wash stations will be strategically
6 placed at boat ramps of each water body and owners will be encouraged to clean their watercraft
7 and trailers upon leaving the water body. Additionally, this measure would fund inspection stations
8 on roads at California borders that currently do not have inspection stations. Locations of these
9 stations would include Needles Highway southbound; Highway 95 southbound at Arrowhead
10 Junction; State Route 95, southbound at Needles Bridge; Havasu Lake Road near the west shore of
11 Lake Havasu; Highway 95 at Vidal Junction; Agnes Wilson Bridge westbound; and Highway 95
12 southbound north of Blythe. Semi-permanent inspection stations will be established and operated
13 on busy boat traffic days. While specific locations of these facilities are unknown at this point, they
14 could be potentially incompatible with land use designations or policies identified above.

15 CM21 would address nonproject irrigation diversions to reduce the entrainment of covered fish
16 species in the Delta. Activities associated with this measure would likely include installation of or
17 improvements to fish screens; voluntary alteration of daily and seasonal diversion timing; and
18 physical removal, relocation, consolidation, and modification of diversions. Removing or modifying
19 the location of these structures could be incompatible with land designations for agricultural uses
20 throughout the study area, at least on a temporary basis. Alterations to diversions could create
21 indirect incompatibilities with land use designations or policies as identified in regional, county, and
22 city plans, particularly with respect to agricultural lands and lands dedicated to waterfowl rearing.
23 To the extent that such incompatibilities would result in a physical consequence on the
24 environment, these potential effects are described further in Chapter 14, *Agricultural Resources* and
25 Chapter 12, *Terrestrial Biological Resources*.

26 Any conservation measure requiring construction activities (e.g., establishment of storage, staging
27 and stockpiling areas; grading; levee removal/replacement) could be potentially incompatible with
28 land use designations or policies identified above for the duration of those activities.

29 Because the locations for the implementation of these conservation measures are not known at this
30 point, a definitive conclusion about the compatibility of this alternative with local land use
31 designations, goals, and policies cannot be made. These issues would be addressed in detail in site-
32 specific environmental documents for restoration proposals. However, implementation of this
33 alternative may result in substantial incompatibility with local land use regulations due to the
34 amount of land area targeted for restoration actions. Because most activities would be anticipated to
35 take place on land designated for agriculture, open space, natural preserve and recreation, local
36 designations, goals, and policies related to preservation of those attributes would be most affected.
37 As mentioned above, activities such as restoration of tidal habitat, seasonally inundated floodplain,
38 riparian habitat, grassland and nontidal freshwater marsh could be incompatible with general plan
39 policies to preserve agricultural land uses and farmland soils, including Contra Costa Policies 8-2, 8-
40 29 and 8-33, Sacramento County Policy AG-5, San Joaquin County Agricultural Lands Policy 5, Solano
41 County Policies AG.P-4 and AG.P-28, and Yolo County Policies AG-1.4, AG-1.5, AG-1.6, AG-2.10, and
42 AG-6.1. However, those same activities could be compatible with and supportive of numerous
43 general plan policies for open space, natural preserve, natural resources or recreation, including
44 Alameda County ECAP Policy 53, Contra Costa Policies 3-64, 8-9, 8-17, 8-84 and 8-93, Sacramento
45 County Policy AG-15, OS-1 and OS-2, San Joaquin County Open Space Policy 4, and Solano County

1 Policies RS.P-1, RS.P-2, RS.P-3, RS.P-4, RS.P-5, RS.P-7, RS.P-8, RS.P-9, RS.P-10, RS.P-11, and RS.P-12.
 2 The relationship between plans, policies, and regulations and impacts on the physical environment
 3 is discussed in Section 13.3.1.

4 **CEQA Conclusion:** Because the locations for the implementation of these conservation measures are
 5 not known at this point, a conclusion about the compatibility of this alternative with local land use
 6 regulations cannot be made; these issues, therefore, will have to be addressed in detail in site-
 7 specific environmental documents for restoration proposals. Although implementation of this
 8 alternative would be anticipated to result in substantial incompatibilities with local land use
 9 regulations due to the amount of land area targeted for restoration actions, it is presently unknown
 10 whether any such incompatibilities would be indicative of related physical consequences, such as
 11 the loss of prime agricultural land or unique archaeological resources. The relationship between
 12 plans, policies, and regulations and impacts on the physical environment is discussed in Section
 13 13.3.1. These issues will also be addressed in the site-specific environmental documents for
 14 proposed restoration activities.

15 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed** 16 **Conservation Measures 2-21**

17 **NEPA Effects:** Existing land uses in the CZs are predominantly agricultural, open space, or rural
 18 residential with some small inclusions of commercial and industrial areas, as previously described.
 19 Land uses within the boundaries of incorporated cities vary considerably in the study area but
 20 predominantly include areas dedicated to residential, commercial, and industrial areas. While the
 21 location of each restoration and/or enhancement action is not known at this time, it is possible that
 22 implementing these conservation measures and associated restoration and enhancement actions
 23 may result in temporary (e.g., construction activities that may conflict with land designated as open
 24 space) or permanent (e.g., displacement of existing residents and removal of existing structures)
 25 physical conflicts with existing land uses in or immediately adjacent to the study area.

26 Restoration of tidal habitat, riparian areas, nontidal perennial aquatic habitat, nontidal perennial
 27 freshwater emergent wetland, grasslands, and vernal pool complexes, protecting and enhancing
 28 alkali seasonal wetland complexes, and managing agricultural lands for optimal habitat use may
 29 conflict with existing agricultural and rural residential land uses in the Cache Slough Restoration
 30 Opportunity Area (ROA) in CZ 1, and in southeastern Solano and Yolo Counties depending on the
 31 location of each activity. Similarly, restoring riparian habitat and managing agricultural lands for
 32 optimal habitat use may conflict with existing agricultural and rural and suburban residential, as
 33 well as commercial and light industrial land uses in various locations within CZ 3 in Sacramento
 34 County. Activities associated with restoration of tidal habitat perennial aquatic/tidal brackish
 35 emergent wetland, riparian areas, nontidal perennial aquatic habitat, and nontidal perennial
 36 freshwater emergent wetland areas of San Joaquin, Alameda, and Contra Costa Counties and
 37 managing agricultural lands for optimal habitat use, restoring vernal pool complexes, or protecting
 38 and enhancing alkali seasonal wetland complexes in CZs 5–10 of these counties may conflict with
 39 existing agricultural and other land uses depending on the locations of these activities. Activities
 40 associated with restoration of tidal habitat, were it to occur within the Stone Lakes National Wildlife
 41 Refuge, would be compatible with existing land uses. Restoration of tidal perennial aquatic/tidal
 42 brackish emergent wetland, riparian areas, nontidal perennial aquatic habitat, nontidal perennial
 43 freshwater emergent wetland, grasslands, and vernal pool complexes, and protecting and enhancing
 44 alkali seasonal wetland complexes in the Suisun Marsh are not likely to conflict with any existing
 45 land uses because that area is already managed toward these goals.

1 Without more site-specific information about the locations and types of restoration to be
2 implemented, no definitive conclusion can be made about the potential for restoration actions to
3 result in the permanent conversion of land uses (including displacement of existing structures and
4 residences) due to the construction of permanent features of the facility, nor can a conclusion be
5 made with regard to the degree of indirect impacts, which could occur primarily as a result of
6 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels. When
7 required, the BDCP proponents would provide compensation to property owners for losses due to
8 implementation of the alternative, which would reduce the severity of economic effects related to
9 this physical impact, but would not reduce the severity of the physical impact itself. Implementation
10 of this alternative would be anticipated to result in substantial conflicts with current land uses due
11 to the amount of land area targeted for restoration actions.

12 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
13 this point, no definitive conclusion can be made about the potential for restoration actions to result
14 in the permanent conversion of land uses (including displacement of existing structures and
15 residences) due to the construction of permanent features of any facility. Nor can a conclusion be
16 made with regard to the degree of indirect impacts, which could occur primarily as a result of
17 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
18 However, implementation of this alternative would be anticipated to result in substantial conflicts
19 with current land uses due to the amount of land area targeted for restoration actions. Where
20 applicable, the BDCP proponents will provide compensation to property owners for losses due to
21 implementation of the alternative. This would reduce the severity of economic effects related to this
22 physical impact, but would not reduce the severity of the physical impact itself.

23 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing** 24 **Community as a Result of Implementing the Proposed Conservation Measures 2-21**

25 **NEPA Effects:** The areas in which restoration actions are planned would be primarily natural or
26 agricultural areas. Without more site-specific information about the locations and types of
27 restoration to be implemented at those locations, no definitive conclusion can be made about the
28 potential for restoration actions to result in the physical division of an existing community. In
29 general, large-scale restoration actions that take place in areas suitable for open space, resource
30 conservation, and habitat are not likely to create permanent physical divisions in existing
31 communities. To the extent that conservation areas are anticipated to create conflicts with
32 community functionality and land use guidance, these effects are captured by and described under
33 Impact LU-4: *Incompatibility with applicable land use designations, goals, and policies as a result of*
34 *implementing the proposed Conservation Measures 2-21*. In areas and land use designations that
35 focus on agricultural production, the potential exists for restoration actions to isolate agricultural
36 areas from the communities that provide services and markets to those farmers; however, such an
37 effect would not be considered to divide an existing community. Temporary and permanent effects
38 on agricultural resources are discussed in Chapter 14, *Agricultural Resources*. Effects related to
39 dividing an existing community as a result of the implementation of these conservation measures
40 would not be anticipated to be adverse under this alternative.

41 **CEQA Conclusion:** Because the locations for the implementation of these conservation measures are
42 unknown at this point, a conclusion about this alternative's potential to divide an existing
43 community cannot be made; however, because large-scale restoration actions that take place in
44 areas suitable for open space, resource conservation, and habitat are not likely to create permanent
45 physical divisions in existing communities, this impact is anticipated to be less than significant.

13.3.3.3 Alternative 1B—Dual Conveyance with East Alignment and Intakes 1–5 (15,000 cfs; Operational Scenario A)

Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a Result of Constructing the Proposed Water Conveyance Facility (CM1)

NEPA Effects: Alternative 1B would construct permanent and temporary features upon lands guided by state and regional policies and plans, as well as the general plans of Sacramento, San Joaquin, Contra Costa, and Alameda Counties, along with the City of Stockton. Constructing Alternative 1B would require activities that would be incompatible with many of the land use designations, goals, and policies ascribed to the study area in the general plans of these jurisdictions. As discussed in Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals, and policies, any related environmental effects are discussed in other chapters.

Alternative 1B includes several short culvert siphon and tunnel siphon segments. Because these are subsurface components, there would be no permanent adverse physical effects on or incompatibilities with land use; similarly, conveyance pipelines would not result in a permanent land surface change, and therefore there would be no direct incompatibilities with existing land use designations. As such, potential permanent incompatibilities with existing land uses as they pertain to the proposed tunnel segments, culvert siphons, and pipelines are not discussed further.

Table 13-6 displays the temporary and permanent structures associated with the water conveyance facility, the local land designations on which they would occur, and the number of acres that would be affected. Mapbook Figure M13-2 displays relevant generalized land use designations where they could overlap with proposed water conveyance structures and temporary work areas. Note that not all of these structures would be built under any individual alternative. For further description of the locations of various structures, please refer to Chapter 3, *Description of Alternatives*.

1 Table 13-6. Water Conveyance Incompatibilities with Land Use Designations under Alternative 1B (acres)

Surface Feature	Alameda County				City of Stockton								Contra Costa County					Sacramento County					San Joaquin County								
	Agriculture	Commercial	Public	Residential	Administrative Professional	Commercial	Institutional	Low Density Residential	Medium Density Residential	Parks and Recreation	Residential Estate	Village	Open Space / Agriculture	Agricultural Lands	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Intensive Industrial	Low Density Residential	Medium Density Residential	Natural Preserve	Recreation	Commercial / Offices	City	Elementary School	Agriculture / General	Open Space / Resource Conservation	Residential / Very Low Density
Bridge																				48		6		1				1	136	11	
Canal																				1,595		32		9					4,892	73	
Forebay														141	526		26	159	0												
Intake																				267	1		3	7	54						
Potential Borrow and/or Spoil							209					437								455				13			0	7,400	55		
Potential Borrow Area																				1,456				7							
Potential Spoil Area	205	1	7	4										406				1											158	4	
Pumping Plant (intermediate)																													68		
Siphon																				13				7					131	2	
Transmission Line	2	0	1	0										7		1		6	0	16				2					13	17	0
Reusable Tunnel Material Area																													437	1	
Subtotal Permanent	207	1	8	4			209					437		554	526	1	26	166	0	3,850	1	38	3	46	54		1	13,235	163	0	
Access Road Work Area												0		0				6											0	1	
Barge Unloading Facility																													14	12	
Bridge / Control Work Area																													27		
Bridge Work Area																				69				2					162	3	
Canal Work Area																													25	1	
Concrete Batch Plant				0										2						4									29		
Control Structure Work Area														1				3													
Fuel Station	1			1										0						4									6		
Intake Work Area																				460	2	2	0	9	82	0					
Pipeline Work Area																				106											
Pumping Plant Work Area																													47		
Railroad Work Area																													41		
Road Work Area														0				1													
Siphon Work Area																				78				53					517	280	
Transmission Line	2	0	1	0	3	2	16	6	1	2	6	18	6	6		1		9	0	8			1	0	0	0		79	20		
Tunnel Work Area																				47									158	25	
Subtotal Temporary	3	0	1	1	3	2	16	6	1	2	6	0	18	9		1		19	0	776	2	2	0	65	82	0	0	0	1,105	342	0
Grand Total	210	1	9	5	3	2	225	6	1	2	6	437	18	563	526	2	26	185	0	4,626	3	40	3	111	136	0	0	1	14,340	505	0

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines. Acreages are rounded; acreage less than 0.5 has been rounded to 0.

1 **State and Regional Plan Policies**

2 Under Alternative 1B, construction activities associated with the features listed in Table 13-6 would
3 take place on land governed by policies designed to avoid or mitigate environmental effects, as
4 identified in the Delta Protection Commission Land Use and Resource Management Plan and the
5 Delta Stewardship Council draft Delta Plan. The Delta Plan policies most closely associated with land
6 use are ER P2 (Restore Habitats at Appropriate Elevations), ER P3 (Protect Opportunities to Restore
7 Habitat), DP P1 (Locate New Urban Development Wisely), and DP P2 (Respect Local Land Use When
8 Siting Water or Flood Facilities or Restoring Habitats). Because CM1 would not involve habitat
9 restoration nor residential, commercial, or industrial development, ER P2 and DP P1 would not be
10 applicable. With regard to Policy ER P3, construction of water conveyance facilities could occur on
11 priority habitat restoration areas identified in Delta Plan Figure 4-4. Impacts to the opportunity for
12 habitat restoration must be “avoided or mitigated” under this policy. Specifically, a segment of canal,
13 along with associated features including a bridge, transmission lines, and spoil areas could occur on
14 the Cosumnes/Mokelumne Confluence Priority Habitat Restoration Area, which would exclude the
15 potential for these lands to be restored. Similarly, areas identified for the acquisition of borrow
16 material and/or the deposition of spoils could be incompatible with the Lower San Joaquin River
17 Floodplain Priority Habitat Restoration Area. While the potential for restoration of these lands
18 would be affected, activities associated with BDCP CM3–CM11 would reduce these effects by
19 restoring or permanently protecting other areas that could have been restored at the site(s)
20 affected. As noted under Alternative 1A, Impact LU-4, priority habitat restoration areas substantially
21 coincide with the restoration opportunity areas identified for tidal natural communities under BDCP
22 CM4. Therefore, implementation of this BDCP alternative would be considered compatible with this
23 policy. Policy DP P2 requires that parties responsible for proposed actions avoid or reduce
24 incompatibilities with existing or planned uses when feasible. In some cases, commitments and
25 mitigation measures identified in this document (see, for example, Chapter 14, *Agricultural*
26 *Resources*, Mitigation Measure AG-1: Develop an ALSP to preserve agricultural productivity and
27 mitigate for loss of Important Farmland and land subject to Williamson Act contracts or in Farmland
28 Security Zones) will help meet this requirement. However, avoidance of all incompatibilities is likely
29 to be considered infeasible; thus, activities associated with CM1 would be considered compatible
30 with Policy DP P2.

31 While construction and placement of some water conveyance facilities would occur within the
32 boundary of the Stone Lakes NWR, they would be located on privately-owned, non-refuge lands.
33 Therefore, CCP policies intended to protect wildlife habitat on refuge lands would not apply. Further
34 discussion of the Stone Lakes NWR CCP is provided in Chapter 12, *Terrestrial Biological Resources*,
35 under Impact BIO-186.

36 Alternative 1B may result in incompatibilities with LURMP policies related to land use. Many of
37 these policies focus on local government activities; however, Land Use P-7 declares that new
38 structures should be set back from levees. Intake structures require contact with water and cannot
39 feasibly be set back from levees. Additionally, Land Use P-14 provides that agricultural lands
40 converted to water impoundment may not result in seepage of water and that such conversions
41 must mitigate associated risks and effects. While construction of Byron Tract Forebay under this
42 alternative would potentially be incompatible with this policy, implementation of Mitigation
43 Measure GW-5, Agricultural lands seepage minimization, in Chapter 7, *Groundwater*, would ensure
44 compatibility with this policy. Incompatibilities could occur with other LURMP policies, including
45 Agriculture P-2, which suggests that agricultural land conversion should occur first where

1 productivity and values are lowest. As discussed in Chapter 14, *Agricultural Resources*, some higher-
2 value agricultural land would be converted under construction and operation of CM1.

3 These potential incompatibilities suggest the potential for a physical effect on the environment. As
4 discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

5 Under this alternative, indirect effects on land use may also arise through incompatibilities with
6 land subject to Williamson Act contracts or in Farmland Security Zones. If the construction and
7 operation of water conveyance facilities under this alternative results in contract nonrenewal,
8 cancellation, or otherwise removes land within an agricultural preserve from a Williamson Act
9 contract, the county overseeing the preserve may decide to manage the preserve differently; for
10 instance, the county could modify the rules governing compatible uses on remaining land within the
11 preserve. However, this effect is speculative and its magnitude or geographical incidence cannot be
12 evaluated with enough certainty. Chapter 14, *Agricultural Resources*, discusses the potential for
13 direct conflicts with land subject to Williamson Act contracts or in Farmland Security Zones.

14 ***Sacramento County***

15 Permanent surface features associated with water conveyance facilities that would be located in
16 Sacramento County include five intake facilities (with associated setback levees, pumping plants,
17 sedimentation basins, and solids lagoons), canal segments, six bridges, borrow and/or spoil areas,
18 transmission lines, and a siphon. These features would result in the permanent conversion of land
19 designated (and likely used) for Agricultural Cropland, Intensive Industrial, Low Density Residential,
20 Medium Density Residential, Natural Preserve, and Recreation. The extent of these incompatibilities
21 is summarized in Table 13-6. Construction of permanent water conveyance facility components on
22 land designated as Agricultural Cropland would directly result in permanent land use changes that
23 would preclude agricultural land uses in the future in this area and would result in the reduction of
24 lands available for agricultural use (discussed further in Chapter 14, *Agricultural Resources*). The
25 conversion of agricultural lands would be incompatible with the General Plan Agricultural Element
26 goal of protecting and maintaining the productivity of agricultural lands. The conversion of
27 agricultural lands also could be incompatible with general plan policies, including Policy AG-5,
28 which requires acre-for-acre mitigation of conversions of more than 50 acres. Temporary project
29 features in Sacramento County associated with the construction of the water conveyance facility
30 would include two concrete batch plants, two fuel stations, transmission lines, and work areas for
31 those features noted above. These incompatibilities associated with construction activities would
32 occur on land designated under the Sacramento County General Plan as Agricultural Cropland,
33 Intensive Industrial, Low Density Residential, Medium Density Residential, Natural Preserve,
34 Recreation, and Commercial/Office. Under this alternative, then, it is anticipated that these uses
35 would be temporarily converted to construction-related uses, as summarized by Table 13-6. Many of
36 these features would likely be in place for the first nine or more years of project implementation
37 (i.e., during the near-term implementation or the nine-year project construction period). During that
38 period, lands designated as Agricultural Cropland would be temporarily converted to non-
39 agricultural use, as described in Chapter 14, *Agricultural Resources*. This construction would be
40 incompatible with general plan policies that protect agricultural lands and maintain the productivity
41 of those lands, including Policy AG-5. In addition, portions of the Alternative 1B water conveyance
42 facilities, including Intake 1, would be built within the Borges-Clarksburg Airport CLUP Overflight
43 Zone, which contains territory in Sacramento and Yolo counties. Construction and facilities
44 operations and maintenance activities have the potential to be incompatible with an Overflight Zone
45 policy limiting congregations of people.

1 **San Joaquin County**

2 The footprint of water conveyance facilities constructed under Alternative 1B would be
 3 incompatible with land designated as Agriculture/General, Residential/Very Low Density,
 4 Elementary School, and Open Space/Resource Conservation in San Joaquin County primarily due to
 5 borrow and/or spoil areas, canal segments, RTM areas, bridges, siphons, transmission lines, and an
 6 intermediate pumping plant. The extent of these incompatibilities is summarized in Table 13-6.
 7 While RTM areas are considered permanent surface impacts for the purposes of impact analysis, it is
 8 anticipated that the RTM would be removed from these areas and reused, as appropriate, as bulking
 9 material for levee maintenance, as fill material for habitat restoration projects, or other beneficial
 10 means of reuse identified for the material, as described above and in Appendix 3B, *Environmental*
 11 *Commitments*. Conversion of agricultural lands would be incompatible with general plan policies,
 12 including Agricultural Land Policy 5, which reserves agricultural areas principally for crop
 13 production, ranching and grazing. Conversion of agricultural lands and project conflicts with the
 14 Agriculture land use are described in Chapter 14, *Agricultural Resources*. The placement of
 15 canals, where constructed over or adjacent to lands designated under the San Joaquin County
 16 General Plan as Open Space/Resource Conservation, would be incompatible with this land use
 17 designation and related Open Space Policies 3 and 4 because they would diminish the amount of
 18 land dedicated to open space and conservation of natural habitat and resources. Land use
 19 incompatibilities in the City of Stockton include potential borrow and/or spoil areas that could be
 20 placed on as many as 650 acres of land designated for Institutional and Village uses.

21 Temporary project features in San Joaquin County associated with the construction of water
 22 conveyance facilities would include a barge unloading facility, three concrete batch plants, three fuel
 23 stations, transmission lines, and various work areas for other water conveyance features. These
 24 features would occupy lands designated as Agriculture/General, Residential/Very Low Density, and
 25 Open Space/Resource Conservation, as shown in Table 13-6. Many of these temporary features
 26 would likely be in place for the first nine or more years of project implementation (i.e., during the
 27 near-term implementation or the nine-year project construction period). During that period, lands
 28 designated under agricultural zones would be temporarily converted to non-agricultural use, as
 29 described in Chapter 14, *Agricultural Resources*. Construction during this period would be
 30 incompatible with Agricultural Lands Policy 5, which reserves agricultural areas principally for crop
 31 production, ranching and grazing, and with Open Space Policies 3 and 4, which restrict development
 32 in open space resource areas.

33 **Contra Costa County**

34 Under Alternative 1B, permanent project water conveyance features in Contra Costa County would
 35 include Bryon Tract Forebay and associated water control structures, transmission lines, and a
 36 potential spoil area. These features would be constructed on lands designated Delta Recreation and
 37 Resources, Agricultural Lands, Public and Semi-Public, Parks and Recreation, Open Space, and
 38 Water. The extent of these anticipated land use incompatibilities is summarized in Table 13-6.
 39 Conversion of agricultural lands and project conflicts with the Agriculture land use designation are
 40 described in Chapter 14, *Agricultural Resources*. The conversion of agricultural land would be
 41 incompatible with general plan policies, including Policy 3-12, 8-2, 8-29, and 8-33. Construction of
 42 the 230 kV transmission line and associated towers could be incompatible with Policy 9-20, which
 43 requires that new power lines be located parallel to existing lines in order to minimize visual
 44 impacts. Constructing the forebay on lands within the Delta Recreation and Resources zone would
 45 be incompatible with the goals of the Contra Costa County General Plan related to this land use

1 designation and Policy 9-44, which focus on the preservation of land for recreation over the
2 placement of new infrastructure.

3 A narrow area of land running through the proposed future location of Byron Tract Forebay is
4 designated Public/Semi-Public. The Public/Semi-Public designation includes properties owned by
5 public governmental agencies such as libraries, fire stations, and schools. This designation is also
6 applied to public transportation corridors, as well as privately owned transportation and utility
7 corridors. The Public/Semi-Public designation applies to properties owned by public agencies and
8 privately owned transportation and utility corridors. Because this designation exists for large-scale
9 infrastructure and utilities, these project features would be compatible with this designation.

10 Temporary project features in Contra Costa County associated with the construction of the water
11 conveyance facility would include fewer than 30 acres of work areas, transmission lines, and part of
12 the footprint of a concrete batch plant and fuel station. These features would occupy lands
13 designated Public/Semi-Public, Agriculture Lands, Open Space, and Water. As previously described,
14 many of these temporary features would likely be in place for the first nine or more years of project
15 implementation (i.e., during the near-term implementation or the nine-year project construction
16 period). Temporary land use incompatibilities would be of the same nature as the permanent
17 incompatibilities described above, however they would occur over a shorter period of time.

18 Portions of Alternative 1B water conveyance facilities at Clifton Court Forebay would be built in
19 areas covered by Byron Airport LUCP Zones B2, C1, and D. Construction and facilities operations and
20 maintenance activities could be incompatible with policies that limit congregations of people,
21 require ALUC review of tall objects, and prohibit aboveground bulk storage of hazardous materials.

22 ***Alameda County***

23 Under Alternative 1B, the only potential permanent features proposed for Alameda County are a
24 borrow/spoil area and transmission lines, which would be constructed on land designated for
25 Agriculture, Commercial, Public, and Residential uses, as indicated in Table 13-6. Small sections
26 (approximately 1.5 acres) of a fuel station and concrete batch plant, along with transmission lines,
27 would comprise the potential temporary effects of this alternative on land use in Alameda County.
28 These areas would be located on land designated for residential and agricultural uses, which would
29 be incompatible with the designation and with ECAP policies, including Policy 71, which seeks to
30 conserve farmland soils. Both permanent and temporary effects related to conversion of agricultural
31 land are discussed in Chapter 14, *Agricultural Resources*.

32 ***CEQA Conclusion:*** These incompatibilities indicate the potential for a physical consequence to the
33 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
34 chapters throughout this document. The relationship between plans, policies, and regulations and
35 impacts on the physical environment is discussed in Section 13.3.1.

36 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 37 **Water Conveyance Facility (CM1)**

38 ***NEPA Effects:*** Construction of water conveyance features associated with Alternative 1B would
39 directly affect land use in the study area by temporarily converting land currently under agricultural
40 land use and open space to temporary access roads, borrow and spoils areas and temporary work
41 areas. These effects would be temporary with this land returning to agricultural use following
42 construction.

1 Construction of water conveyance features associated with Alternative 1B would also directly affect
2 land use in the study area by permanently converting land currently under agricultural land use and
3 open space to permanent access roads, new bridges, pumping plants, control structures, canals, a
4 new forebay, and footings for electrical transmission line towers. In addition, approximately 409
5 permanent structures would be removed or relocated within the water conveyance facility footprint
6 under this alternative. This includes an estimate of 109 residential buildings. Other structures
7 affected would consist primarily of storage or agricultural support facilities; however, several
8 private recreational structures would also be affected. A segment of canal would also conflict with a
9 fire station in the community of Hood. Table 13-4 summarizes the estimated number of structures
10 affected across structure type and alternative and Mapbook Figure M13-2 shows the distribution of
11 these effects across the East conveyance alignment. The canal construction footprint is estimated to
12 create conflicts with 168 structures, including 121 storage and support buildings and 36 residential
13 structures. While these conflicts would be located throughout the canal alignment, larger clusters of
14 affected structures would be located near the community of Hood, west of the community of
15 Thornton, near Guard Road, and near North Holt Road. The physical footprints of intakes and intake
16 pumping plant facilities, along with associated work areas, are anticipated to create disruptions with
17 98 structures in the vicinity of the east bank of the Sacramento River. Among the five intake sites, 38
18 residential structures would be affected. Borrow and spoil areas are estimated to conflict with 53
19 structures, including 13 residential structures. Bridges and associated work areas would disrupt 38
20 structures, including 13 residential buildings. The footprint of the proposed Byron Tract Forebay
21 would also affect approximately 29 structures. These would be concentrated on the east side of the
22 forebay near Old River and on the west side of the forebay near the approach channel to the
23 California Aqueduct. Other features—including culvert siphons and siphon work areas, tunnel
24 siphon work areas, and railroad work areas—would also create disruptions to existing structures.

25 The removal of a substantial number of existing permanent structures as a result of constructing the
26 water conveyance facility would be considered a direct, adverse socioeconomic effect of this
27 alternative under NEPA. When required, the BDCP proponents would provide compensation to
28 property owners for losses due to implementation of the alternative, which would reduce the
29 severity of economic effects related to this physical impact, but would not reduce the severity of the
30 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
31 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
32 release of hazardous materials contained in structures to be demolished are addressed in Chapter
33 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
34 are addressed in Chapter 18, *Cultural Resources*.

35 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
36 removal of a substantial number of existing permanent structures. The removal of existing
37 structures is not, in itself, considered an environmental impact, though removal might entail
38 economic impacts. Significant environmental impacts would only result if the structures qualified as
39 “historical resources” or the removal of structures led to physical effects on certain other resources.
40 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
41 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
42 *Utilities*; potential impacts on the public and environment related to the potential release of
43 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
44 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
45 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
46 Where applicable, BDCP proponents will provide compensation to property owners for losses due to

1 implementation of the BDCP). This compensation would reduce the severity of economic effects, but
 2 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
 3 under CEQA due solely to the removal of physical structures that are not treated under other impact
 4 categories.

5 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
 6 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

7 **NEPA Effects:** Under Alternative 1B, the construction of permanent facilities and associated work
 8 areas would be located in and around the community of Hood, in some cases displacing structures in
 9 the community and creating linear construction zones between the community and outlying areas.
 10 Intake 4 and its associated pumping plant, transmission lines, and access roads, would be
 11 constructed along the southern border of the community over a period of approximately 4 years.
 12 While access to the community from the south would continue with the construction of a temporary
 13 roadway, the point where this access occurs would change during this period. Construction of a
 14 segment of canal would run north to south in the eastern section of the community, while a bridge to
 15 reconnect Hood-Franklin Road over the canal would also be built. During construction of these
 16 project facilities, access would be limited between the community and points to the east.
 17 Additionally, construction and the long-term placement of Intake 3 (about one-half mile north of
 18 Hood) and the canal (running north to south) would substantially alter the lands surrounding Hood.
 19 While a permanent physical surface crossing of the community itself is not anticipated to result from
 20 these features, activities associated with their construction would create a linear construction area
 21 for a limited period of time, making it difficult to travel within Hood in certain areas. Additionally,
 22 the lasting placement of the intake facilities and the canal would represent physical structures that
 23 would substantially alter the setting of the community and its immediate surroundings, constituting
 24 an adverse effect. Mitigation Measures TRANS-1a and TRANS-1b are available to address this effect.

25 **CEQA Conclusion:** Construction activities associated with Intake 4 and its associated facilities, the
 26 canal, and a bridge over the canal would limit access between the community of Hood and
 27 surrounding areas. Even though access to and from the community would be maintained over the
 28 long-term, the placement of Intake 4 and the canal, as well as the nearby construction of Intake 3,
 29 would create permanent physical structures that would substantially alter the setting of the
 30 community and its immediate surroundings. These structures would therefore result in a significant
 31 and unavoidable impact. Implementation of Mitigation Measures TRANS-1a and TRANS-1b would
 32 reduce the severity of this impact by supporting continued access to and from the community on
 33 transportation routes; however, permanent structures would remain, and the impact would be
 34 significant.

35 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
 36 **Plan**

37 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 38 1A, Impact TRANS-1.

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

41 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 42 1A, Impact TRANS-1.

1 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
2 **Result of Implementing the Proposed Conservation Measures 2-21**

3 **NEPA Effects:** Effects related to incompatibility with land use designations, goals, and policies
4 resulting from implementation of BDCP Conservation Measures 2-21 would be similar to those
5 described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be
6 minor but could result from the selection of different areas for restoration activities based on the
7 location of the physical water conveyance features associated with each alternative. Because the
8 locations for the implementation of these conservation measures are unknown at this point, a
9 conclusion about the compatibility of this alternative with local land use regulations cannot be made.
10 These issues would be addressed in detail in site-specific environmental documents for restoration
11 proposals. However, implementation of this alternative may result in substantial incompatibilities
12 with local land use regulations due to the amount of land area targeted for restoration actions. As
13 discussed in Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use
14 designations, goals, and policies, any related environmental effects are discussed in other chapters.

15 **CEQA Conclusion:** Because the locations for the implementation of these conservation measures are
16 unknown at this point, a conclusion about the compatibility of this alternative with local land use
17 regulations cannot be made; these issues therefore will have to be addressed in detail in site-specific
18 environmental documents for restoration proposals. Although implementation of this alternative
19 would be anticipated to result in substantial incompatibilities with local land use regulations due to
20 the amount of land area targeted for restoration actions, it is presently unknown whether any such
21 incompatibilities would be indicative of related physical consequences, such as the loss of prime
22 agricultural land or unique archaeological resources. The relationship between plans, policies, and
23 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
24 also be addressed in the site-specific environmental documents for proposed restoration activities.

25 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
26 **Conservation Measures 2-21**

27 **NEPA Effects:** Effects related to conflicts with existing land uses under this alternative would be
28 similar to those described for Alternative 1A because the proposed CM2-CM21 would be the same
29 under both alternatives. Potential variation from Alternative 1A would be anticipated to be minor
30 but could result from the selection of different areas for restoration activities based on the location
31 of the physical water conveyance features associated with each alternative. For example, land
32 proposed for restoration under Alternative 1A could not serve such a purpose under Alternative 1B
33 if a physical component of this alternative (i.e., a canal) were constructed over the same footprint. As
34 with Alternative 1A, though, implementation of CM2-CM21 could create temporary or permanent
35 conflicts with existing land uses where they would require the removal of structures or sever critical
36 access routes. When required, the BDCP proponents would provide compensation to property
37 owners for losses due to implementation of the alternative, which would reduce the severity of
38 economic effects related to this physical impact, but would not reduce the severity of the physical
39 impact itself. Implementation of this alternative would be anticipated to result in substantial
40 conflicts with current land uses due to the amount of land area targeted for restoration actions.

41 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
42 this point, no definitive conclusion can be made about the potential for restoration actions to result
43 in the permanent conversion of land uses (including displacement of existing structures and
44 residences) due to the construction of permanent features of the facility. Nor can a conclusion be

1 made with regard to the degree of indirect impacts, which could occur primarily as a result of
 2 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
 3 However, implementation of this alternative would be anticipated to result in substantial conflicts
 4 with current land uses due to the amount of land area targeted for restoration actions. Where
 5 applicable, the BDCP proponents will provide compensation to property owners for losses due to
 6 implementation of the alternative. This would reduce the severity of economic effects related to this
 7 physical impact, but would not reduce the severity of the physical impact itself.

8 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
 9 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

10 **NEPA Effects:** Effects related to the physical division of an existing community under this alternative
 11 would be similar to those described for Alternative 1A. Because the locations for the implementation
 12 of these measures are unknown at this time, a definitive conclusion about this alternative’s potential
 13 to divide an existing community cannot be made. However, effects related to dividing an existing
 14 community as a result of the implementation of CM2–CM21 would not be anticipated to be adverse
 15 under this alternative.

16 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 17 point, a conclusion about this alternative’s potential to divide an existing community cannot be
 18 made; however, because, large-scale restoration actions that take place in areas suitable for open
 19 space, resource conservation, and habitat are not likely to create permanent physical divisions in
 20 existing communities, this impact is anticipated to be less than significant.

21 **13.3.3.4 Alternative 1C—Dual Conveyance with West Alignment and**
 22 **Intakes W1–W5 (15,000 cfs; Operational Scenario A)**

23 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 24 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

25 **NEPA Effects:** Alternative 1C would construct permanent and temporary structures on land covered
 26 by the general plans of Yolo, Solano, Sacramento, Contra Costa, and Alameda Counties, and the City
 27 of Oakley. Construction activities under Alternative 1C would create incompatibilities with many of
 28 the designated land uses identified by the general plans of these counties. As discussed in Section
 29 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
 30 and policies, any related environmental effects are discussed in other chapters.

31 Alternative 1C includes several short culvert siphons and a long tunnel segment. Because these are
 32 subsurface components, there would be no permanent adverse physical effects on or
 33 incompatibilities with land use; similarly, conveyance pipelines would not result in a permanent
 34 land surface change, and accordingly, there would be no direct incompatibilities with existing land
 35 use designations. Thus, potential permanent incompatibilities with existing land uses as they pertain
 36 to the proposed tunnel segments, culvert siphons, and pipelines are not discussed further.

37 Table 13-7 displays the temporary and permanent structures associated with the water conveyance
 38 facility, the local land designations on which they would occur, and the number of acres that would
 39 be affected. Mapbook Figure M13-3 displays relevant generalized land use designations where they
 40 could overlap with proposed water conveyance structures and temporary work areas. For further
 41 description of the locations of various structures, please refer to Chapter 3, *Description of*
 42 *Alternatives*.

1 Table 13-7. Water Conveyance Incompatibilities with Land Use Designations under Alternative 1C (acres)

Surface Feature	Alameda County				City of Oakley										Contra Costa County							Sacramento County			Solano County			Yolo County								
	Agriculture	Commercial	Public	Residential	Agriculture Limited	Commercial	Commercial Recreation	Multi-Family Low	Parks and Recreation	Public and Semi-Public	Roads	Single-Family High	Single-Family Low	Single-Family Medium	Single-Family Very Low	Agricultural Core	Agricultural Lands	Commercial	Commercial Recreation	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Natural Preserve	Recreation	Agriculture	Specific Project Area	Water Bodies and Courses	Agriculture	Open Space				
Bridge															41	44							10										35			
Canal	2	2	16	0					6			102			571	804				52			184									26		1,719		
Forebay																10				763																
Intake																																		241	37	
Potential Borrow Area																227				54												1,857		3,224		
Potential Spoil Area															536	306				531			11													
Shaft Location																11	0		19	0				3	31			0			12					
Siphon									1			8			36	51				0			9								20			39		
Transmission Line																														69	8	1		34		
Reusable Tunnel Material Area																400								334						181						
Subtotal Permanent	2	2	16	0					7			110			1,184	1,853	0		1,419	0		214	3	365		0	3,155	8	1	5,292	37					
Access Road Work Area																1							3							1				0		
Barge Unloading Facility																								7			7			48		6				
Bridge Work Area															80	66							0							109				52		
Canal Work Area															2	37							3													
Concrete Batch Plant																				50			2							49					4	
Control Structure Work Area																14				5			30													
Forebay Work Area																				66				0												
Fuel Station																				2			2							2					4	
Highway Work Area																														17						
Intake Work Area																												0							506	63
Pipeline Work Area																																			419	
Pumping Plant Work Area																														127						
Railroad Work Area																234				0			33												7	
Road Work Area																																			17	1
Safe Haven Work Area									0	0		7							2	11		4			32	0	0	7								
Siphon Work Area									19			33	7		199	279				46			64	10					111		7			283		
Transmission Line					0	1	1	1	1	1	0	1	3	3	8	21	4		27	7	1	0	1	54	3	4	84	4	1	12			12	11		
Tunnel Work Area					1				37			54	127	24									0													
Subtotal Temporary					1	1	1	1	1	57	0	1	97	137	24	289	652	4	2	207	7	5	137	11	93	3	11	555	4	14	1,304	75				
Grand Total	2	2	16	0	1	1	1	1	1	64	0	1	207	137	24	1,473	2,505	4	2	1,626	7	5	351	14	458	3	11	3,710	12	15	6,596	112				

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines. Acreages are rounded; acreage less than 0.5 has been rounded to 0.

1 **State and Regional Plan Policies**

2 Under Alternative 1C, construction activities associated with the features listed in Table 13-7 would
3 take place on land governed by policies designed to avoid or mitigate environmental effects, as
4 identified in the Delta Protection Commission Land Use and Resource Management Plan and in the
5 Delta Stewardship Council Delta Plan. The Delta Plan policies most closely associated with land use are
6 ER P2 (Restore Habitats at Appropriate Elevations), ER P3 (Protect Opportunities to Restore Habitat),
7 DP P1 (Locate New Urban Development Wisely), and DP P2 (Respect Local Land Use When Siting
8 Water or Flood Facilities or Restoring Habitats). Because CM1 would not involve habitat restoration
9 nor residential, commercial, or industrial development, ER P2 and DP P1 would not be applicable.
10 Additionally, because CM1 activities would occur outside of priority habitat restoration areas as
11 identified by the Delta Plan, ER P3 would not apply. Policy DP P2 requires that parties responsible for
12 proposed actions avoid or reduce incompatibilities with existing or planned uses when feasible. In
13 some cases, commitments and mitigation measures identified in this document (see, for example,
14 Chapter 14, *Agricultural Resources*, Mitigation Measure AG-1: Develop an ALSP to preserve agricultural
15 productivity and mitigate for loss of Important Farmland and land subject to Williamson Act contracts
16 or in Farmland Security Zones) will fulfill this requirement. However, avoidance of all incompatibilities
17 is likely to be considered infeasible; thus, activities associated with CM1 would be considered
18 compatible with Policy DP P2.

19 Alternative 1C may also result in incompatibilities with LURMP policies related to land use. Many of
20 these policies focus on local government activities; however, Land Use P-7 declares that new structures
21 should be set back from levees. Intake structures require contact with water and cannot feasibly be set
22 back from levees. Additionally, Land Use P-14 provides that agricultural lands converted to water
23 impoundment may not result in seepage of water and that such conversions must mitigate associated
24 risks and effects. While construction of Byron Tract Forebay under this alternative would potentially be
25 incompatible with this policy, forebay design, as well as implementation of Mitigation Measure GW-5,
26 Agricultural lands seepage minimization, in Chapter 7, *Groundwater*, would establish compatibility with
27 this policy. Incompatibilities could occur with other LURMP policies, including Agriculture P-2, which
28 suggests that agricultural land conversion should occur first where productivity and values are lowest.
29 As discussed in Chapter 14, *Agricultural Resources*, some higher-value agricultural land would be
30 converted under construction and operation of CM1.

31 These potential incompatibilities suggest the potential for a physical effect on the environment. As
32 discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

33 Under this alternative, indirect effects on land use may also arise through incompatibilities with land
34 subject to Williamson Act contracts or in Farmland Security Zones. If the construction and operation of
35 water conveyance facilities under this alternative results in contract nonrenewal, cancellation, or
36 otherwise removes land within an agricultural preserve from a Williamson Act contract, the county
37 overseeing the preserve may decide to manage the preserve differently; for instance, the county could
38 modify the rules governing compatible uses on remaining land within the preserve. However, this
39 effect is speculative and its magnitude or geographical incidence cannot be evaluated with enough
40 certainty. Chapter 14, *Agricultural Resources*, discusses the potential for direct conflicts with land
41 subject to Williamson Act contracts or in Farmland Security Zones.

1 Yolo County

2 Permanent surface features associated with water conveyance facilities that would be located in Yolo
3 County include five intakes, setback levees, intake pumping plant facilities (including sedimentation
4 basins, solids lagoons), canals, a control structure, bridges, borrow areas, permanent access roads, a
5 segment of the new 230 kV transmission line and towers, and 69 kV transmission lines tying into each
6 intake pumping plant. These features would result in the permanent conversion of land designated
7 under the Yolo County General Plan for agricultural and open space uses and lying within Delta
8 Protection and Agricultural District overlays. These incompatibilities are summarized by Table 13-7.
9 Construction of permanent water conveyance facility components on land designated for agriculture
10 would directly result in permanent land use changes that would preclude agricultural land uses in the
11 future in this area and would result in the reduction of lands available for agricultural use (discussed
12 further in Chapter 14, *Agricultural Resources*).

13 Temporary project features in Yolo County associated with the construction of the water conveyance
14 facilities under Alternative 1C would include temporary access roads, work and staging areas,
15 transmission lines, and spoils and/or “borrow then spoils” areas. These incompatibilities are
16 summarized by Table 13-7. Temporary features would be in place for a period of nine or more years
17 during near-term implementation or the nine-year construction period for CM1. Nonetheless, land
18 designated for agricultural use would be taken out of production for a minimum of nine years, as
19 described in Chapter 14, *Agricultural Resources*. This disruption would be incompatible with the
20 Agricultural and Open Space land use designations and with general plan policies, including Policies
21 LU-3.5, AG-1.4, and AG-1.5, during that period.

22 Portions of the Alternative 1C water conveyance facilities, including Intake 1, would be built within the
23 Borges-Clarksburg Airport CLUP Overflight Zone, which contains territory in Yolo and Sacramento
24 counties. Construction and facilities operations and maintenance activities have the potential to be
25 incompatible with an Overflight Zone policy limiting congregations of people.

26 Solano County

27 Construction of water conveyance features associated with Alternative 1C would result in the
28 permanent conversion of land designated jointly for agricultural uses and within a Resource
29 Conservation overlay in Solano County primarily due to the construction of canals, bridges, permanent
30 access roads, an intermediate pumping plant, tunnel shafts, and borrow areas. Transmission lines
31 would also be constructed on land designated as a Specific Project Area dedicated primarily to general
32 industrial uses (Lambie Industrial Park). These incompatibilities are summarized by Table 13-7.
33 Conversion of agricultural lands and project conflicts with agriculture land uses are described in
34 Chapter 14, *Agricultural Resources*. The placement of facilities, where constructed over or adjacent to
35 lands designated under the Solano County General Plan as Resource Conservation, would be
36 incompatible with this land use designation because they would diminish the amount of land dedicated
37 to open space and conservation of natural habitat and resources. Construction of the facilities would
38 also be incompatible with general plan policies, including Policies RS.P-1, RS.P-5, RS.P-7, RS.P-8 and
39 RS.P-21.

40 Temporary project features associated with the construction of water conveyance facilities in Solano
41 County would include temporary access roads, barge unloading facilities, concrete batch plant, fuel
42 station, work and staging areas, and transmission lines. These features would occupy lands designated
43 for agricultural and resource conservation uses and are summarized by Table 13-7. Many of these
44 temporary features would likely be in place for the first nine or more years of project implementation

1 (i.e., during the near-term implementation or the nine-year project construction period). During that
2 period, lands designated under agricultural zones would be temporarily converted to non-agricultural
3 use, as described in Chapter 14, *Agricultural Resources*. Temporary land use incompatibilities would be
4 of the same nature as the permanent incompatibilities described above, only for a shorter duration.

5 ***Sacramento County***

6 Permanent surface features associated with water conveyance facilities that would be in Sacramento
7 County under Alternative 1C include tunnel shafts and RTM areas. These features would result in the
8 permanent conversion of land designated under the Sacramento County General Plan as Agricultural
9 Cropland and less than an acre designated for recreational use. These incompatibilities are summarized
10 by Table 13-7. While RTM areas are considered permanent surface impacts for the purposes of impact
11 analysis, it is anticipated that the RTM would be removed from these areas and reused, as appropriate,
12 as bulking material for levee maintenance, as fill material for habitat restoration projects, or other
13 beneficial means of reuse identified for the material, as described in Appendix 3B, *Environmental*
14 *Commitments*. Construction of permanent water conveyance facility components on land designated as
15 Agricultural Cropland would directly result in permanent land use changes that would preclude
16 agricultural land uses in the future in this area and would result in the reduction of lands available for
17 agricultural use (discussed further in Chapter 14, *Agricultural Resources*). The construction of
18 permanent facilities would be incompatible with general plan policies, including Policy AG-5.

19 In addition to the Agricultural Cropland designation, there are areas within Sacramento County
20 encompassed by the study area designated under the general plan as Natural Preserve; however, this
21 area is confined to subsurface crossings, where no land use incompatibilities would occur.

22 Temporary project features in Sacramento County associated with the construction of the water
23 conveyance facility would include temporary access roads, barge unloading facilities, transmission
24 lines, and work and staging areas. These incompatibilities are summarized by Table 13-7. Many of
25 these features would likely be in place for the first nine or more years of project implementation (i.e.,
26 during the near-term implementation or the nine-year project construction period). During that period,
27 lands designated as Agricultural Cropland would be temporarily converted to non-agricultural use, as
28 described in Chapter 14, *Agricultural Resources*. The temporary conversion of Agricultural Cropland
29 would be incompatible with general plan policies, including Policy AG-5.

30 ***Contra Costa County***

31 Under Alternative 1C, permanent project water conveyance features in Contra Costa County would
32 include Bryon Tract Forebay and associated water control structures, canal segments, bridges, tunnel
33 shafts, RTM areas, borrow areas, spoils areas, siphons, and permanent access roads. These features,
34 would be constructed on lands designated under the Contra Costa County General Plan as Delta
35 Recreation and Resources, Commercial, Agricultural Lands, and Agricultural Core. These
36 incompatibilities are summarized by Table 13-7. Conversion of agricultural lands and project conflicts
37 with agricultural-related uses are described in Chapter 14, *Agricultural Resources* while effects on and
38 conflicts with recreational resources are discussed further in Chapter 15, *Recreation*. The conversion of
39 designated Agricultural Lands would be incompatible with general plan policies that preserve
40 agricultural areas, including Policies 3-12, 8-2, 8-29, and 8-33. While RTM areas are considered
41 permanent surface impacts for the purposes of impact analysis, it is anticipated that the RTM would be
42 removed from these areas and reused, as appropriate, as bulking material for levee maintenance, as fill
43 material for habitat restoration projects, or other beneficial means of reuse identified for the material,
44 as described in Appendix 3B, *Environmental Commitments*.

1 Constructing structures on lands within the zones dedicated to recreation would be incompatible with
 2 the goals of the Contra Costa County General Plan related to this land use designation, which focuses on
 3 the preservation of land for recreation over the placement of new infrastructure. The construction also
 4 would be incompatible with general plan policies, including Policy 9-44, which calls for protecting and
 5 enhancing Delta recreational values.

6 A canal segment proposed as part of Alternative 1C would cross land designated for Public/Semi-Public
 7 uses. The Public/Semi-Public designation includes properties owned by public governmental agencies
 8 such as libraries, fire stations, schools, etc. This designation is also applied to public transportation
 9 corridors, as well as privately owned transportation and utility corridors. The Public/Semi-Public
 10 designation applies to properties owned by public agencies and privately owned transportation and
 11 utility corridors. Because this designation exists for large-scale infrastructure and utilities, these
 12 project features would be compatible with this designation.

13 A canal segment may also cross land designated for Open Space. Conversion of this land would be
 14 incompatible with the Open Space designation, which permits only resource management, recreation
 15 or the establishment of safety zones; however, this use would also fall under the exemption available to
 16 water facility uses.

17 Portions of Alternative 1C water conveyance facilities at Clifton Court Forebay would be built in areas
 18 covered by Byron Airport LUCP Zones B1, B2, C1, and D. Construction and facilities operations and
 19 maintenance activities could be incompatible with policies that limit congregations of people, require
 20 ALUC review of tall objects, and prohibit aboveground bulk storage of hazardous materials.

21 Permanent features, including a segment of canal and a culvert siphon, would also be incompatible with
 22 land governed by the City of Oakley, including more than 100 acres of land designated for residential
 23 uses. These incompatibilities are also summarized in Table 13-7.

24 Temporary project features in Contra Costa County associated with the construction of the water
 25 conveyance facility would include temporary access roads, work and staging areas, concrete batch
 26 plants, fuel stations, and transmission lines. These features would occupy land designated Delta
 27 Recreation and Resources, Public/Semi-Public, Commercial, Commercial Recreation, Open Space, Parks
 28 and Recreation, and agricultural use (Agriculture Core and Agricultural Lands). As previously
 29 described, many of these temporary features would likely be in place for the first nine or more years of
 30 project implementation (i.e., during the near-term implementation or the nine-year project
 31 construction period). Temporary land use incompatibilities would be of the same nature as the
 32 permanent incompatibilities described above, however they would occur over a shorter period of time.

33 Temporary features, including transmission lines and work areas for siphon and tunnel construction,
 34 would also be incompatible with land designated for residential, agricultural, commercial, commercial,
 35 recreational, and public and semi-public uses in the City of Oakley. These incompatibilities are
 36 summarized in Table 13-7.

37 ***Alameda County***

38 Under Alternative 1C, permanent project water conveyance features would be constructed on about 20
 39 acres of land designated for Agriculture, Commercial, Public, and Residential uses. These
 40 incompatibilities are summarized by Table 13-7. Conversion of agricultural lands and project conflicts
 41 with agricultural-related uses are described in Chapter 14, *Agricultural Resources*. This change in land
 42 use would be incompatible with ECAP policies including Policy 71, which seeks to conserve farmland
 43 soils.

1 **CEQA Conclusion:** These incompatibilities indicate the potential for a physical consequence to the
2 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
3 chapters throughout this document. The relationship between plans, policies, and regulations and
4 impacts on the physical environment is discussed in Section 13.3.1.

5 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed Water** 6 **Conveyance Facility (CM1)**

7 **NEPA Effects:** Construction of water conveyance features associated with Alternative 1C would directly
8 affect land use in the study area by temporarily converting land currently under agricultural land use
9 and open space to temporary access roads, borrow and spoils areas, and temporary work areas. These
10 effects would be temporary with this land returning to agricultural use following construction.

11 Construction of water conveyance features associated with Alternative 1C would also directly affect
12 land use in the study area by permanently converting land currently under agricultural land use and
13 open space to permanent access roads, new bridges, pumping plants, control structures, canals, a new
14 forebay, and footings for electrical transmission line towers. In addition, approximately 726 permanent
15 structures would be removed or relocated within the water conveyance facility footprint under this
16 alternative. This includes an estimated 194 residential buildings. Other structures affected would
17 consist primarily of storage or agricultural support facilities; however, a number of private recreational
18 structures would also be affected. Table 13-3 summarizes the estimated number of structures affected
19 across structure type and alternative and Mapbook Figure M13-3 shows the distribution of these
20 effects across the West conveyance alignment. The canal construction footprint is estimated to create
21 conflicts with 232 structures, including 161 storage and support buildings and 51 residential
22 structures. While these conflicts would be located throughout the canal alignment, the affected
23 structures would be concentrated in the southern portion of the canal alignment, east of the Byron
24 Highway between Knightsen and the proposed Byron Tract Forebay. Borrow and spoil areas are
25 estimated to conflict with 107 structures, including 33 residential structures. RTM areas would conflict
26 with 105 structures, including 23 residential structures. These effects would be primarily created by an
27 RTM area east of the community of Knightsen. The physical footprints of intakes and intake pumping
28 plant facilities, along with associated work areas, are anticipated to create disruptions with 89
29 structures in the vicinity of the east bank of the Sacramento River. Among the five intake sites, 35
30 residential structures would be affected. Siphons and siphon work areas would disrupt 85 structures,
31 including 18 residential buildings. Bridges and associated work areas would disrupt 35 structures,
32 including 17 residential buildings. Other features—including barge unloading facilities, tunnel shaft
33 sites, and work areas for construction of control structures, pipelines, road and railroad work, safe
34 haven zones, and tunnels—would also create disruptions to existing structures.

35 The removal of a substantial number of existing permanent structures as a result of constructing the
36 water conveyance facility would be considered a direct, adverse socioeconomic effect of this alternative
37 under NEPA. When required, the BDCP proponents would provide compensation to property owners
38 for losses due to implementation of the alternative, which would reduce the severity of economic effect
39 related to this physical impact, but would not reduce the severity of the physical impact itself. Project
40 conflicts with existing public structures are addressed in Chapter 20, *Public Services and Utilities*;
41 potential adverse effects on the environment related to the potential release of hazardous materials
42 contained in structures to be demolished are addressed in Chapter 24, *Hazards and Hazardous*
43 *Materials*; and potential adverse effects on traditional cultural properties are addressed in Chapter 18,
44 *Cultural Resources*.

1 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
2 removal of a substantial number of existing permanent structures. The removal of existing structures is
3 not, in itself, considered an environmental impact, though removal might entail economic impacts.
4 Significant environmental impacts would only result if the structures qualified as “historical resources”
5 or the removal of structures led to physical effects on certain other resources. As discussed in Section
6 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS. Project conflicts with
7 existing public structures are addressed in Chapter 20, *Public Services and Utilities*; potential impacts on
8 the public and environment related to the potential release of hazardous materials contained in
9 structures to be demolished are addressed in Chapter 24, *Hazards and Hazardous Materials*; and
10 potential impacts on “historical resources” (including qualifying structures) and traditional cultural
11 properties are addressed in Chapter 18, *Cultural Resources*. Where applicable, BDCP proponents will
12 provide compensation to property owners for losses due to implementation of the BDCP. This
13 compensation would reduce the severity of economic effects, but would not constitute mitigation for
14 any related physical impact. In sum, there are no land use effects under CEQA due solely to the removal
15 of physical structures that are not treated under other impact categories.

16 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
17 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

18 **NEPA Effects:** Under Alternative 1C, the construction of permanent facilities and associated work areas
19 would be located around the community of Clarksburg, creating linear construction zones between the
20 community and outlying areas. Intakes 1 and 2 (along with their associated pumping plants,
21 transmission lines, and access roads) and segments of conveyance pipeline would surround the
22 community on the north, west, and south. Construction activities associated with the intakes would last
23 approximately four years. While access to the community from the north and the south would continue
24 with the construction of temporary roadways, access from the west would be disrupted during
25 construction of conveyance pipeline. The long-term placement of Intake 2 (adjacent to the south) and
26 Intake 1 (approximately one mile north) would substantially alter the lands surrounding Clarksburg.
27 While a permanent physical surface crossing of the community itself is not anticipated to result from
28 these features, activities associated with their construction would create linear construction areas for a
29 period of time. Additionally, the lasting placement of the intake facilities would represent physical
30 structures that would substantially alter the setting of the community and its immediate surroundings,
31 constituting an adverse effect. Mitigation Measures TRANS-1a and TRANS-1b are available to address
32 this effect.

33 **CEQA Conclusion:** Construction activities associated with Intakes 1 and 2, their associated facilities,
34 and segments of conveyance pipeline would be located around the community of Clarksburg. Even
35 though access to and from the community would be maintained over the long-term, the placement of
36 Intake 2, as well as the nearby construction of Intake 1, would create permanent physical structures
37 that would substantially alter the setting of the community and its immediate surroundings. These
38 structures would therefore result in a significant and unavoidable impact. Implementation of Mitigation
39 Measures TRANS-1a and TRANS-1b would reduce the severity of this impact by supporting continued
40 access to and from the community on transportation routes; however, permanent structures would
41 remain, and the impact would be significant.

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

3 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative 1A,
 4 Impact TRANS-1.

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

7 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative 1A,
 8 Impact TRANS-1.

9 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 10 **Result of Implementing the Proposed Conservation Measures 2–21**

11 **NEPA Effects:** Effects related to incompatibility with land use designations, goals, and policies resulting
 12 from implementation of BDCP Conservation Measures 2–21 would be similar to those described under
 13 Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could
 14 result from the selection of different areas for restoration activities based on the location of the
 15 physical water conveyance features associated with each alternative. Because the locations for the
 16 implementation of these conservation measures are unknown at this point, a conclusion about the
 17 compatibility of this alternative with local land use regulations cannot be made. These issues would be
 18 addressed in detail in site-specific environmental documents for restoration proposals. However,
 19 implementation of this alternative may result in substantial incompatibilities with local land use
 20 regulations due to the amount of land area targeted for restoration actions. As discussed in Section
 21 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
 22 and policies, any related environmental effects are discussed in other chapters.

23 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 24 point, a conclusion about the compatibility of this alternative with local land use regulations cannot be
 25 made; these issues therefore will have to be addressed in detail in site-specific environmental
 26 documents for restoration proposals. Although implementation of this alternative would be anticipated
 27 to result in substantial incompatibilities with local land use regulations due to the amount of land area
 28 targeted for restoration actions, it is presently unknown whether any such incompatibilities would be
 29 indicative of related physical consequences, such as the loss of prime agricultural land or unique
 30 archaeological resources. The relationship between plans, policies, and regulations and impacts on the
 31 physical environment is discussed in Section 13.3.1. These issues will also be addressed in the site-
 32 specific environmental documents for proposed restoration activities.

33 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
 34 **Conservation Measures 2–21**

35 **NEPA Effects:** Effects related to conflicts with existing land uses under this alternative would be the same
 36 as those described for Alternative 1A because the proposed CM2–CM21 would be the same under both
 37 alternatives. As with Alternative 1A, implementation of CM2–CM21 could create temporary or permanent
 38 conflicts with existing land uses where they would require the removal of structures or sever critical
 39 access routes. When required, the BDCP proponents would provide compensation to property owners for
 40 losses due to implementation of the alternative, which would reduce the severity of economic effects
 41 related to this physical impact, but would not reduce the severity of the physical impact itself.

1 Implementation of this alternative would be anticipated to result in substantial conflicts with current
2 land uses due to the amount of land area targeted for restoration actions.

3 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
4 this point, no definitive conclusion can be made about the potential for restoration actions to result in
5 the permanent conversion of land uses (including displacement of existing structures and residences)
6 due to the construction of permanent features of the facility. Nor can a conclusion be made with regard
7 to the degree of indirect impacts, which could occur primarily as a result of incompatibility with
8 adjacent land uses or the loss or increased difficulty of access to parcels. However, implementation of
9 this alternative would be anticipated to result in substantial conflicts with current land uses due to the
10 amount of land area targeted for restoration actions. Where applicable, the BDCP proponents will
11 provide compensation to property owners for losses due to implementation of the alternative. This
12 would reduce the severity of economic effects related to this physical impact, but would not reduce the
13 severity of the physical impact itself.

14 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
15 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

16 **NEPA Effects:** Effects related to the physical division of an existing community under this alternative would
17 be the same as those described for Alternative 1A. Because the locations for implementation of these
18 conservation measures are unknown at this time, a conclusion about the potential for this alternative to
19 divide an existing community cannot be made. However, effects related to dividing an existing community as
20 a result of the implementation of CM2–CM21 would not be anticipated to be adverse under this alternative.

21 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
22 point, a conclusion about this alternative’s potential to divide an existing community cannot be made;
23 however, because large-scale restoration actions that take place in areas suitable for open space,
24 resource conservation, and habitat are not likely to create permanent physical divisions in existing
25 communities, this impact is anticipated to be less than significant.

26 **13.3.3.5 Alternative 2A—Dual Conveyance with Pipeline/Tunnel and Five**
27 **Intakes (15,000 cfs; Operational Scenario B)**

28 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
29 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

30 **NEPA Effects:** Incompatibility with land use regulations stemming from the construction of water
31 conveyance structures under Alternative 2A would be similar to those described for Alternative 1A.
32 Under Alternative 2A, however, locations chosen for two intakes could differ from those options
33 presented for Alternative 1A. Additionally, an operable barrier would be constructed at the head of Old
34 River, which would be expected to include a temporary work area less than 1 acre and an area of about
35 5 acres dedicated to the footprint of the barrier and transmission lines. These features would affect an
36 area designated as Open Space/Resource Conservation in San Joaquin County and could potentially
37 affect lands designated for low-density residential uses in the city of Lathrop. If Intakes 6 and 7 were
38 chosen, incompatibilities with land use designations would be as summarized in Table 13-8. For further
39 reference about the location of all potential intakes that could be constructed under this alternative,
40 please refer to Chapter 3, *Description of Alternatives*.

1 Table 13-8. Water Conveyance Incompatibilities with Land Use Designations under Alternative 2A (acres)

Surface Feature	Alameda County				Contra Costa County						Sacramento County						San Joaquin County ¹			
	Agriculture	Commercial	Public	Residential	Agricultural Lands	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Intensive Industrial	Low Density Residential	Medium Density Residential	Natural Preserve	Recreation	Commercial / Offices	Agriculture / General	Open Space / Resource Conservation	Residential / Very Low Density
Forebay					141	526		26	160	2	1,002									
Intake											259					54				
Potential Borrow Area											584				0					
Potential Spoil Area	205	1	7	4	406				1											
Shaft Location											82					0		199	66	
Transmission Line	2	0	1	0	7	12	1		6	1	110	1		1	3	9	1	98	28	0
Reusable Tunnel Material Area											695							887	14	
Subtotal Permanent	207	1	8	4	554	538	1	26	167	3	2,732	1	0	1	3	63	1	1,184	108	0
Access Road Work Area					0				6											
Barge Unloading Facility											27					5		42	99	
Concrete Batch Plant				0	2						44							40		
Control Structure Work Area					1				3											
Fuel Station	1			1	0						6							2		
Intake Work Area											531					87				
Pipeline											66									
Pipeline Work Area											568		25		12					
Road Work Area					0				1											
Safe Haven Work Area						11					37				0	0		68	1	
Transmission Line	1	0	1	0	5	11	0		7	1	116	0	0	0	2	1	1	83	47	0
Tunnel Work Area											69							62		
Subtotal Temporary	2	0	1	1	8	22	0	0	17	1	1,464	0	25	0	14	93	1	297	147	0
Grand Total	209	1	9	5	562	560	1	26	184	4	4,196	1	25	1	17	156	2	1,481	255	0

¹ Impact estimates exclude the potential construction of an operable barrier at the head of Old River. See the impact discussion above for further detail.

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines.

Acreages are rounded; acreage less than 0.5 has been rounded to 0.

1 Like Alternative 1A, Alternative 2A would place temporary and permanent structures on lands
 2 designated for other uses by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, and
 3 Alameda Counties. The construction of the water conveyance facilities would create
 4 incompatibilities with many of the land use designations, goals and policies set forth by these
 5 counties' general plans, along with guidelines identified by state and regional plans. Construction
 6 and subsequent operations and maintenance activities also have the potential to be incompatible
 7 with airport compatibility plans adopted by Contra Costa and Yolo County ALUCs. As discussed in
 8 Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use
 9 designations, goals, and policies, any related environmental effects are discussed in other chapters.

10 **CEQA Conclusion:** These incompatibilities indicate the potential for a physical consequence to the
 11 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 12 chapters throughout this document. The relationship between plans, policies, and regulations and
 13 impacts on the physical environment is discussed in Section 13.3.1.

14 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 15 **Water Conveyance Facility (CM1)**

16 **NEPA Effects:** Effects related to conflicts with existing land uses under this alternative would be
 17 similar to those described for Alternative 1A. However, potential variation in the severity of these
 18 effects would result from two potentially different intake locations (Intakes 6 and 7 instead of Intakes
 19 4 and 5). The construction of an operable barrier at the head of Old River would not be anticipated to
 20 directly conflict with any existing structure. Selection of Intakes 6 and 7 instead of Intakes 4 and 5
 21 would be anticipated to disrupt approximately 18 more structures including an estimated 11 more
 22 residential structures. Table 13-3 summarizes the estimated number of structures affected across
 23 structure type and alternative and Mapbook Figure M13-1 shows the distribution of these effects
 24 across the Pipeline/Tunnel conveyance alignment. As for Alternative 1A, construction and operation
 25 of physical facilities for water conveyance would create temporary or permanent conflicts with
 26 existing land uses where they would require the removal of structures or sever critical access routes.

27 The removal of a substantial number of existing permanent structures as a result of constructing the
 28 water conveyance facility would be considered a direct, adverse socioeconomic effect of this
 29 alternative under NEPA. When required, the BDCP proponents would provide compensation to
 30 property owners for losses due to implementation of the alternative, which would reduce the
 31 severity of economic effects related to this physical impact, but would not reduce the severity of the
 32 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
 33 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
 34 release of hazardous materials contained in structures to be demolished are addressed in Chapter
 35 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
 36 are addressed in Chapter 18, *Cultural Resources*.

37 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
 38 removal of a substantial number of existing permanent structures. The removal of existing
 39 structures is not, in itself, considered an environmental impact, though removal might entail
 40 economic impacts. Significant environmental impacts would only result if the structures qualified as
 41 "historical resources" or the removal of structures led to physical effects on certain other resources.
 42 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
 43 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 44 *Utilities*; potential impacts on the public and environment related to the potential release of

1 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 2 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
 3 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
 4 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
 5 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
 6 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
 7 under CEQA due solely to the removal of physical structures that are not treated under other impact
 8 categories.

9 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
 10 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

11 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
 12 construction of water conveyance facilities under Alternative 2A would be similar to those described
 13 for Alternative 1A. Construction of permanent facilities and associated work areas would be located
 14 in and around the community of Hood, in some cases displacing structures in the community and
 15 creating linear construction zones between structures within the community. Intake 4, if built under
 16 this alternative, would be constructed along the southern border of the community over a period of
 17 approximately four years, altering a point of access to the community. Work areas associated with
 18 construction of the conveyance pipeline carrying water from Intake 3 to the intermediate forebay
 19 would run north to south in the eastern section of the community. While a permanent physical
 20 division within the community itself is not anticipated to result from these features, activities
 21 associated with their construction would create a linear construction area for a limited period of
 22 time, making it difficult to travel within Hood in certain areas. Additionally, the lasting placement of
 23 the intake facilities and intermediate forebay would represent physical structures that would
 24 substantially alter the setting of the community and its immediate surroundings, constituting an
 25 adverse effect. Mitigation Measures TRANS-1a and TRANS-1b are available to address this effect.

26 **CEQA Conclusion:** During the construction of the conveyance pipeline between Intake 3 and the
 27 intermediate forebay, construction activities would cross the community of Hood, limiting access
 28 between some of the community’s easternmost structures and the main section of the community.
 29 These structures would therefore result in a significant and unavoidable impact. Implementation of
 30 Mitigation Measures TRANS-1a and TRANS-1b would reduce the severity of this impact by
 31 supporting continued access to and from the community on transportation routes; however,
 32 permanent structures would remain, and the impact would be significant.

33 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
 34 **Plan**

35 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 36 1A, Impact TRANS-1.

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

39 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 40 1A, Impact TRANS-1.

1 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
2 **Result of Implementing the Proposed Conservation Measures 2–21**

3 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
4 policies resulting from implementation of BDCP Conservation Measures 2–21 would be the same for
5 Alternative 2A as those described under Alternative 1A. Because the locations for the
6 implementation of these conservation measures are unknown at this time, a conclusion about the
7 compatibility for this alternative with local land use regulations cannot be made. These issues would
8 be addressed in detail in site-specific environmental documents for restoration proposals. However,
9 implementation of this alternative may result in substantial incompatibilities with local land use
10 regulations due to the amount of land area targeted for restoration actions. As discussed in Section
11 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
12 and policies, any related environmental effects are discussed in other chapters.

13 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
14 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
15 be made; these issues therefore will have to be addressed in detail in site-specific environmental
16 documents for restoration proposals. Although implementation of this alternative would be
17 anticipated to result in substantial incompatibilities with local land use regulations due to the
18 amount of land area targeted for restoration actions, it is presently unknown whether any such
19 incompatibilities would be indicative of related physical consequences, such as the loss of prime
20 agricultural land or unique archaeological resources. The relationship between plans, policies, and
21 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
22 also be addressed in the site-specific environmental documents for proposed restoration activities.

23 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
24 **Conservation Measures 2–21**

25 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 2A would be
26 similar to those described for Alternative 1A because the proposed CM2–CM21 would be the same
27 under both alternatives. As with Alternative 1A, implementation of CM2–CM21 could create
28 temporary or permanent conflicts with existing land uses where they would require the removal of
29 structures or sever critical access routes. Without more site-specific information about the locations
30 and types of restoration to be implemented, no definitive conclusion can be made; however,
31 implementation of this alternative would be anticipated to result in substantial conflicts with
32 current land uses due to the amount of land area targeted for restoration actions. When required,
33 the BDCP proponents would provide compensation to property owners for losses due to
34 implementation of the alternative, which would reduce the severity of economic effects related to
35 this physical impact, but would not reduce the severity of the physical impact itself.

36 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
37 this point, no definitive conclusion can be made about the potential for restoration actions to result
38 in the permanent conversion of land uses (including displacement of existing structures and
39 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
40 made with regard to the degree of indirect impacts, which could occur primarily as a result of
41 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
42 However, implementation of this alternative would be anticipated to result in substantial conflicts
43 with current land uses due to the amount of land area targeted for restoration actions. Where
44 applicable, the BDCP proponents will provide compensation to property owners for losses due to

1 implementation of the alternative. This would reduce the severity of economic effects related to this
2 physical impact, but would not reduce the severity of the physical impact itself.

3 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing** 4 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

5 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 2A
6 would be the same as those described for Alternative 1A. Because the locations for the
7 implementation of these conservation measures are unknown at this time, a conclusion about this
8 alternative’s potential to divide an existing community cannot be made. Effects related to dividing
9 an existing community as a result of the implementation of CM2–CM21 would not be anticipated to
10 be adverse under this alternative.

11 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
12 point, a conclusion about this alternative’s potential to divide an existing community cannot be
13 made; however, because, large-scale restoration actions that take place in areas suitable for open
14 space, resource conservation, and habitat are not likely to create permanent physical divisions in
15 existing communities, this impact is anticipated to be less than significant.

16 **13.3.3.6 Alternative 2B—Dual Conveyance with East Alignment and Five** 17 **Intakes (15,000 cfs; Operational Scenario B)**

18 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a** 19 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

20 **NEPA Effects:** Land use incompatibility resulting from the construction of water conveyance
21 facilities under Alternative 2B would be similar to those described for Alternative 1B. Under this
22 alternative, however, locations chosen for two intakes could differ from those options presented for
23 Alternative 1B. Additionally, an operable barrier would be constructed at the head of Old River,
24 which would be expected to include a temporary work area less than 1 acre and an area of about 5
25 acres dedicated to the footprint of the barrier and transmission lines. These features would affect an
26 area designated as Open Space/Resource Conservation in San Joaquin County and could potentially
27 affect lands designated for low-density residential uses in the city of Lathrop. If Intakes 6 and 7 were
28 chosen, incompatibilities with land use designations would be as summarized in Table 13-9.

29 Conveyance pipelines and associated work areas could add to the list of features potentially
30 incompatible with Stone Lakes NWR CCP policies. Further discussion of the Stone Lakes NWR CCP is
31 provided in Chapter 12, *Terrestrial Biological Resources*, under Impact BIO-186. For further
32 reference about the location of all potential intakes that could be constructed under this alternative,
33 please refer to Chapter 3, *Description of Alternatives*.

34 Like Alternative 1B, Alternative 2B would construct permanent and temporary features upon lands
35 covered by the general plans of Sacramento, San Joaquin, Contra Costa, and Alameda Counties. These
36 structures would create incompatibilities with numerous land use designations, goals and policies
37 set forth by these counties’ general plans, along with guidelines identified by state and regional
38 plans. Construction and subsequent operations and maintenance activities also have the potential to
39 be incompatible with airport compatibility plans adopted by Contra Costa and Yolo County ALUCs.
40 As discussed in Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land
41 use designations, goals, and policies, any related environmental effects are discussed in other
42 chapters.

1 Table 13-9. Water Conveyance Incompatibilities with Land Use Designations under Alternative 2B (acres)

Surface Feature	Alameda County				City of Stockton								Contra Costa County						Sacramento County				San Joaquin County ¹					
	Agriculture	Commercial	Public	Residential	Administrative Professional	Commercial	Institutional	Low Density Residential	Medium Density Residential	Parks and Recreation	Residential Estate	Village	Open Space / Agriculture	Agricultural Lands	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Low Density Residential	Natural Preserve	Recreation	City	Elementary School	Agriculture / General	Open Space / Resource Conservation	Residential / Very Low Density
Bridge																				48	6	1			1	136	11	
Canal																				1,595	32	9				4,892	73	
Forebay														141	526		26	159	0									
Intake																				259			54					
Potential Borrow and/or Spoil							209					437								455		13			0	7,400	55	
Potential Borrow Area																				1,456		7						
Potential Spoil Area	205	1	7	4									406					1								158	4	
Pumping Plant (intermediate)																										68		
Siphon																				13		7				131	2	
Transmission Line	2	0	1	0									7		1		6	0	29		3	3				13	17	0
Reusable Tunnel Material Area																										437	1	
Subtotal Permanent	207	1	8	4			209					437	554	526	1	26	166	1	3,855	38	40	57		1	13,235	163	0	
Access Road Work Area																										0	1	
Barge Unloading Facility																										14	12	
Bridge / Control Work Area																				69		2				27		
Bridge Work Area																										162	3	
Canal Work Area																										25	1	
Concrete Batch Plant													2						4							29		
Control Structure Work Area													1					3										
Fuel Station	1			1															4							6		
Intake Work Area																				489			89					
Pipeline Work Area																				605		42						
Pumping Plant Work Area																										47		
Railroad Work Area																										41		
Road Work Area													0					1										
Siphon Work Area																				78		53				517	280	
Transmission Line	2	0	1	0	3	2	16	6	1	2	6	18	6		1		9	0	11		1	0	0			79	20	0
Tunnel Work Area																				47						158	25	
Subtotal Temporary	3	0	1	1	3	2	16	6	1	2	6	18	9		1		13	0	1,307		98	89	0		1,105	342	0	
Grand Total	210	1	9	5	3	2	225	6	1	2	6	437	18	563	526	2	26	179	1	5,162	38	138	146	0	1	14,340	505	0

¹ Impact estimates exclude the potential construction of an operable barrier at the head of Old River. See the impact discussion above for further detail.

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines.

Acreages are rounded; acreage less than 0.5 has been rounded to 0.

1 **CEQA Conclusion:** These incompatibilities indicate the potential for a physical consequence to the
 2 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 3 chapters throughout this document. The relationship between plans, policies, and regulations and
 4 impacts on the physical environment is discussed in Section 13.3.1.

5 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 6 **Water Conveyance Facility (CM1)**

7 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 2B would be
 8 similar to those described for Alternative 1B. However, potential variation in the severity of these
 9 effects would result from potentially different intake locations. The construction of an operable
 10 barrier at the head of Old River would not be anticipated to directly conflict with any existing
 11 structure. If Intakes 6 and 7 were constructed instead of Intakes 4 and 5, approximately 22 more
 12 structures would be disrupted including approximately 12 more residential structures. Table 13-4
 13 summarizes the estimated number of structures affected across structure type and alternative and
 14 Mapbook Figure M13-2 shows the distribution of these effects across the East conveyance
 15 alignment. As for Alternative 1B, construction and operation of physical facilities for water
 16 conveyance would create temporary or permanent conflicts with existing land uses where they
 17 would require the removal of structures or sever critical access routes.

18 The removal of a substantial number of existing permanent structures as a result of constructing the
 19 water conveyance facility would be considered a direct, adverse socioeconomic effect of this
 20 alternative under NEPA. When required, the BDCP proponents would provide compensation to
 21 property owners for losses due to implementation of the alternative, which would reduce the
 22 severity of economic effects related to this physical impact, but would not reduce the severity of the
 23 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
 24 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
 25 release of hazardous materials contained in structures to be demolished are addressed in Chapter
 26 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
 27 are addressed in Chapter 18, *Cultural Resources*.

28 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
 29 removal of a substantial number of existing permanent structures. The removal of existing
 30 structures is not, in itself, considered an environmental impact, though removal might entail
 31 economic impacts. Significant environmental impacts would only result if the structures qualified as
 32 “historical resources” or the removal of structures led to physical effects on certain other resources.
 33 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
 34 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 35 *Utilities*; potential impacts on the public and environment related to the potential release of
 36 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 37 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
 38 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
 39 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
 40 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
 41 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
 42 under CEQA due solely to the removal of physical structures that are not treated under other impact
 43 categories.

1 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
 2 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

3 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
 4 construction of water conveyance facilities under Alternative 2B would be similar to those described
 5 for Alternative 1B. Construction of Intake 4 (if it were built under this alternative), a segment of
 6 canal, a bridge, and associated work areas would be located in close proximity of the community of
 7 Hood, in some cases displacing structures in the community and creating linear construction zones
 8 between the community and outlying areas. During construction of these project facilities, access
 9 would be limited between the community and points to the east. While a permanent physical surface
 10 crossing of the community itself is not anticipated to result from these features, activities associated
 11 with their construction would create a linear construction area for a limited period of time, making
 12 it difficult to travel within Hood in certain areas. Additionally, the lasting placement of the intake
 13 facilities and the canal would represent physical structures that would substantially alter the setting
 14 of the community and its immediate surroundings, constituting an adverse effect. Mitigation
 15 Measures TRANS-1a and TRANS-1b are available to reduce this effect.

16 **CEQA Conclusion:** Construction activities associated with Intake 4 and its associated facilities, the canal,
 17 and a bridge over the canal would limit access between the community of Hood and surrounding areas.
 18 Even though access to and from the community would be maintained over the long-term, the placement
 19 of Intake 4 and the canal, as well as the nearby construction of Intake 3, would create permanent
 20 physical structures that would substantially alter the setting of the community and its immediate
 21 surroundings. These structures would therefore result in a significant and unavoidable impact.
 22 Implementation of Mitigation Measures TRANS-1a and TRANS-1b would reduce the severity of this
 23 impact by supporting continued access to and from the community on transportation routes; however,
 24 permanent structures would remain, and the impact would be significant.

25 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
 26 **Plan**

27 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 28 1A, Impact TRANS-1.

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

31 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 32 1A, Impact TRANS-1.

33 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 34 **Result of Implementing the Proposed Conservation Measures 2–21**

35 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
 36 policies resulting from implementation of BDCP Conservation Measures 2–21 would be the same
 37 under Alternative 2B as those described under Alternative 1B. Because the locations for the
 38 implementation of these conservation measures are unknown at this time, a conclusion about the
 39 compatibility of this alternative with local land use regulations cannot be made. These issues would
 40 be addressed in detail in site-specific environmental documents for restoration proposals. However,
 41 implementation of this alternative may result in substantial incompatibilities with local land use
 42 regulations due to the amount of land area targeted for restoration actions. As discussed in Section

1 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
2 and policies, any related environmental effects are discussed in other chapters.

3 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
4 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
5 be made; these issues therefore will have to be addressed in detail in site-specific environmental
6 documents for restoration proposals. Although implementation of this alternative would be
7 anticipated to result in substantial incompatibilities with local land use regulations due to the
8 amount of land area targeted for restoration actions, it is presently unknown whether any such
9 incompatibilities would be indicative of related physical consequences, such as the loss of prime
10 agricultural land or unique archaeological resources. The relationship between plans, policies, and
11 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
12 also be addressed in the site-specific environmental documents for proposed restoration activities.

13 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed** 14 **Conservation Measures 2–21**

15 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 2B would be the
16 same as those described for Alternative 1B because the proposed CM2–CM21 would be the same
17 under both alternatives. As with Alternative 1B, implementation of CM2–CM21 could create
18 temporary or permanent conflicts with existing land uses where they would require the removal of
19 structures or sever critical access routes. When required, the BDCP proponents would provide
20 compensation to property owners for losses due to implementation of the alternative, which would
21 reduce the severity of economic effects related to this physical impact, but would not reduce the
22 severity of the physical impact itself. Implementation of this alternative would be anticipated to
23 result in substantial conflicts with current land uses due to the amount of land area targeted for
24 restoration actions.

25 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
26 this point, no definitive conclusion can be made about the potential for restoration actions to result
27 in the permanent conversion of land uses (including displacement of existing structures and
28 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
29 made with regard to the degree of indirect impacts, which could occur primarily as a result of
30 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
31 However, implementation of this alternative would be anticipated to result in substantial conflicts
32 with current land uses due to the amount of land area targeted for restoration actions. Where
33 applicable, the BDCP proponents will provide compensation to property owners for losses due to
34 implementation of the alternative. This would reduce the severity of economic effects related to this
35 physical impact, but would not reduce the severity of the physical impact itself.

36 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing** 37 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

38 **NEPA Effects:** Effects related to the physical division of an existing community under this alternative
39 would be the same as those described for Alternative 1A. Because the locations for the
40 implementation of these conservation measures are unknown at this time, a conclusion about this
41 alternative's potential to divide an existing community cannot be made. Effects related to dividing
42 an existing community as a result of the implementation of CM2–CM21 would not be anticipated to
43 be adverse under this alternative.

1 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 2 point, a conclusion about this alternative’s potential to divide an existing community cannot be
 3 made; however, because large-scale restoration actions that take place in areas suitable for open
 4 space, resource conservation, and habitat are not likely to create permanent physical divisions in
 5 existing communities, this impact is anticipated to be less than significant.

6 **13.3.3.7 Alternative 2C—Dual Conveyance with West Alignment and** 7 **Intakes W1–W5 (15,000 cfs; Operational Scenario B)**

8 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a** 9 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

10 **NEPA Effects:** Incompatibilities with local land use plans under Alternative 2C would be similar to
 11 those described for Alternative 1C. Alternative 2C would construct permanent and temporary water
 12 conveyance structures on land governed by the general plans of Yolo, Solano, Sacramento, Contra
 13 Costa, and Alameda Counties, along with the City of Oakley. Additionally, an operable barrier would
 14 be constructed at the head of Old River, which would be expected to include a temporary work area
 15 less than 1 acre and an area of about 5 acres dedicated to the footprint of the barrier and
 16 transmission lines. These features would affect an area designated as Open Space/Resource
 17 Conservation in San Joaquin County and could potentially affect lands designated for low-density
 18 residential uses in the city of Lathrop. Construction activities under Alternative 2C would create
 19 incompatibilities with numerous land use designations, goals and policies set forth by these
 20 counties’ general plans, along with guidelines identified by state and regional plans. Construction
 21 and subsequent operations and maintenance activities also have the potential to be incompatible
 22 with airport compatibility plans adopted by Contra Costa and Yolo County ALUCs. As discussed in
 23 Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use
 24 designations, goals, and policies, any related environmental effects are discussed in other chapters.

25 **CEQA Conclusion:** These incompatibilities indicate the potential for a physical consequence to the
 26 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 27 chapters throughout this document. The relationship between plans, policies, and regulations and
 28 impacts on the physical environment is discussed in Section 13.3.1.

29 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 30 **Water Conveyance Facility (CM1)**

31 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 2C would be
 32 identical to those described for Alternative 1C because the construction of an operable barrier at the
 33 head of Old River would not be anticipated to directly conflict with any existing structure. Table 13-
 34 4 summarizes the estimated number of structures affected across structure type and alternative and
 35 Mapbook Figure M13-3 shows the distribution of these effects across the West conveyance
 36 alignment. As for Alternative 1C, construction and operation of physical facilities for water
 37 conveyance under Alternative 2C would create temporary or permanent conflicts with existing land
 38 uses where they would require the removal of structures or sever critical access routes.

39 The removal of a substantial number of existing permanent structures as a result of constructing the
 40 water conveyance facility would be considered a direct, adverse socioeconomic effect of this
 41 alternative under NEPA. When required, the BDCP proponents would provide compensation to
 42 property owners for losses due to implementation of the alternative, which would reduce the

1 severity of economic effects related to this physical impact, but would not reduce the severity of the
 2 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
 3 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
 4 release of hazardous materials contained in structures to be demolished are addressed in Chapter
 5 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
 6 are addressed in Chapter 18, *Cultural Resources*.

7 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
 8 removal of a substantial number of existing permanent structures. The removal of existing structures
 9 is not, in itself, considered an environmental impact, though removal might entail economic impacts.
 10 Significant environmental impacts would only result if the structures qualified as “historical
 11 resources” or the removal of structures led to physical effects on certain other resources. As discussed
 12 in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS. Project
 13 conflicts with existing public structures are addressed in Chapter 20, *Public Services and Utilities*;
 14 potential impacts on the public and environment related to the potential release of hazardous
 15 materials contained in structures to be demolished are addressed in Chapter 24, *Hazards and*
 16 *Hazardous Materials*; and potential impacts on “historical resources” (including qualifying structures)
 17 and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*. Where applicable,
 18 BDCP proponents will provide compensation to property owners for losses due to implementation of
 19 the BDCP. This compensation would reduce the severity of economic effects, but would not constitute
 20 mitigation for any related physical impact. In sum, there are no land use effects under CEQA due solely
 21 to the removal of physical structures that are not treated under other impact categories.

22 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
 23 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

24 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
 25 construction of water conveyance facilities would be the same under Alternative 2C as those
 26 described for Alternative 1C. The construction of permanent facilities and associated work areas
 27 would be located around the community of Clarksburg, creating linear construction zones between
 28 the community and outlying areas. Intakes 1 and 2 (along with their associated pumping plants,
 29 transmission lines, and access roads) and segments of conveyance pipeline would surround the
 30 community on the north, west, and south. While a permanent physical surface crossing of the
 31 community itself is not anticipated to result from these features, activities associated with their
 32 construction would create linear construction areas for a period of time. Additionally, the lasting
 33 placement of the intake facilities would represent physical structures that would substantially alter
 34 the setting of the community and its immediate surroundings, constituting an adverse effect.
 35 Mitigation Measures TRANS-1a and TRANS-1b are available to address this effect.

36 **CEQA Conclusion:** Construction activities associated with Intakes 1 and 2, their associated facilities,
 37 and segments of conveyance pipeline would be located around the community of Clarksburg. Even
 38 though access to and from the community would be maintained over the long-term, the placement
 39 of Intake 2, as well as the nearby construction of Intake 1, would create permanent physical
 40 structures that would substantially alter the setting of the community and its immediate
 41 surroundings. These structures would therefore result in a significant and unavoidable impact.
 42 Implementation of Mitigation Measures TRANS-1a and TRANS-1b would reduce the severity of this
 43 impact by supporting continued access to and from the community on transportation routes;
 44 however, permanent structures would remain, and the impact would be significant.

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

3 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 4 1A, Impact TRANS-1.

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

7 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 8 1A, Impact TRANS-1.

9 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 10 **Result of Implementing the Proposed Conservation Measures 2–21**

11 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
 12 policies resulting from implementation of BDCP Conservation Measures 2–21 would be the same
 13 under Alternative 2C as those described under Alternative 1C. Because the locations for the
 14 implementation of these conservation measures are unknown at this time, a conclusion about the
 15 compatibility for this alternative with local land use regulations cannot be made. These issues would
 16 be addressed in detail in site-specific environmental documents for restoration proposals. However,
 17 implementation of this alternative may result in substantial incompatibility with local land use
 18 regulations due to the amount of land area targeted for restoration actions. As discussed in Section
 19 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
 20 and policies, any related environmental effects are discussed in other chapters.

21 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 22 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
 23 be made; these issues therefore will have to be addressed in detail in site-specific environmental
 24 documents for restoration proposals. Although implementation of this alternative would be
 25 anticipated to result in substantial incompatibilities with local land use regulations due to the
 26 amount of land area targeted for restoration actions, it is presently unknown whether any such
 27 incompatibilities would be indicative of related physical consequences, such as the loss of prime
 28 agricultural land or unique archaeological resources. The relationship between plans, policies, and
 29 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
 30 also be addressed in the site-specific environmental documents for proposed restoration activities.

31 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
 32 **Conservation Measures 2–21**

33 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 2C would be the
 34 same as those described for Alternative 1C because the proposed CM2–CM21 would be the same
 35 under both alternatives. As with Alternative 1C, implementation of CM2–CM21 could create
 36 temporary or permanent conflicts with existing land uses where they would require the removal of
 37 structures or sever critical access routes. When required, the BDCP proponents would provide
 38 compensation to property owners for losses due to implementation of the alternative, which would
 39 reduce the severity of economic effects related to this physical impact, but would not reduce the
 40 severity of the physical impact itself. Implementation of this alternative would be anticipated to
 41 result in substantial conflicts with current land uses due to the amount of land area targeted for
 42 restoration actions.

1 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
 2 this point, no definitive conclusion can be made about the potential for restoration actions to result
 3 in the permanent conversion of land uses (including displacement of existing structures and
 4 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
 5 made with regard to the degree of indirect impacts, which could occur primarily as a result of
 6 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
 7 However, implementation of this alternative would be anticipated to result in substantial conflicts
 8 with current land uses due to the amount of land area targeted for restoration actions. Where
 9 applicable, the BDCP proponents will provide compensation to property owners for losses due to
 10 implementation of the alternative. This would reduce the severity of economic effects related to this
 11 physical impact, but would not reduce the severity of the physical impact itself.

12 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
 13 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

14 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 2C
 15 would be the same as those described for Alternative 1A. Because the locations for the
 16 implementation of these conservation measures are unknown at this time, a conclusion about this
 17 alternative's potential to divide an existing community cannot be made. Effects related to dividing
 18 an existing community as a result of the implementation of CM2–CM21 would not be anticipated to
 19 be adverse under this alternative.

20 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 21 point, a conclusion about this alternative's potential to divide an existing community cannot be
 22 made; however, because, large-scale restoration actions that take place in areas suitable for open
 23 space, resource conservation, and habitat are not likely to create permanent physical divisions in
 24 existing communities, this impact is anticipated to be less than significant.

25 **13.3.3.8 Alternative 3—Dual Conveyance with Pipeline/Tunnel and**
 26 **Intakes 1 and 2 (6,000 cfs; Operational Scenario A)**

27 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 28 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

29 **NEPA Effects:** Incompatibility with land use regulations stemming from the construction of water
 30 conveyance structures under Alternative 3 would be similar to those described for Alternative 1A.
 31 Under this Alternative, however, only Intakes 1 and 2 would be constructed, resulting in
 32 incompatibilities with land designated under the Sacramento County General Plan exclusively for
 33 Agricultural Cropland.

34 Like Alternative 1A, Alternative 3 would place other temporary and permanent structures on lands
 35 designated for other uses by the general plans of Sacramento, San Joaquin, Contra Costa, and Alameda
 36 Counties. These incompatibilities are summarized by Table 13-10. The construction of the water
 37 conveyance facilities would create incompatibilities with numerous land use designations, goals and
 38 policies set forth by these counties' general plans, along with guidelines identified by state and regional
 39 plans. Construction and subsequent operations and maintenance activities also have the potential to be
 40 incompatible with airport compatibility plans adopted by Contra Costa and Yolo County ALUCs. As
 41 discussed in Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use
 42 designations, goals, and policies, any related environmental effects are discussed in other chapters.

1 **Table 13-10. Water Conveyance Incompatibilities with Land Use Designations under Alternative 3 (acres)**

Surface Feature	Alameda County				Contra Costa County						Sacramento County						San Joaquin County			
	Agriculture	Commercial	Public	Residential	Agricultural Lands	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Intensive Industrial	Low Density Residential	Medium Density Residential	Natural Preserve	Recreation	Commercial / Offices	Agriculture / General	Open Space / Resource Conservation	Residential / Very Low Density
Forebay					141	526		26	160	2	1,002									
Intake											124				26					
Potential Borrow Area											584			0						
Potential Spoil Area	205	1	7	4	406				1											
Shaft Location											82				0			199	66	
Transmission Line	2	0	1	0	7	12	1		6	1	90	1		1	2	6	1	98	28	0
Reusable Tunnel Material Area											695							887	14	
Subtotal Permanent	207	1	8	4	554	538	1	26	167	3	2,577	1	0	1	2	32	1	1,184	108	0
Access Road Work Area					0				6											
Barge Unloading Facility											27				5			42	99	
Concrete Batch Plant				0	2						44							40		
Control Structure Work Area					1				3											
Fuel Station	1			1	0						6							2		
Intake Work Area											242				39					
Pipeline											66									
Road Work Area					0				1											
Safe Haven Work Area						11					37			0	0			68	1	
Transmission Line	1	0	1	0	5	11	0		7	1	109	0	0	0	2	1	1	83	47	0
Tunnel Work Area											69							62		
Subtotal Temporary	2	0	1	1	8	21	0	0	17	1	600	0	0	0	2	45	1	297	147	0
Grand Total	209	1	9	5	562	559	1	26	184	3	3,177	1	0	1	4	77	2	1,481	255	0

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines. Acreages are rounded; acreage less than 0.5 has been rounded to 0.

1 **CEQA Conclusion:** These incompatibilities indicate the potential for a physical consequence to the
 2 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 3 chapters throughout this document. The relationship between plans, policies, and regulations and
 4 impacts on the physical environment is discussed in Section 13.3.1.

5 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 6 **Water Conveyance Facility (CM1)**

7 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 3 would be
 8 similar to those described for Alternative 1A. However, potential variation in the severity of these
 9 effects would result from the construction of three fewer intake locations. This alternative would be
 10 anticipated to disrupt approximately 144 permanent structures including an estimated 37
 11 residential structures. Other structures affected would consist primarily of storage or agricultural
 12 support facilities; however, several private recreational structures would also be affected. Table 13-
 13 4 summarizes the estimated number of structures affected across structure type and alternative and
 14 Mapbook Figure M13-1 shows the distribution of these effects across the Pipeline/Tunnel
 15 conveyance alignment. As for Alternative 1A, construction and operation of physical facilities for
 16 water conveyance would create temporary or permanent conflicts with existing land uses where
 17 they would require the removal of structures or sever critical access routes.

18 The removal of a substantial number of existing permanent structures as a result of constructing the
 19 water conveyance facility would be considered a direct, adverse socioeconomic effect of this
 20 alternative under NEPA. When required, the BDCP proponents would provide compensation to
 21 property owners for losses due to implementation of the alternative, which would reduce the
 22 severity of economic effects related to this physical impact, but would not reduce the severity of the
 23 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
 24 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
 25 release of hazardous materials contained in structures to be demolished are addressed in Chapter
 26 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
 27 are addressed in Chapter 18, *Cultural Resources*.

28 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
 29 removal of a substantial number of existing permanent structures. The removal of existing
 30 structures is not, in itself, considered an environmental impact, though removal might entail
 31 economic impacts. Significant environmental impacts would only result if the structures qualified as
 32 “historical resources” or the removal of structures led to physical effects on certain other resources.
 33 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
 34 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 35 *Utilities*; potential impacts on the public and environment related to the potential release of
 36 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 37 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
 38 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
 39 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
 40 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
 41 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
 42 under CEQA due solely to the removal of physical structures that are not treated under other impact
 43 categories.

1 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
 2 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

3 **NEPA Effects:** Effects related to potential structures adjacent to and through a portion of an existing
 4 community as a result of the construction of water conveyance facilities under Alternative 3 would
 5 be considerably less extensive than those described for Alternative 1A because only Intakes 1 and 2
 6 would be constructed, reducing potential effects on the community of Hood relating to intake facility
 7 and conveyance pipeline construction. While construction activities for intakes and the intermediate
 8 forebay would still occur in the relative proximity of Hood, the community would not be crossed by
 9 this alternative and this effect is not considered adverse.

10 **CEQA Conclusion:** Because no structure built for the purposes of water conveyance would be
 11 located adjacent to or through a portion of an existing community under this alternative, this impact
 12 would be considered less than significant; therefore, no mitigation is required.

13 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 14 **Result of Implementing the Proposed Conservation Measures 2–21**

15 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
 16 policies resulting from implementation of BDCP Conservation Measures 2–21 would be the same
 17 under Alternative 3 as those described under Alternative 1A. Because the locations for the
 18 implementation of these conservation measures are unknown at this time, a conclusion about the
 19 compatibility of Alternative 3 with local land use regulations cannot be made. These issues would be
 20 addressed in detail in site-specific environmental documents for restoration proposals. However,
 21 implementation of this alternative may result in substantial incompatibilities with local land use
 22 regulations due to the amount of land area targeted for restoration actions. As discussed in Section
 23 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
 24 and policies, any related environmental effects are discussed in other chapters.

25 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 26 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
 27 be made; these issues therefore will have to be addressed in detail in site-specific environmental
 28 documents for restoration proposals. Although implementation of this alternative would be
 29 anticipated to result in substantial incompatibilities with local land use regulations due to the
 30 amount of land area targeted for restoration actions, it is presently unknown whether any such
 31 incompatibilities would be indicative of related physical consequences, such as the loss of prime
 32 agricultural land or unique archaeological resources. The relationship between plans, policies, and
 33 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
 34 also be addressed in the site-specific environmental documents for proposed restoration activities.

35 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
 36 **Conservation Measures 2–21**

37 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 3 would be the
 38 same as those described for Alternative 1A because the proposed CM2–CM21 would be the same
 39 under both alternatives. As with Alternative 1A, implementation of CM2–CM21 could create
 40 temporary or permanent conflicts with existing land uses where they would require the removal of
 41 structures or sever critical access routes. When required, the BDCP proponents would provide
 42 compensation to property owners for losses due to implementation of the alternative, which would
 43 reduce the severity of economic effects related to this physical impact, but would not reduce the

1 severity of the physical impact itself. This alternative would be anticipated to result in substantial
2 conflicts with current land uses due to the amount of land area targeted for restoration actions.

3 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
4 this point, no definitive conclusion can be made about the potential for restoration actions to result
5 in the permanent conversion of land uses (including displacement of existing structures and
6 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
7 made with regard to the degree of indirect impacts, which could occur primarily as a result of
8 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
9 However, implementation of this alternative would be anticipated to result in substantial conflicts
10 with current land uses due to the amount of land area targeted for restoration actions. Where
11 applicable, the BDCP proponents will provide compensation to property owners for losses due to
12 implementation of the alternative. This would reduce the severity of economic effects related to this
13 physical impact, but would not reduce the severity of the physical impact itself.

14 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
15 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

16 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 3
17 would be the same as those described for Alternative 1A. Because the locations for the
18 implementation of these conservation measures are unknown at this time, a conclusion about this
19 alternative’s potential to divide an existing community cannot be made. Effects related to dividing
20 an existing community as a result of the implementation of CM2–CM21 would not be anticipated to
21 be adverse under this alternative.

22 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
23 point, a conclusion about this alternative’s potential to divide an existing community cannot be
24 made; however, because, large-scale restoration actions that take place in areas suitable for open
25 space, resource conservation, and habitat are not likely to create permanent physical divisions in
26 existing communities, this impact is anticipated to be less than significant.

27 **13.3.3.9 Alternative 4—Dual Conveyance with Modified Pipeline/Tunnel**
28 **and Intakes 2, 3, and 5 (9,000 cfs; Operational Scenario H)**

29 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
30 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

31 **NEPA Effects:** Alternative 4 would result in the construction of permanent and temporary features
32 associated with the proposed water conveyance facility across land governed by the general plans of
33 Sacramento, San Joaquin, Contra Costa, and Alameda Counties. Constructing Alternative 4 would
34 require land use activities that would be incompatible with land use designations, goals and policies
35 ascribed to the study area and for the purposes of reducing environmental impacts. To the extent
36 that constructing Alternative 4 would result in incompatibilities with land use designations, goals
37 and policies designed to avoid or reduce environmental effects, these potential incompatibilities are
38 described below. As discussed in Section 13.3.2, to the extent that BDCP alternatives are
39 incompatible with such land use designations, goals, and policies, any related environmental effects
40 are discussed in other chapters.

41 Because the primary conveyance component for Alternative 4 would be an underground tunnel,
42 there would be no permanent adverse physical effects on or incompatibilities with surface land use

1 solely due to this subsurface component; similarly, conveyance pipelines would not result in a
2 permanent land surface change, and accordingly there would be no direct permanent
3 incompatibilities with existing land use designations due to these subsurface features. As such,
4 excepting construction activities potentially occurring over the nine-year construction period (e.g.,
5 tunneling and open-trench installation of pipelines) and surface features related to the tunnels and
6 conveyance pipelines (e.g., RTM areas, shafts, access roads), permanent incompatibilities with
7 existing land uses as they pertain to the proposed tunnel and pipelines are not discussed further.

8 Table 13-11 displays the temporary and permanent structures associated with the water
9 conveyance facility, the local land designations on which they would occur, and the number of acres
10 that would be affected under this alternative. Under Alternative 4, the method of delivering power to
11 construct and operate the water conveyance facilities is assumed to be a “split” system that would
12 connect to the existing grid in two different locations—one in the northern section of the alignment,
13 and one in the southern section of the alignment (see Mapbook Figure M3-4).

14 Mapbook Figure M13-4 displays relevant generalized land use designations where they could
15 overlap with proposed water conveyance structures and temporary work areas. For further
16 discussion of the locations of various structures, please refer to Chapter 3, *Description of*
17 *Alternatives*.

18 ***State and Regional Plan Policies***

19 Under Alternative 4, construction activities associated with the features listed in Table 13-11 would
20 take place on land governed by policies designed to avoid or mitigate environmental effects, as
21 identified in the Delta Protection Commission Land Use and Resource Management Plan and the
22 Delta Stewardship Council Final Draft Delta Plan. The Delta Plan policies most closely associated
23 with land use are ER P2 (Restore Habitats at Appropriate Elevations), ER P3 (Protect Opportunities
24 to Restore Habitat), DP P1 (Locate New Urban Development Wisely), and DP P2 (Respect Local Land
25 Use When Siting Water or Flood Facilities or Restoring Habitats). Because CM1 would not involve
26 habitat restoration nor residential, commercial, or industrial development, ER P2 and DP P1 would
27 not be applicable. While the operable barrier constructed at the head of Old River could be partially
28 constructed in the Lower San Joaquin River Floodplain Priority Habitat Restoration Area, the
29 construction of this individual feature would require less than 6 acres of land and would not
30 substantially reduce opportunities for habitat restoration in this area. Additionally, activities
31 associated with BDCP CM3–CM11 would reduce these effects by restoring or permanently
32 protecting other areas that could have been restored at the site affected. As noted under Alternative
33 4, Impact LU-4, below, priority habitat restoration areas substantially coincide with the restoration
34 opportunity areas identified for tidal natural communities under BDCP CM4. Therefore,
35 implementation of this BDCP alternative would be considered compatible with this policy. Policy DP
36 P2 requires that parties responsible for proposed actions avoid or reduce incompatibilities with
37 existing or planned uses when feasible. In some cases, commitments and mitigation measures
38 identified in this document (see, for example, Chapter 14, *Agricultural Resources*, Mitigation Measure
39 AG-1: Develop an ALSP to preserve agricultural productivity and mitigate for loss of Important
40 Farmland and land subject to Williamson Act contracts or in Farmland Security Zones) will help
41 meet this requirement. However, avoidance of all incompatibilities is likely to be considered
42 infeasible; thus, activities associated with CM1 would be compatible with Policy DP P2.

1 **Table 13-11. Water Conveyance Incompatibilities with Land Use Designations under Alternative 4 (MPTO) (acres)**

Surface Feature	Alameda County			Contra Costa County								Sacramento County					San Joaquin County				
	Commercial	Public	Residential	Agricultural Core	Agricultural Lands	Commercial	Delta Recreation and Resources	Light Industry	Parks and Recreation	Public and Semi-Public	Single-Family Residential - Medium Density	Water	Agricultural Cropland	Agricultural-Residential	Low Density Residential	Medium Density Residential	Natural Preserve	Recreation	Agriculture/ General	City	Open Space/ Resource Conservation
Canal				33					17		9										
Control Structure									4												
Forebay				93		522		34	112		153	243									
Forebay Overflow Structure								1			0										
Intake												241				2	19				
Operable Barrier																			3		2
Potential Borrow/Spoil Area												201					0				
Shaft Location				5		19			0			21						78			38
Transmission Line												299	4	4		10					
Reusable Tunnel Material Area				313		672					0	409				24		1,855			228
Subtotal Permanent	0	0	0	0	444	0	1,213	0	35	133	0	162	1,413	4	4	0	36	19	1,933	3	268
Barge Unloading Facility						0					2							3			36
Canal Work Area				60					51		8										
Control Structure Work Area									6												
Forebay Dredging Area								2			2,024										
Forebay Overflow Structure								2			1										
Intake Work Area												397			0	12	38				
Road Work Area												65									
Safe Haven Work Area												37						130			5
Siphon Work Area				3					1												
Transmission Line	0	15	0	60	31	2	20	1	38	2	1	55				3		246			58
Reusable Tunnel Material Conveyor Facility												7						43			
Tunnel Work Area												23						74			17
Subtotal Temporary	0	15	0	60	94	2	20	1	4	97	2	2,036	585	0	0	0	15	38	495	0	116
Grand Total	0	15	0	60	538	2	1,233	1	39	229	2	2,198	1,998	4	4	0	50	56	2,428	3	384

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines. Acreages are rounded; acreage less than 0.5 has been rounded to 0.

1 Alternative 4 may result in incompatibilities with LURMP policies related to land use. Many of these
2 policies focus on local government activities; however, Land Use P-7 declares that new structures
3 should be set back from levees. Intake structures require contact with water and cannot feasibly be
4 set back from levees. Additionally, Land Use P-14 provides that agricultural lands converted to
5 water impoundment may not result in seepage of water and that such conversions must mitigate
6 associated risks and effects. Forebays constructed for this alternative would avoid and mitigate for
7 the effects of seepage, as described under Impact GW-5 in Chapter 7, *Groundwater*, and its
8 associated mitigation measure. Forebay design, as well as this proposed mitigation, would establish
9 compatibility with this policy. Incompatibilities could occur with other LURMP policies, including
10 Agriculture P-2, which suggests that agricultural land conversion should occur first where
11 productivity and values are lowest. As discussed in Chapter 14, *Agricultural Resources*, some higher-
12 value agricultural land would be converted under construction and operation of CM1. These
13 potential incompatibilities suggest the potential for a physical effect on the environment. As
14 discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

15 Under this alternative, indirect effects on land use may also arise through incompatibilities with
16 land subject to Williamson Act contracts or in Farmland Security Zones. If the construction and
17 operation of water conveyance facilities under this alternative results in contract nonrenewal,
18 cancellation, or otherwise removes land within an agricultural preserve from a Williamson Act
19 contract, the county overseeing the preserve may decide to manage the preserve differently; for
20 instance, the county could modify the rules governing compatible uses on remaining land within the
21 preserve. However, this effect is speculative and its magnitude or geographical incidence cannot be
22 evaluated with enough certainty. Chapter 14, *Agricultural Resources*, discusses the potential for
23 direct conflicts with land subject to Williamson Act contracts or in Farmland Security Zones.

24 ***Sacramento County***

25 Permanent surface features associated with that portion of the water conveyance facility that would
26 fall in Sacramento County include three intakes (with associated pumping plants and other
27 features), an intermediate forebay, a borrow/spoil area, shaft locations, RTM areas, and
28 transmission lines. While RTM areas are considered permanent surface impacts for the purposes of
29 impact analysis, it is anticipated that the RTM would be removed from these areas and reused, as
30 appropriate, as bulking material for levee maintenance, as fill material for habitat restoration
31 projects, or other beneficial means of reuse identified for the material, as described in Appendix 3B,
32 *Environmental Commitments*. Temporary features include reusable tunnel material conveyor
33 facilities, transmission lines, and work areas for construction of physical features. These features
34 would occur on lands designated for Agricultural Cropland, Agricultural-Residential, Low Density
35 Residential, Medium Density Residential, Natural Preserve, and Recreation. Table 13-11 summarizes
36 these features and the land use designations with which they would be incompatible. These
37 construction activities would be incompatible with general plan agriculture and open space policies,
38 including Policy AG-5, regarding the conversion of farmland, and Policies OS-1 and OS-2, regarding
39 the protection of open space and natural areas. Construction of water conveyance features would
40 diminish the extent of land dedicated to agriculture, open space, and natural areas. These
41 incompatibilities suggest the potential for a physical effect on the environment. As discussed in
42 Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

1 **San Joaquin County**

2 Alternative 4 would result in the permanent conversion of land designated as Agriculture/General,
3 City, and Open Space/Resource Conservation in San Joaquin County due to the construction of
4 tunnel shafts, RTM areas, and an operable barrier at the head of Old River. While RTM areas are
5 considered permanent surface impacts for the purposes of impact analysis, it is anticipated that the
6 RTM would be removed from these areas and reused, as appropriate, as bulking material for levee
7 maintenance, as fill material for habitat restoration projects, or other beneficial means of reuse
8 identified for the material, as described in Appendix 3B, *Environmental Commitments*. Temporary
9 features including barge unloading facilities, transmission lines, reusable tunnel material conveyor
10 facilities, and work areas would also be incompatible with existing land use designations. Table 13-
11 11 summarizes these features and the land use designations with which they would be
12 incompatible. Temporary features could be in place for the first nine years of project
13 implementation (i.e., during construction of water conveyance facilities). During that period, lands
14 designated as Agriculture would be temporarily converted to non-agricultural use. Construction
15 during this period and permanent conversion of agricultural land would be incompatible with
16 general plan policies, including Agricultural Lands Policy 5, which reserves agricultural areas
17 principally for crop production, ranching and grazing. These incompatibilities suggest the potential
18 for a physical effect on the environment. As discussed in Section 13.3.2, such effects are discussed in
19 other chapters throughout this EIR/EIS.

20 The placement of tunnel shafts, transmission lines, and RTM areas, were they to occur on or adjacent
21 to lands designated under the San Joaquin County General Plan as Open Space/Resource
22 Conservation would be incompatible with this land use designation. These incompatibilities suggest
23 the potential for a physical effect on the environment. As discussed in Section 13.3.2, such effects are
24 discussed in other chapters throughout this EIR/EIS.

25 **Contra Costa County**

26 Under Alternative 4, permanent project water conveyance features in Contra Costa County would
27 include the expanded Clifton Court Forebay, a forebay overflow structure, canals, tunnel shafts, RTM
28 areas, and associated water control structures. Table 13-11 summarizes these impacts and the land
29 use designations with which they would be incompatible. While RTM areas are considered
30 permanent surface impacts for the purposes of impact analysis, it is anticipated that the RTM would
31 be removed from these areas and reused, as appropriate, as bulking material for levee maintenance,
32 as fill material for habitat restoration projects, or other beneficial means of reuse identified for the
33 material, as described in Appendix 3B, *Environmental Commitments*. Constructing the forebay on
34 lands within the Delta Recreation and Resources designation would be incompatible with the goals
35 of the Contra Costa County General Plan related to this land use designation, which focus on the
36 preservation of land for recreation and agricultural production and processing over the placement
37 of new infrastructure. Construction of the forebay may be incompatible with the general plan Goal 3-
38 G, which discourages development not related to agriculture, mineral extraction, wind energy or
39 other appropriate rural uses on vacant rural lands. These incompatibilities suggest the potential for
40 a physical effect on the environment. As discussed in Section 13.3.2, such effects are discussed in
41 other chapters throughout this EIR/EIS.

42 A narrow area of land running through the proposed future location of the expanded Clifton Court
43 Forebay is designated Public/Semi-Public. The Public/Semi-Public designation includes properties
44 owned by public governmental agencies such as libraries, fire stations, and schools. This designation

1 is also applied to public transportation corridors, as well as privately owned transportation and
 2 utility corridors. The Public/Semi-Public designation applies to properties owned by public agencies
 3 and privately owned transportation and utility corridors. Because this designation exists for large-
 4 scale infrastructure and utilities, these project features would be compatible with this designation.

5 Temporary project features in Contra Costa County associated with the construction of the water
 6 conveyance facility would include transmission lines, barge unloading facilities, forebay dredging
 7 areas, and various work areas. Many of these temporary features would likely be in place for the first
 8 nine or more years of project implementation (i.e., during the near-term implementation or the nine-
 9 year project construction period). Temporary land use incompatibilities would be of the same nature
 10 as the permanent incompatibilities described above; however, they would occur over a shorter period
 11 of time. These incompatibilities suggest the potential for a physical effect on the environment. As
 12 discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

13 Portions of Alternative 4 water conveyance facilities at Clifton Court Forebay would be built in areas
 14 covered by Byron Airport LUCP Zones B2, C1, C2, and D. Construction and facilities operations and
 15 maintenance activities could be incompatible with policies that limit congregations of people,
 16 require ALUC review of tall objects, and prohibit aboveground bulk storage of hazardous materials.

17 ***Alameda County***

18 Under Alternative 4, no permanent project water conveyance features are proposed on land within
 19 Alameda County, as indicated in Table 13-11. The only temporary project features associated with
 20 the construction of the water conveyance facility are transmission lines. Temporary features would
 21 likely be in place for the first nine or more years of project implementation (i.e., during the near-
 22 term implementation or the nine-year project construction period). The Public designation includes
 23 properties owned by public governmental agencies such as libraries, fire stations, and schools. This
 24 designation is also applied to public transportation corridors, as well as privately owned
 25 transportation and utility corridors. The Public designation applies to properties owned by public
 26 agencies and privately owned transportation and utility corridors. Because this designation exists
 27 for large-scale infrastructure and utilities, these project features would be compatible with this
 28 designation.

29 ***CEQA Conclusion:*** These incompatibilities indicate the potential for a physical consequence to the
 30 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 31 chapters throughout this document. The relationship between plans, policies, and regulations and
 32 impacts on the physical environment is discussed in Section 13.3.1.

33 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 34 **Water Conveyance Facility (CM1)**

35 ***NEPA Effects:*** Construction of the proposed water conveyance facility under Alternative 4 could
 36 directly affect land uses within the study area by both temporarily converting existing land uses
 37 during construction and permanently converting existing land uses (including displacement of
 38 existing structures and residences) because of the construction of permanent features of the facility.
 39 Indirect impacts would primarily happen as a result of incompatibility with adjacent land uses or
 40 the loss or increased difficulty of access to parcels.

41 Construction of water conveyance features associated with Alternative 4 would directly affect land
 42 use in the study area by temporarily converting land currently under agricultural and open space

1 uses to temporary access roads, spoils areas, and temporary work and staging areas. These effects
 2 would be temporary with this land returning to agricultural or open space uses following
 3 construction.

4 Construction of water conveyance features associated with Alternative 4 would also directly affect
 5 land use in the study area by permanently converting land currently under agricultural land use and
 6 open space to permanent access roads, intakes and associated facilities, pumping plants, control
 7 structures, a small segment of canal, one new forebay and another expanded forebay, tunnel shafts,
 8 RTM areas, borrow or spoils areas, and footings for electric transmission line towers. While RTM
 9 areas are considered permanent surface impacts for the purposes of impact analysis, it is anticipated
 10 that the RTM would be removed from these areas and reused, as appropriate, as bulking material for
 11 levee maintenance, as fill material for habitat restoration projects, or other beneficial means of reuse
 12 identified for the material, as described in Appendix 3B, *Environmental Commitments*. In addition,
 13 approximately 81 permanent structures would be removed or relocated within the water
 14 conveyance facility footprint under this alternative. This includes an estimated 19 residential
 15 buildings. Other structures affected would consist primarily of storage or agricultural support
 16 facilities; however, several private recreational structures would also be affected. Table 13-12
 17 summarizes the estimated number of structures affected across structure type and alternative and
 18 Mapbook Figure M13-4 shows the distribution of these effects across the Modified Pipeline/Tunnel
 19 conveyance alignment. The physical footprints of intakes and intake pumping plant facilities, along
 20 with associated work areas, are anticipated to create the largest disruption to structures, conflicting
 21 with approximately 45 structures in the vicinity of the east bank of the Sacramento River. Among
 22 the three intake sites, 15 residential structures would be affected. Construction of canal segments to
 23 convey water between the expanded Clifton Court Forebay and existing approach channels to the
 24 Banks and Jones Pumping Plants is estimated to create conflicts with another 16 structures. The
 25 footprint of the expanded Clifton Court Forebay would also affect approximately 13 structures.
 26 These would be concentrated on the east side of the forebay near Old River. Other features—
 27 including RTM areas, tunnel work areas, and safe haven work areas—would also create disruptions
 28 to existing structures.

29 **Table 13-12. Estimated Water Conveyance Conflicts with Existing Structures**

Alternative	Type of Structure				Total
	Residential	Recreational	Storage/Support	Other ^a	
1A	59	15	120	10	204
1B	109	22	257	21	409
1C	194	31	469	32	726
2A	70	15	124	13	222
2B	121	23	262	25	431
2C	194	31	469	32	726
3	37	7	90	10	144
4	19	8	45	9	81
5	29	4	81	9	123
6A	59	15	120	10	204
6B	109	22	257	21	409
6C	194	31	469	32	726
7	38	8	88	9	143
8	38	8	88	9	143
9	74	69	93	19	255

^a Other structures include power/utility structures, bridges, and other types of infrastructure.

30

1 Indirect effects on existing land uses may also arise from changes in access to parcels of land. For
 2 example, the removal of access for agricultural vehicles and machinery could jeopardize the ability
 3 of that land to continue serving productive agricultural uses. As described in Chapter 19,
 4 *Transportation*, the levee road along SR 160 and Randall Island Road would require temporary
 5 detour roads during construction of the intakes. Because temporary access routes around these
 6 construction areas would be built prior to the disruption of the existing road network, residents and
 7 travelers through the Delta would not experience substantial delays in travel from one side of the
 8 intake area to the other.

9 This loss of access would not be considered an adverse effect under this impact. The removal of a
 10 substantial number of existing permanent structures as a result of constructing the water
 11 conveyance facility, however, would be considered a direct, adverse socioeconomic effect of this
 12 alternative under NEPA. Where applicable, the BDCP proponents will provide compensation to
 13 property owners for losses due to implementation of the alternative, which would reduce the
 14 severity of economic effects related to this physical impact, but would not reduce the severity of the
 15 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
 16 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
 17 release of hazardous materials contained in structures to be demolished are addressed in Chapter
 18 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
 19 are addressed in Chapter 18, *Cultural Resources*.

20 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
 21 removal of a substantial number of existing permanent structures. The removal of existing
 22 structures is not, in itself, considered an environmental impact, though removal might entail
 23 economic impacts. Significant environmental impacts would only result if the structures qualified as
 24 “historical resources” or the removal of structures led to physical effects on certain other resources.
 25 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
 26 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 27 *Utilities*; potential impacts on the public and environment related to the potential release of
 28 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 29 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
 30 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*. In
 31 sum, there are no land use effects under CEQA due solely to the removal of physical structures that
 32 are not treated under other impact categories. Where applicable, BDCP proponents will provide
 33 compensation to property owners for losses due to implementation of the BDCP. This compensation
 34 would not constitute mitigation for any related physical impact; however, it would reduce the
 35 severity of economic effects.

36 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing** 37 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

38 **NEPA Effects:** Under Alternative 4, the construction of permanent facilities and associated work
 39 areas would be located around the community of Hood. A tunnel carrying water south from a
 40 pipeline adjacent to Intake Pumping Plant 3 to the intermediate forebay, would wrap around the
 41 east side of the community. The tunnel would be constructed below the surface and would not
 42 interfere with the existing community; therefore, the alignment would not create a physical
 43 structure adjacent to or through the existing community. A permanent power line would be
 44 constructed through the eastern section of the community, which would provide power to the intake
 45 pumping plants. Additionally, a temporary work area associated with construction of the

1 conveyance facilities would be built adjacent to Hood on the southern side of the community, and
 2 would serve as a staging area during the construction phase. It would consist of facilities such as
 3 parking areas, offices, and construction equipment storage. Construction and the long-term
 4 placement of Intakes 3 and 5, although not adjacent to Hood, would be built about one-quarter mile
 5 north and one-half mile south of Hood, respectively, and would substantially alter the lands to the
 6 north and south of the community. While permanent physical structures adjacent to or through
 7 Hood are not anticipated to result from this alternative, activities associated with their construction
 8 could make it difficult to travel within and around Hood in certain areas for a limited period of time.
 9 Mitigation Measures TRANS-1a and TRANS-1b are available to address this effect. Additionally, the
 10 lasting placement of the intake facilities would represent physical structures that would
 11 substantially alter the setting of the community's surroundings, constituting an adverse effect.

12 **CEQA Conclusion:** During the construction of the conveyance pipelines and tunnel between Intake 3
 13 and 5 and the intermediate forebay, construction activities would occur to the north and south of
 14 the community of Hood. Even though access to and from the community would be maintained over
 15 the long-term, the nearby construction of the temporary work area would substantially alter the
 16 setting of the community in the near term. Similarly, the nearby construction of Intakes 3 and 5,
 17 although not adjacent to Hood, would create permanent physical structures approximately one-
 18 quarter mile north and one-half mile south of Hood that would substantially alter the community's
 19 surroundings. These structures would therefore result in a significant and unavoidable impact.
 20 Implementation of Mitigation Measures TRANS-1a and TRANS-1b would reduce the severity of this
 21 impact by supporting continued access to and from the community on transportation routes;
 22 however, permanent structures in the community's vicinity would remain, and the impact would be
 23 significant.

24 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
 25 **Plan**

26 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 27 1A, Impact TRANS-1.

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

30 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 31 1A, Impact TRANS-1.

32 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 33 **Result of Implementing the Proposed Conservation Measures 2-21**

34 **NEPA Effects:** This section assesses the compatibility of CM2-CM21 (described in detail in Chapter
 35 3, *Description of Alternatives*, Sections 3.6.2 and 3.6.3) that would be implemented across 11 CZs
 36 with the predominant applicable county land use designations in those zones, as well as with other
 37 applicable local and regional land use designations, goals, and policies. Table 13-13 identifies county
 38 land use designations and the county land use jurisdictions for each of the CZs. Small acreage
 39 inclusions of other specific land use designations are also within each zone. Table 13-13 provides a
 40 general overview of the designations in each zone rather than an identification of every land use or
 41 jurisdiction in each zone. Note that none of these measures are proposed for implementation in CZ
 42 10; CZs were delineated primarily on the basis of landscape characteristics and logical geographic or

landform divisions to create a structured approach to how and where conservation actions, as part of the conservation measures, would be carried out within the Plan Area (which lies within the study area for this chapter).

Table 13-13. Predominant Land Use Designations in the Conservation Zones (CZs)

CZ	Jurisdiction	General Plan Land Use Designation
1	Solano County	Agriculture
2	Solano County	Agriculture
	Sutter County	Open Space
	Yolo County	Agriculture, Open Space
3	Solano County	Agriculture
	Yolo County	Agriculture, Open Space
	Sacramento County	Agricultural Cropland
4	Sacramento County	Agricultural Cropland, Agriculture-Recreation Reserve, Natural Preserve
	San Joaquin County	General Agriculture, Open Space/Resource Conservation
5	Sacramento County	Agricultural Cropland, Agriculture-Recreation Reserve, Natural Preserve
	San Joaquin County	General Agriculture, Open Space/Resource Conservation
6	Contra Costa County	Single Family Residential Low Density, Agricultural Lands, Public/Semi Public, Open Space
	San Joaquin County	General Agriculture, Open Space/Resource Conservation
7	San Joaquin County	General Agriculture, Open Space/Resource Conservation
8	San Joaquin County	Commercial Recreation, Residential-Medium and Low Density, General Agriculture
	Contra Costa County	Agriculture Core, Delta Recreation and Resources
	Alameda County	Large Parcel Agriculture, Major Public
9	Contra Costa County	Agriculture Core, Delta Recreation and Resources
10 ^a	Contra Costa County	Delta Recreation, Open Space, Heavy Industry, Commercial, Multi-Family Residential Low, Single Family Residential High
11	Solano County	Marsh, Agriculture

^a Note that none of these measures are proposed for CZ 10; CZs were delineated primarily on the basis of landscape characteristics and logical geographic or landform divisions to create a structured approach to how and where conservation actions would be carried out within the Plan Area (which lies within the study area for this chapter). CZ 10 occurs in a very urbanized portion of Contra Costa County with a diverse number of land use designations.

Over the 50-year BDCP implementation period, the BDCP Implementation Office would secure sufficient lands to restore approximately 65,000 acres of tidal communities; 10,000 acres of seasonally inundated floodplain; 5,000 acres of riparian natural community; 2,000 acres of grasslands; and 1,200 acres of nontidal marsh. Additionally, CM2–CM21 would enhance 20 linear miles of channel margin habitat and restore vernal pool complexes to achieve no net loss resulting from covered activities. Under the BDCP Reserve System, approximately 69,000 acres of land hosting various natural communities would be acquired and protected, including approximately 52,000 acres of cultivated lands. Protection of existing natural communities would be anticipated to be generally compatible with all regional and local designations, goals, and policies intended to avoid environmental effects, including the protection of existing agricultural uses specific to

1 provisions under CM3 and CM11. Under these two measures, agricultural lands or easements would
2 be acquired and managed for continued agricultural production and specific habitat values for
3 species including Swainson's hawk, giant garter snake, greater sandhill crane, white-tailed kite, and
4 tricolored blackbird. The management activities would include the minimization or discontinuation
5 of pesticide use and the creation of grassland edges, hedgerows, and small woodlots—activities that
6 would be generally compatible with land use designations, goals, and policies relating to agricultural
7 and natural resources. The implementation period for the various restoration and enhancement
8 components would vary based on land identification, acquisition, planning coordination,
9 construction duration, and other variables. These measures would be implemented in CZs -9 and/or
10 11, in Contra Costa, Sacramento, San Joaquin, Solano, Sutter, and Yolo Counties. Across these CZs,
11 agricultural and open space land use designations encompass the largest total acreage. Smaller
12 constituent land uses in these zones include natural preserve, marsh, recreational, residential, public
13 infrastructure, commercial, and industrial designations.

14 Implementation of CM2–CM21 would take place on land governed by policies designed to avoid or
15 mitigate environmental effects, as identified in the Delta Protection Commission Land Use and
16 Resource Management Plan and in the Delta Stewardship Council draft Delta Plan. As described
17 under Impact LU-1, Delta Plan policies most closely associated with land use are ER P2 (Restore
18 Habitats at Appropriate Elevations), ER P3 (Protect Opportunities to Restore Habitat), DP P1 (Locate
19 New Urban Development Wisely), and DP P2 (Respect Local Land Use When Siting Water or Flood
20 Facilities or Restoring Habitats). Because CM2–CM21 would not involve residential, commercial, or
21 industrial development, DP P1 would not be applicable. Because CM2–CM21 activities would
22 primarily support habitat restoration, particularly in the priority habitat restoration areas (which
23 substantially coincide with the Restoration Opportunity Areas identified for tidal natural
24 communities under BDCP CM4), these activities would be compatible with ER P3. Additionally, a
25 potential restoration site's cross-sectional profile and ability to accommodate sea level rise will be
26 considered in choosing sites for tidal habitat restoration efforts under CM4. If habitats were
27 restored at different elevations, scientific rationale would be provided in site-specific plans. These
28 activities would be compatible with Policy ER P2. As under effects related to CM1, however, Policy
29 DP P2 requires that parties responsible for proposed actions avoid or reduce incompatibilities with
30 existing or planned uses when feasible. In some cases, commitments and mitigation measures
31 identified in this document (see, for example, Chapter 14, *Agricultural Resources*, Mitigation Measure
32 AG-1: Develop an ALSP to preserve agricultural productivity and mitigate for loss of Important
33 Farmland and land subject to Williamson Act contracts or in Farmland Security Zones) will help
34 meet this requirement. However, avoidance of all incompatibilities is likely to be considered
35 infeasible; thus, activities associated with CM2–CM21 would be compatible with Policy DP P2.

36 Incompatibilities could potentially arise with LURMP policies. Land Use P-3 provides that new
37 habitat or restoration development ensure that appropriate buffers are provided to prevent
38 incompatibilities with existing adjacent land uses. Land Use P-14 provides that agricultural lands
39 converted to wetland development may not result in seepage of water and that such conversions
40 must mitigate associated risks and effects. While restoration activities in CM3–CM11 would create
41 potential incompatibilities with these policies by creating restoration areas that could have effects
42 on adjacent land uses through crop predation and seepage, implementation of mitigation measures
43 proposed in other chapters would help ensure compatibility with this policy. These include
44 Mitigation Measure AG-1: Develop an ALSP to preserve agricultural productivity and mitigate for
45 loss of Important Farmland and land subject to Williamson Act contracts or in Farmland Security
46 Zones, in Chapter 14, *Agricultural Resources*, and Mitigation Measure GW-5: Agricultural lands

1 seepage minimization, in Chapter 7, *Groundwater*. Incompatibilities could occur with other LURMP
2 policies, however, including Agriculture P-2, which suggests that agricultural land conversion should
3 occur first where productivity and values are lowest. Depending on the locations for implementation
4 of these measures, however, high-value agricultural land would be converted, creating the potential
5 for incompatibility with this policy. Chapter 14, *Agricultural Resources*, discusses the potential for
6 direct conflicts with Important Farmland.

7 Indirect effects on land use may also arise through incompatibilities with land subject to Williamson
8 Act contracts or in Farmland Security Zones. If implementation of this alternative results in contract
9 nonrenewal, cancellation, or otherwise removes land within an agricultural preserve from a
10 Williamson Act contract, the county overseeing the preserve may decide to manage the preserve
11 differently; for instance, the county could modify the rules governing compatible uses on remaining
12 land within the preserve. However, this effect is speculative and its magnitude or geographical
13 incidence cannot be evaluated with enough certainty. Chapter 14, *Agricultural Resources*, discusses
14 the potential for direct conflicts with land subject to Williamson Act contracts or in Farmland
15 Security Zones.

16 Implementation of CM2–CM21 in areas under the jurisdiction of an airport LUCP could be
17 incompatible with LUCP policies if implementation could result in an attraction of birds, create foggy
18 conditions, or place congregations of people in certain airport compatibility zones. However,
19 because the footprints for these measures are not yet known, compatibility with airport LUCPs
20 cannot be fully evaluated. The potential for effects related to airports is further discussed in Chapter
21 24, *Hazards and Hazardous Materials*. In addition, these issues would be addressed in greater detail
22 in site-specific environmental documents for restoration proposals.

23 Conservation Measures 2–21 may also be implemented on lands guided by land use designations,
24 goals, and policies identified by county and city general plans in the study area. To the extent that
25 implementing these conservation measures may result in incompatibilities with land use
26 designations, goals, and policies designed to avoid or reduce environmental effects, these potential
27 incompatibilities are described below. As discussed in Section 13.3.2, to the extent that BDCP
28 alternatives are incompatible with such land use designations, goals, and policies, any related
29 environmental effects are discussed in other chapters.

30 Protection of existing natural communities would be anticipated to be compatible with all regional
31 and local designations, goals, and policies intended to avoid environmental effects, including the
32 protection of existing agricultural uses specific to provisions under CM3 and CM11.

33 However, where restoration or enhancement actions would directly convert agricultural land uses
34 (in Contra Costa, San Joaquin, Sacramento, Solano, and Yolo Counties), these actions would
35 potentially be incompatible with local land use designations and related policies that are intended to
36 preserve agricultural resources including Contra Costa County Policy 8-2 and Agricultural Core or
37 Agricultural Lands designations; the Sacramento County designation for Agricultural Cropland; San
38 Joaquin County Agricultural Lands Policy 5 and the General Agricultural designation; Solano County
39 Policies AG.P-4 and AG.P-28, along with the Agriculture designation; and Yolo County's Agriculture
40 designation and Policies AG-1.3, AG-1.4, and AG-1.5. Physical effects implied by these potential
41 incompatibilities would result in the loss of productive agricultural lands, which is discussed further
42 in Chapter 14, *Agricultural Resources*.

43 Open Space, and Open Space/Recreation land use designations (in Contra Costa, San Joaquin, Sutter,
44 and Yolo Counties), Natural Preserve (Sacramento County), and Marsh (Solano County) land use

1 designations would typically be compatible with activities associated with the conservation
2 measures that could be implemented in those counties as part of the alternative (e.g., restoration of
3 tidal marsh, riparian habitat, grasslands, and floodplain enhancement and restoration). As such, no
4 permanent adverse effects would be anticipated to result based upon land use incompatibilities. In
5 November 2010, the Yolo County Board of Supervisors approved a 2-year moratorium on habitat
6 mitigation projects within the county. While DWR and federal agencies are not subject to this
7 moratorium, this ordinance could apply to other habitat mitigation projects by private and other
8 public entities. Further discussion of compatibility with HCPs is located in Chapter 12, *Terrestrial*
9 *Biological Resources*, Section 12.3.3.18, *Effects on Other Conservation Plans*.

10 As described below, measures designed at the species-level to support viability and reduce the
11 effects of environmental stressors on covered species would also carry the potential to alter land use
12 within the study area. In some cases, the location of implementation for these measures is not yet
13 known and only theoretical effects can be discussed.

14 Actions to manage methylmercury under CM12 could include a number of methods, including the
15 initial characterization of soil mercury at potential restoration sites, the reduction of organic
16 material at potential restoration sites, site design that enhances the photodegradation of
17 methylmercury, sediment remediation, and capping of mercury-laden sediments. While these
18 activities would not, in themselves, be anticipated to create incompatibilities with land use
19 designations, additional standards or measures designed and implemented through the adaptive
20 management process could create the potential for incompatibilities with land use designations,
21 goals, and policies within the study area were they to restrict land uses or result in a change in land
22 use necessary for the management of methylmercury.

23 CM13 would control nonnative aquatic vegetation including Brazilian waterweed, water hyacinth,
24 and other nonnative submerged and floating aquatic vegetation in BDCP tidal habitat restoration
25 areas. Site-specific conditions and the intended goal would dictate the specific method of removal.
26 Operations associated with vegetation control, including mechanical removal, could be incompatible
27 with existing land use designations if the construction of new facilities and structures is necessary to
28 house related equipment and machinery. Additionally, operations under this measure may require
29 facilities dedicated to the storage of removed vegetation, which, depending on their location, could
30 potentially be incompatible with the land use designations or policies identified above.

31 Implementation of CM14 would include the operation and maintenance of an oxygen aeration
32 facility in the Stockton Deep Water Ship Channel to increase dissolved oxygen concentrations. This
33 conservation measure would modify the existing aeration facility as necessary and, if necessary,
34 additional aerators and associated infrastructure would be added to optimize oxygen delivery to the
35 river. To the extent that this facility would require physical modification on additional land not
36 currently dedicated to similar purposes, this measure could potentially be incompatible with the
37 land use policies or designations identified above.

38 CM15 is intended to reduce local effects of predators on covered fished species by conducting
39 predator control in areas with high predator density. Predator hot spots would be identified and
40 control methods would be adopted including removal of predator hiding spots, modification of
41 channel geometry, targeted removal of predators, and other focused methods as dictated by site-
42 specific conditions and the intended outcome or goal. The extent of this effect would depend on the
43 locations identified for implementation and the extent to which methods with physical components
44 were implemented under this measure. For instance, land-based capture of target predators need

1 not require a change in land use. However, modification of channel geometry undertaken to create
2 habitats less favorable for predators could potentially be incompatible with land use designations or
3 policies identified above.

4 Installation of non-physical fish barriers at the head of Old River, the Delta Cross Channel, and
5 Georgiana Slough would occur under CM16. Other possible locations include Turner Cut, Columbia
6 Cut, the Delta Mendota Canal intake, Clifton Court Forebay, and potentially other future locations. In
7 addition to the installation of the barrier itself between October and June, the installation and
8 operation could require the construction of transmission facilities and access roads, and potentially
9 other facilities. Additionally, barriers would be removed and stored off-site while not in operation.
10 Further discussion of this measure is provided in Chapter 3 of the BDCP, Section 3.4.17. Temporary
11 (e.g., work and staging areas) or construction of permanent storage facilities associated with these
12 barriers could be potentially incompatible with land designations for General Agriculture or
13 Resource Conservation in San Joaquin County along with Agriculture Lands Policy 5 and Open Space
14 Policies 3, 4, 6, and 13; land designated by the City of Lathrop as Recreation Residential and Public
15 (Schools, Parks, & Open Space); Sacramento County Policy OS-1 and land designations for Natural
16 Preserve, Agricultural Cropland; and potentially other policies and designations identified above,
17 depending on barrier design and selection of locations.

18 To address the illegal harvest of covered species across the study area, CM17 would provide funds to
19 hire and equip 22 additional staff, including 17 game wardens, to increase enforcement of fishing
20 regulations. To the degree that these staff would require the construction of additional office space,
21 storage areas, or vehicle parking areas on lands not currently designated by local entities for such
22 uses, the measure could be potentially incompatible with land use designations or policies identified
23 above.

24 Under CM18, a new conservation hatchery would be developed by USFWS to support delta and
25 longfin smelt populations. The facility as planned would consist of two sites: a science-oriented
26 genetic refuge and research facility on the edge of the Sacramento River, and a larger
27 supplementation production facility nearby. These facilities are anticipated to be located in the
28 vicinity of the City of Rio Vista; their construction and long-term operation would create the
29 potential for temporary or permanent incompatibilities with the city's general plan land use
30 designations, goals, and policies. However, these facilities would potentially be on land designated
31 as Army Base Reuse Area and Industrial/Employment District – General; thus, incompatibilities are
32 not anticipated. This measure would also fund the expansion of the UC Davis Fish Conservation and
33 Culture Laboratory, near Byron, California. Expansion of the existing facility could be potentially
34 incompatible with Contra Costa County land use designations for Agricultural Lands or Delta
35 Recreation.

36 CM19 would further existing efforts to reduce loads of toxic contaminants in stormwater and urban
37 runoff throughout the Delta. Activities associated with implementation of this measure could include
38 the construction of retention or irrigation holding ponds for the capture and irrigation use of
39 stormwater, establishment of vegetated buffer strips to slow runoff velocities, construction of
40 bioretention systems, among other features whose construction or long-term functions would occur
41 upon lands deemed for other uses by local entities. Based upon the potentially wide geographic
42 scope of this measure, any incompatibilities with land use designations or policies would not be
43 known until locations for these facilities are chosen. However, the placement of the physical features
44 proposed under this measure could be potentially incompatible with general plan land use
45 designations or policies identified above.

1 Implementation of CM20 would include the provision of wash stations with sufficient cleaning
2 abilities to kill aquatic invasives on watercraft, trailers, and other equipment leaving water bodies
3 within California that are infested with zebra or quagga mussels. Wash stations will be strategically
4 placed at boat ramps of each water body and owners will be encouraged to clean their watercraft
5 and trailers upon leaving the water body. Additionally, this measure would fund inspection stations
6 on roads at California borders that currently do not have inspection stations. Locations of these
7 stations would include Needles Highway southbound; Highway 95 southbound at Arrowhead
8 Junction; State Route 95, southbound at Needles Bridge; Havasu Lake Road near the west shore of
9 Lake Havasu; Highway 95 at Vidal Junction; Agnes Wilson Bridge westbound; and Highway 95
10 southbound north of Blythe. Semi-permanent inspection stations will be established and operated
11 on busy boat traffic days. While specific locations of these facilities are unknown at this point, they
12 could be potentially incompatible with land use designations or policies identified above.

13 CM21 would address nonproject irrigation diversions to reduce the entrainment of covered fish
14 species in the Delta. Activities associated with this measure would likely include installation of or
15 improvements to fish screens; voluntary alteration of daily and seasonal diversion timing; and
16 physical removal, relocation, consolidation, and modification of diversions. Removing or modifying
17 the location of these structures could be incompatible with land designations for agricultural uses
18 throughout the study area, at least on a temporary basis. Alterations to diversions could create
19 indirect incompatibilities with land use designations or policies as identified in regional, county, and
20 city plans, particularly with respect to agricultural lands and lands dedicated to waterfowl rearing.
21 To the extent that such incompatibilities would result in a physical consequence on the
22 environment, these potential effects are described further in Chapter 14, *Agricultural Resources* and
23 Chapter 12, *Terrestrial Biological Resources*.

24 Any conservation measure requiring construction activities (e.g., establishment of storage, staging
25 and stockpiling areas; grading; levee removal/replacement) could be potentially incompatible with
26 land use designations or policies identified above for the duration of those activities.

27 Because the locations for the implementation of these conservation measures are not known at this
28 point, a definitive conclusion about the compatibility of this alternative with local land use
29 designations, goals, and policies cannot be made. These issues would be addressed in detail in site-
30 specific environmental documents for restoration proposals. However, implementation of this
31 alternative may result in substantial incompatibility with local land use regulations due to the
32 amount of land area targeted for restoration actions. Because most activities would be anticipated to
33 take place on land designated for agriculture, open space, natural preserve and recreation, local
34 designations, goals, and policies related to preservation of those attributes would be most affected.
35 As mentioned above, activities such as restoration of tidal habitat, seasonally inundated floodplain,
36 riparian habitat, grassland and nontidal freshwater marsh could be incompatible with general plan
37 policies to preserve agricultural land uses and farmland soils, including Contra Costa Policies 8-2, 8-
38 29 and 8-33, Sacramento County Policy AG-5, San Joaquin County Agricultural Lands Policy 5, Solano
39 County Policies AG.P-4 and AG.P-28, and Yolo County Policies AG-1.4, AG-1.5, AG-1.6, AG-2.10, and
40 AG-6.1. However, those same activities could be compatible with and supportive of numerous
41 general plan policies for open space, natural preserve, natural resources or recreation, including
42 Alameda County ECAP Policy 53, Contra Costa Policies 3-64, 8-9, 8-17, 8-84 and 8-93, Sacramento
43 County Policy AG-15, OS-1 and OS-2, San Joaquin County Open Space Policy 4, and Solano County
44 Policies RS.P-1, RS.P-2, RS.P-3, RS.P-4, RS.P-5, RS.P-7, RS.P-8, RS.P-9, RS.P-10, RS.P-11, and RS.P-12.
45 The relationship between plans, policies, and regulations and impacts on the physical environment
46 is discussed in Section 13.3.1.

1 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are not known at this
2 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
3 be made; these issues, therefore, will have to be addressed in detail in site-specific environmental
4 documents for restoration proposals. Although implementation of this alternative would be
5 anticipated to result in substantial incompatibilities with local land use regulations due to the
6 amount of land area targeted for restoration actions, it is presently unknown whether any such
7 incompatibilities would be indicative of related physical consequences, such as the loss of prime
8 agricultural land or unique archaeological resources. The relationship between plans, policies, and
9 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
10 also be addressed in the site-specific environmental documents for proposed restoration activities.

11 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed** 12 **Conservation Measures 2–21**

13 **NEPA Effects:** Existing land uses in the CZs are predominantly agricultural, open space, or rural
14 residential with some small inclusions of commercial and industrial areas, as previously described.
15 Land uses within the boundaries of incorporated cities vary considerably in the study area but
16 predominantly include areas dedicated to residential, commercial, and industrial areas. While the
17 location of each restoration and/or enhancement action is not known at this time, it is possible that
18 implementing these conservation measures may result in temporary (e.g., construction activities
19 that may conflict with land designated as open space) or permanent (e.g., displacement of existing
20 residents and removal of existing structures) physical conflicts with existing land uses in or
21 immediately adjacent to the study area.

22 Restoration of tidal habitat, riparian areas, nontidal perennial aquatic habitat, nontidal perennial
23 freshwater emergent wetland, grasslands, and vernal pool complexes, protecting and enhancing
24 alkali seasonal wetland complexes, and managing agricultural lands for optimal habitat use may
25 conflict with existing agricultural and rural residential land uses in the Cache Slough ROA in CZ 1,
26 and in southeastern Solano and Yolo Counties depending on the location of each activity. Similarly,
27 restoring riparian habitat and managing agricultural lands for optimal habitat use may conflict with
28 existing agricultural and rural and suburban residential, as well as commercial and light industrial
29 land uses in various locations within CZ 3 in Sacramento County. Activities associated with
30 restoration of tidal habitat perennial aquatic/tidal brackish emergent wetland, riparian areas,
31 nontidal perennial aquatic habitat, and nontidal perennial freshwater emergent wetland areas of
32 San Joaquin, Alameda, and Contra Costa Counties and managing agricultural lands for optimal
33 habitat use, restoring vernal pool complexes, or protecting and enhancing alkali seasonal wetland
34 complexes in CZs 5–10 of these counties may conflict with existing agricultural and other land uses
35 depending on the locations of these activities. Activities associated with restoration of tidal habitat,
36 were it to occur within the Stone Lakes National Wildlife Refuge, would be compatible with existing
37 land uses. Restoration of tidal perennial aquatic/tidal brackish emergent wetland, riparian areas,
38 nontidal perennial aquatic habitat, nontidal perennial freshwater emergent wetland, grasslands, and
39 vernal pool complexes, and protecting and enhancing alkali seasonal wetland complexes in the
40 Suisun Marsh are not likely to conflict with any existing land uses because that area is already
41 managed toward these goals.

42 Without more site-specific information about the locations and types of restoration to be
43 implemented, no definitive conclusion can be made about the potential for restoration actions to
44 result in the permanent conversion of land uses (including displacement of existing structures and
45 residences) due to the construction of permanent features of the facility, nor can a conclusion be

1 made with regard to the degree of indirect impacts, which could occur primarily as a result of
2 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels. When
3 required, the BDCP proponents would provide compensation to property owners for losses due to
4 implementation of the alternative, which would reduce the severity of economic effects related to
5 this physical impact, but would not reduce the severity of the physical impact itself. Implementation
6 of this alternative would be anticipated to result in substantial conflicts with current land uses due
7 to the amount of land area targeted for restoration actions.

8 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
9 this point, no definitive conclusion can be made about the potential for restoration actions to result
10 in the permanent conversion of land uses (including displacement of existing structures and
11 residences) due to the construction of permanent features of any facility. Nor can a conclusion be
12 made with regard to the degree of indirect impacts, which could occur primarily as a result of
13 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
14 However, implementation of this alternative would be anticipated to result in substantial conflicts
15 with current land uses due to the amount of land area targeted for restoration actions. Where
16 applicable, the BDCP proponents will provide compensation to property owners for losses due to
17 implementation of the alternative. This would reduce the severity of economic effects related to this
18 physical impact, but would not reduce the severity of the physical impact itself.

19 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing** 20 **Community as a Result of Implementing the Proposed Conservation Measures 2-21**

21 **NEPA Effects:** The areas in which restoration actions are planned would be primarily natural or
22 agricultural areas. Without more site-specific information about the locations and types of
23 restoration to be implemented at those locations, no definitive conclusion can be made about the
24 potential for restoration actions to result in the physical division of an existing community. In
25 general, large-scale restoration actions that take place in areas suitable for open space, resource
26 conservation, and habitat are not likely to create permanent physical divisions in existing
27 communities. To the extent that conservation areas are anticipated to create conflicts with
28 community functionality and land use guidance, these effects are captured by and described under
29 Impact LU-4: *Incompatibility with applicable land use designations, goals, and policies as a result of*
30 *implementing the proposed Conservation Measures 2-21*. In areas and land use designations that
31 focus on agricultural production, the potential exists for restoration actions to isolate agricultural
32 areas from the communities that provide services and markets to those farmers; however, such an
33 effect would not be considered to divide an existing community. Temporary and permanent effects
34 on agricultural resources are discussed in Chapter 14, *Agricultural Resources*. Effects related to
35 dividing an existing community as a result of the implementation of CM2-CM21 would not be
36 anticipated to be adverse under this alternative.

37 **CEQA Conclusion:** Because the locations for the implementation of these conservation measures are
38 unknown at this point, a conclusion about this alternative's potential to divide an existing
39 community cannot be made; however, because, large-scale restoration actions that take place in
40 areas suitable for open space, resource conservation, and habitat are not likely to create permanent
41 physical divisions in existing communities, this impact is anticipated to be less than significant.

13.3.3.10 Alternative 5—Dual Conveyance with Pipeline/Tunnel and Intake 1 (3,000 cfs; Operational Scenario C)

Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a Result of Constructing the Proposed Water Conveyance Facility (CM1)

NEPA Effects: Incompatibility with land use regulations stemming from the construction of water conveyance structures under Alternative 5 would be similar to those described for Alternative 1A. Under Alternative 5, however, only one intake facility would be constructed, requiring a single-bore tunnel built between the Intermediate Forebay and the Byron Tract Forebay, both of which would be smaller. Smaller areas would also be needed for the ongoing storage of RTM.

Like Alternative 1A, however, Alternative 5 would place temporary and permanent structures on lands designated for other uses by the general plans of Sacramento, San Joaquin, Contra Costa, and Alameda Counties. These incompatibilities are summarized by Table 13-14. The construction of the water conveyance facilities would create incompatibilities with numerous land use designations, goals and policies set forth by these counties' general plans, along with guidelines identified by state and regional plans. Construction and subsequent operations and maintenance activities also have the potential to be incompatible with airport compatibility plans adopted by Contra Costa and Yolo County ALUCs. As discussed in Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals, and policies, any related environmental effects are discussed in other chapters.

CEQA Conclusion: These incompatibilities indicate the potential for a physical consequence to the environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other chapters throughout this document. The relationship between plans, policies, and regulations and impacts on the physical environment is discussed in Section 13.3.1.

Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed Water Conveyance Facility (CM1)

NEPA Effects: Effects related to conflicts with existing land uses under Alternative 5 would be similar to those described for Alternative 1A. However, potential variation in the severity of these effects would result from the construction of fewer intake locations, fewer tunnel shafts, smaller RTM areas, and smaller forebays. Under Alternative 5, approximately 123 structures would be affected, including an estimated 29 residential structures. Other structures affected would consist primarily of storage or agricultural support facilities; however, several private recreational structures would also be affected. Table 13-4 summarizes the estimated number of structures affected across structure type and alternative and Mapbook Figure M13-1 shows the distribution of these effects across the Pipeline/Tunnel conveyance alignment. As for Alternative 1A, construction and operation of physical facilities for water conveyance would create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes.

1 **Table 13-14. Water Conveyance Incompatibilities with Land Use Designations under Alternative 5 (acres)**

Surface Feature	Alameda County				Contra Costa County						Sacramento County						San Joaquin County			
	Agriculture	Commercial	Public	Residential	Agricultural Lands	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Intensive Industrial	Low Density Residential	Medium Density Residential	Natural Preserve	Recreation	Commercial / Offices	Agriculture / General	Open Space / Resource Conservation	Residential / Very Low Density
Forebay					141	526		26	160	2	1,002									
Intake											58					13				
Potential Borrow Area											584				0					
Potential Spoil Area	205	1	7	4	406				1											
Shaft Location											83					0		199	66	
Transmission Line	2	0	1	0	7	12	1		6	1	95	1		1	2	6	1	98	28	0
Reusable Tunnel Material Area											695							887	14	
Subtotal Permanent	207	1	8	4	554	538	1	26	167	3	2,517	1	0	1	2	19	1	1,184	108	0
Access Road Work Area					0				6											
Barge Unloading Facility											27					5		42	99	
Concrete Batch Plant				0	2						44							40		
Control Structure Work Area					1				3											
Fuel Station	1			1	0						6							2		
Intake Work Area											117					20				
Pipeline											65									
Road Work Area					0				1											
Safe Haven Work Area						11					37				0	0		68	1	
Transmission Line	1	0	1	0	5	11	0		7	1	120	0	0	0	2	1	1	83	47	0
Tunnel Work Area											69							62		
Subtotal Temporary	2	0	1	1	8	22	0	0	17	1	485	0	0	0	2	26	1	297	147	0
Grand Total	209	1	9	5	562	560	1	26	184	4	3,002	1	0	1	4	45	2	1,481	255	0

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines. Acreages are rounded; acreage less than 0.5 has been rounded to 0.

2

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

11 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
 12 removal of a substantial number of existing permanent structures. The removal of existing
 13 structures is not, in itself, considered an environmental impact, though removal might entail
 14 economic impacts. Significant environmental impacts would only result if the structures qualified as
 15 “historical resources” or the removal of structures led to physical effects on certain other resources.
 16 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
 17 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 18 *Utilities*; potential impacts on the public and environment related to the potential release of
 19 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 20 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
 21 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
 22 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
 23 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
 24 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
 25 under CEQA due solely to the removal of physical structures that are not treated under other impact
 26 categories.

27 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
 28 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

29 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
 30 construction of water conveyance facilities under Alternative 5 would be considerably less extensive
 31 than those described for Alternative 1A because Intakes 2 through 5 would not be constructed and
 32 the Intermediate Forebay would be smaller, reducing potential effects on the communities of Hood
 33 relating to construction of intake facilities and conveyance pipelines. While construction activities
 34 for Intake 1 and the intermediate forebay would still occur in the relative proximity of Hood, the
 35 community would not be crossed by this alternative and this effect is not considered adverse.

36 **CEQA Conclusion:** Because no structure built for the purposes of water conveyance would be
 37 located adjacent to or through a portion of an existing community under this alternative, this impact
 38 would be considered less than significant; therefore, no mitigation is required.

39 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 40 **Result of Implementing the Proposed Conservation Measures 2–21**

41 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
 42 policies resulting from implementation of BDCP Conservation Measures 2–21 would be similar
 43 under Alternative 5 to those described under Alternative 1A. However, under Alternative 5, only

1 25,000 acres of tidal habitat would be restored, as compared with 65,000 acres under Alternative
2 1A. Thus, to the extent that implementation of tidal habitat restoration would be incompatible with
3 land use designations, goals, and policies, these effects would be anticipated to be smaller than those
4 resulting from Alternative 1A. Because the locations for the implementation of these conservation
5 measures are unknown at this time, a conclusion about the compatibility of this alternative with
6 local land use regulations cannot be made. These issues would be addressed in detail in site-specific
7 environmental documents for restoration proposals. However, implementation of this alternative
8 may result in substantial incompatibilities with local land use regulations due to the amount of land
9 area targeted for restoration actions. As discussed in Section 13.3.2, to the extent that BDCP
10 alternatives are incompatible with such land use designations, goals, and policies, any related
11 environmental effects are discussed in other chapters.

12 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
13 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
14 be made; these issues therefore will have to be addressed in detail in site-specific environmental
15 documents for restoration proposals. Although implementation of this alternative would be
16 anticipated to result in substantial incompatibilities with local land use regulations due to the
17 amount of land area targeted for restoration actions, it is presently unknown whether any such
18 incompatibilities would be indicative of related physical consequences, such as the loss of prime
19 agricultural land or unique archaeological resources. The relationship between plans, policies, and
20 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
21 also be addressed in the site-specific environmental documents for proposed restoration activities.

22 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed** 23 **Conservation Measures 2–21**

24 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 5 would be the
25 similar to those described for Alternative 1A. However, potential variation in the severity of these
26 effects would result from a smaller area targeted for tidal habitat restoration. As with Alternative
27 1A, implementation of CM2–CM21 could create temporary or permanent conflicts with existing land
28 uses where they would require the removal of structures or sever critical access routes. When
29 required, the BDCP proponents would provide compensation to property owners for losses due to
30 implementation of the alternative, which would reduce the severity of economic effects related to
31 this physical impact, but would not reduce the severity of the physical impact itself. Despite its
32 smaller restoration area, this alternative would still be anticipated to result in substantial conflicts
33 with current land uses due to the amount of land area targeted for restoration actions.

34 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
35 this point, no definitive conclusion can be made about the potential for restoration actions to result
36 in the permanent conversion of land uses (including displacement of existing structures and
37 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
38 made with regard to the degree of indirect impacts, which could occur primarily as a result of
39 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
40 However, implementation of this alternative would be anticipated to result in substantial conflicts
41 with current land uses due to the amount of land area targeted for restoration actions. Where
42 applicable, the BDCP proponents will provide compensation to property owners for losses due to
43 implementation of the alternative. This would reduce the severity of economic effects related to this
44 physical impact, but would not reduce the severity of the physical impact itself.

1 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
 2 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

3 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 5
 4 would be similar to those described for Alternative 1A. However, potential variation in the severity
 5 of these effects could result from different target acreages for tidal habitat restoration. Because the
 6 locations for the implementation of these conservation measures are unknown at this time, a
 7 conclusion about Alternative 5 potential to divide an existing community cannot be made. Effects
 8 related to dividing an existing community as a result of the implementation of CM2–CM21 would not
 9 be anticipated to be adverse under this alternative.

10 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 11 point, a conclusion about this alternative’s potential to divide an existing community cannot be
 12 made; however, because, large-scale restoration actions that take place in areas suitable for open
 13 space, resource conservation, and habitat are not likely to create permanent physical divisions in
 14 existing communities, this impact is anticipated to be less than significant.

15 **13.3.3.11 Alternative 6A—Isolated Conveyance with Pipeline/Tunnel and**
 16 **Intakes 1–5 (15,000 cfs; Operational Scenario D)**

17 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 18 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

19 **NEPA Effects:** Incompatibility with land use regulations stemming from the construction of water
 20 conveyance structures under Alternative 6A would be identical to those described for Alternative
 21 1A.

22 Like Alternative 1A, Alternative 6A would place temporary and permanent structures on lands
 23 designated for other uses by the general plans of Sacramento, San Joaquin, Contra Costa, and
 24 Alameda Counties. The construction of the water conveyance facilities would create
 25 incompatibilities with numerous land use designations, goals and policies set forth by these
 26 counties’ general plans, along with guidelines identified by state and regional plans. Construction
 27 and subsequent operations and maintenance activities also have the potential to be incompatible
 28 with airport compatibility plans adopted by Contra Costa and Yolo County ALUCs. As discussed in
 29 Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use
 30 designations, goals, and policies, any related environmental effects are discussed in other chapters.

31 **CEQA Conclusion:** These incompatibilities indicate the potential for a physical consequence to the
 32 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 33 chapters throughout this document. The relationship between plans, policies, and regulations and
 34 impacts on the physical environment is discussed in Section 13.3.1.

35 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed**
 36 **Water Conveyance Facility (CM1)**

37 **NEPA Effects:** Effects related to conflicts with existing land uses under this alternative would be
 38 identical to those described for Alternative 1A. As for Alternative 1A, construction and operation of
 39 physical facilities for water conveyance would create temporary or permanent conflicts with
 40 existing land uses where they would require the removal of structures or sever critical access
 41 routes. Table 13-4 summarizes the estimated number of structures affected across structure type

1 and alternative and Mapbook Figure M13-1 shows the distribution of these effects across the
2 Pipeline/Tunnel conveyance alignment.

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

13 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
14 removal of a substantial number of existing permanent structures. The removal of existing
15 structures is not, in itself, considered an environmental impact, though removal might entail
16 economic impacts. Significant environmental impacts would only result if the structures qualified as
17 “historical resources” or the removal of structures led to physical effects on certain other resources.
18 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
19 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
20 *Utilities*; potential impacts on the public and environment related to the potential release of
21 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
22 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
23 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
24 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
25 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
26 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
27 under CEQA due solely to the removal of physical structures that are not treated under other impact
28 categories.

29 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
30 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

31 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
32 construction of water conveyance facilities under Alternative 6A would be identical to those
33 described for Alternative 1A. Construction of permanent facilities and associated work areas would
34 be located in and around the community of Hood, in some cases displacing structures in the
35 community and creating linear construction zones between structures within the community. Intake
36 4, if built under this alternative, would be constructed along the southern border of the community
37 over a period of approximately four years, altering a point of access to the community. Work areas
38 associated with construction of the conveyance pipeline carrying water from Intake 3 to the
39 intermediate forebay would run north to south in the eastern section of the community. While a
40 permanent physical division within the community itself is not anticipated to result from these
41 features, activities associated with their construction would create a linear construction area for a
42 limited period of time, making it difficult to travel within Hood in certain areas. Additionally, the
43 lasting placement of the intake facilities and intermediate forebay would represent physical
44 structures that would substantially alter the setting of the community and its immediate

1 surroundings, constituting an adverse effect. Mitigation Measures TRANS-1a and TRANS-1b are
2 available to address this effect.

3 **CEQA Conclusion:** During the construction of the conveyance pipeline between Intake 3 and the
4 intermediate forebay, construction activities would cross the community of Hood, limiting access
5 between some of the community's easternmost structures and the main section of the community.
6 These structures would therefore result in a significant and unavoidable impact. Implementation of
7 Mitigation Measures TRANS-1a and TRANS-1b would reduce the severity of this impact by
8 supporting continued access to and from the community on transportation routes; however,
9 permanent structures would remain, and the impact would be significant.

10 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
11 **Plan**

12 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
13 1A, Impact TRANS-1.

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

16 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
17 1A, Impact TRANS-1.

18 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
19 **Result of Implementing the Proposed Conservation Measures 2–21**

20 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
21 policies resulting from implementation of BDCP Conservation Measures 2–21 would be the same for
22 Alternative 6A as those described under Alternative 1A. Because the locations for the
23 implementation of these conservation measures are unknown at this time, a conclusion about the
24 compatibility for this alternative with local land use regulations cannot be made. These issues would
25 be addressed in detail in site-specific environmental documents for restoration proposals. However,
26 implementation of this alternative may result in substantial incompatibilities with local land use
27 regulations due to the amount of land area targeted for restoration actions. As discussed in Section
28 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
29 and policies, any related environmental effects are discussed in other chapters.

30 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
31 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
32 be made; these issues therefore will have to be addressed in detail in site-specific environmental
33 documents for restoration proposals. Although implementation of this alternative would be
34 anticipated to result in substantial incompatibilities with local land use regulations due to the
35 amount of land area targeted for restoration actions, it is presently unknown whether any such
36 incompatibilities would be indicative of related physical consequences, such as the loss of prime
37 agricultural land or unique archaeological resources. The relationship between plans, policies, and
38 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
39 also be addressed in the site-specific environmental documents for proposed restoration activities.

1 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
2 **Conservation Measures 2-21**

3 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 6A would be
4 similar to those described for Alternative 1A because the proposed CM2–CM21 would be the same
5 under both alternatives. As with Alternative 1A, implementation of CM2–CM21 could create
6 temporary or permanent conflicts with existing land uses where they would require the removal of
7 structures or sever critical access routes. When required, the BDCP proponents would provide
8 compensation to property owners for losses due to implementation of the alternative, which would
9 reduce the severity of economic effects related to this physical impact, but would not reduce the
10 severity of the physical impact itself. Without more site-specific information about the locations and
11 types of restoration to be implemented, no definitive conclusion can be made; however,
12 implementation of this alternative would be anticipated to result in substantial conflicts with
13 current land uses due to the amount of land area targeted for restoration actions.

14 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
15 this point, no definitive conclusion can be made about the potential for restoration actions to result
16 in the permanent conversion of land uses (including displacement of existing structures and
17 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
18 made with regard to the degree of indirect impacts, which could occur primarily as a result of
19 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
20 However, implementation of this alternative would be anticipated to result in substantial conflicts
21 with current land uses due to the amount of land area targeted for restoration actions. Where
22 applicable, the BDCP proponents will provide compensation to property owners for losses due to
23 implementation of the alternative. This would reduce the severity of economic effects related to this
24 physical impact, but would not reduce the severity of the physical impact itself.

25 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
26 **Community as a Result of Implementing the Proposed Conservation Measures 2-21**

27 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 6A
28 would be the same as those described for Alternative 1A. Because the locations for the
29 implementation of these conservation measures are unknown at this time, a conclusion about this
30 alternative's potential to divide an existing community cannot be made. Effects related to dividing
31 an existing community as a result of the implementation of CM2–CM21 would not be anticipated to
32 be adverse under this alternative.

33 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
34 point, a conclusion about this alternative's potential to divide an existing community cannot be
35 made however, because, large-scale restoration actions that take place in areas suitable for open
36 space, resource conservation, and habitat are not likely to create permanent physical divisions in
37 existing communities, this impact is anticipated to be less than significant.

13.3.3.12 Alternative 6B—Isolated Conveyance with East Alignment and Intakes 1–5 (15,000 cfs; Operational Scenario D)

Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a Result of Constructing the Proposed Water Conveyance Facility (CM1)

NEPA Effects: Land use incompatibility resulting from the construction of water conveyance facilities under Alternative 6B would be identical to those described for Alternative 1B.

Like Alternative 1B, Alternative 6B would construct permanent and temporary features upon lands covered by the general plans of Sacramento, San Joaquin, Contra Costa, and Alameda Counties. These structures would create incompatibilities with numerous land use designations, goals and policies set forth by these counties' general plans, along with guidelines identified by state and regional plans. Construction and subsequent operations and maintenance activities also have the potential to be incompatible with airport compatibility plans adopted by Contra Costa and Yolo County ALUCs. As discussed in Section 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals, and policies, any related environmental effects are discussed in other chapters.

CEQA Conclusion: These incompatibilities indicate the potential for a physical consequence to the environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other chapters throughout this document. The relationship between plans, policies, and regulations and impacts on the physical environment is discussed in Section 13.3.1.

Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed Water Conveyance Facility (CM1)

NEPA Effects: Effects related to conflicts with existing land uses under Alternative 6B would be identical to those described for Alternative 1B. As for Alternative 1B, construction and operation of physical facilities for water conveyance would create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. Table 13-4 summarizes the estimated number of structures affected across structure type and alternative and Mapbook Figure M13-2 shows the distribution of these effects across the East conveyance alignment.

The removal of a substantial number of existing permanent structures as a result of constructing the water conveyance facility would be considered a direct, adverse socioeconomic effect of this alternative under NEPA. When required, the BDCP proponents would provide compensation to property owners for losses due to implementation of the alternative, which would reduce the severity of economic effects related to this physical impact, but would not reduce the severity of the physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and Utilities*; potential adverse effects on the environment related to the potential release of hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.

CEQA Conclusion: Construction of the proposed water conveyance facility would necessitate the removal of a substantial number of existing permanent structures. The removal of existing structures is not, in itself, considered an environmental impact, though removal might entail economic impacts. Significant environmental impacts would only result if the structures qualified as

1 “historical resources” or the removal of structures led to physical effects on certain other resources.
2 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
3 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
4 *Utilities*; potential impacts on the public and environment related to the potential release of
5 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
6 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
7 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
8 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
9 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
10 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
11 under CEQA due solely to the removal of physical structures that are not treated under other impact
12 categories.

13 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing** 14 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

15 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
16 construction of water conveyance facilities under Alternative 6B would be similar to those described
17 for Alternative 1B. Construction of Intake 4, a segment of canal, a bridge, and associated work areas
18 would be located in close proximity of the community of Hood, in some cases displacing structures
19 in the community and creating linear construction zones between the community and outlying
20 areas. During construction of these project facilities, access would be limited between the
21 community and points to the east. While a permanent physical surface crossing of the community
22 itself is not anticipated to result from these features, activities associated with their construction
23 would create a linear construction area for a limited period of time, making it difficult to travel
24 within Hood in certain areas. Additionally, the lasting placement of the intake facilities and the canal
25 would represent physical structures that would substantially alter the setting of the community and
26 its immediate surroundings, constituting an adverse effect. Mitigation Measures TRANS-1a and
27 TRANS-1b are available to address this effect.

28 **CEQA Conclusion:** Construction activities associated with Intake 4 and its associated facilities, the
29 canal, and a bridge over the canal would limit access between the community of Hood and
30 surrounding areas. Even though access to and from the community would be maintained over the
31 long-term, the placement of Intake 4 and the canal, as well as the nearby construction of Intake 3,
32 would create permanent physical structures that would substantially alter the setting of the
33 community and its immediate surroundings. These structures would therefore result in a significant
34 and unavoidable impact. Implementation of Mitigation Measures TRANS-1a and TRANS-1b would
35 reduce the severity of this impact by supporting continued access to and from the community on
36 transportation routes; however, permanent structures would remain, and the impact would be
37 significant.

38 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management** 39 **Plan**

40 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
41 1A, Impact TRANS-1.

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

3 Please refer to Mitigation Measure TRANS-1b in Chapter 19, Transportation, under Alternative
 4 1A, Impact TRANS-1.

5 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 6 **Result of Implementing the Proposed Conservation Measures 2-21**

7 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
 8 policies resulting from implementation of BDCP Conservation Measures 2-21 would be the same
 9 under Alternative 6B as those described under Alternative 1B. Because the locations for the
 10 implementation of these conservation measures are unknown at this time, a conclusion about the
 11 compatibility of this alternative with local land use regulations cannot be made. These issues would
 12 be addressed in detail in site-specific environmental documents for restoration proposals. However,
 13 implementation of this alternative may result in substantial incompatibilities with local land use
 14 regulations due to the amount of land area targeted for restoration actions. As discussed in Section
 15 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
 16 and policies, any related environmental effects are discussed in other chapters.

17 **CEQA Conclusion:** Because the locations for the implementation of CM2-CM21 are unknown at this
 18 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
 19 be made; these issues therefore will have to be addressed in detail in site-specific environmental
 20 documents for restoration proposals. Although implementation of this alternative would be
 21 anticipated to result in substantial incompatibility with local land use regulations due to the amount
 22 of land area targeted for restoration actions, it is presently unknown whether any such
 23 incompatibility would be indicative of related physical consequences, such as the loss of prime
 24 agricultural land or unique archaeological resources. The relationship between plans, policies, and
 25 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
 26 also be addressed in the site-specific environmental documents for proposed restoration activities.

27 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
 28 **Conservation Measures 2-21**

29 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 6B would be the
 30 same as those described for Alternative 1B because the proposed CM2-CM21 would be the same
 31 under both alternatives. As with Alternative 1B, implementation of CM2-CM21 could create
 32 temporary or permanent conflicts with existing land uses where they would require the removal of
 33 structures or sever critical access routes. When required, the BDCP proponents would provide
 34 compensation to property owners for losses due to implementation of the alternative, which would
 35 reduce the severity of economic effects related to this physical impact, but would not reduce the
 36 severity of the physical impact itself. Implementation of this alternative would be anticipated to
 37 result in substantial conflicts with current land uses due to the amount of land area targeted for
 38 restoration actions.

39 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
 40 this point, no definitive conclusion can be made about the potential for restoration actions to result
 41 in the permanent conversion of land uses (including displacement of existing structures and
 42 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
 43 made with regard to the degree of indirect impacts, which could occur primarily as a result of

1 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
 2 However, implementation of this alternative would be anticipated to result in substantial conflicts
 3 with current land uses due to the amount of land area targeted for restoration actions. Where
 4 applicable, the BDCP proponents will provide compensation to property owners for losses due to
 5 implementation of the alternative. This would reduce the severity of economic effects related to this
 6 physical impact, but would not reduce the severity of the physical impact itself.

7 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
 8 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

9 *NEPA Effects:* Effects related to the physical division of an existing community under this alternative
 10 would be the same as those described for Alternative 1A. Because the locations for the
 11 implementation of these conservation measures are unknown at this time, a conclusion about this
 12 alternative’s potential to divide an existing community cannot be made. Effects related to dividing
 13 an existing community as a result of the implementation of CM2–CM21 would not be anticipated to
 14 be adverse under this alternative.

15 *CEQA Conclusion:* Because the locations for the implementation of CM2–CM21 are unknown at this
 16 point, a conclusion about this alternative’s potential to divide an existing community cannot be
 17 made; however, because, large-scale restoration actions that take place in areas suitable for open
 18 space, resource conservation, and habitat are not likely to create permanent physical divisions in
 19 existing communities, this impact is anticipated to be less than significant.

20 **13.3.3.13 Alternative 6C—Isolated Conveyance with West Alignment and**
 21 **Intakes W1–W5 (15,000 cfs; Operational Scenario D)**

22 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 23 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

24 *NEPA Effects:* Conflicts with local land use plans under Alternative 6C would be identical to those
 25 described for Alternative 1C. Alternative 6C would construct permanent and temporary water
 26 conveyance structures on land governed by the general plans of Yolo, Solano, Sacramento, and
 27 Contra Costa Counties. Construction activities under Alternative 6C would create incompatibilities
 28 with numerous land use designations, goals and policies set forth by these counties’ general plans,
 29 along with guidelines identified by state and regional plans. Construction and subsequent
 30 operations and maintenance activities also have the potential to be incompatible with airport
 31 compatibility plans adopted by Contra Costa and Yolo County ALUCs. As discussed in Section 13.3.2,
 32 to the extent that BDCP alternatives are incompatible with such land use designations, goals, and
 33 policies, any related environmental effects are discussed in other chapters.

34 *CEQA Conclusion:* These incompatibilities indicate the potential for a physical consequence to the
 35 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 36 chapters throughout this document. The relationship between plans, policies, and regulations and
 37 impacts on the physical environment is discussed in Section 13.3.1.

38 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed**
 39 **Water Conveyance Facility (CM1)**

40 *NEPA Effects:* Effects related to conflicts with existing land uses under Alternative 6C would be
 41 identical to those described for Alternative 1C. As for Alternative 1C, construction and operation of

1 physical facilities for water conveyance under Alternative 6C would create temporary or permanent
 2 conflicts with existing land uses where they would require the removal of structures or sever critical
 3 access routes. Table 13-4 summarizes the estimated number of structures affected across structure
 4 type and alternative and Mapbook Figure M13-3 shows the distribution of these effects across the
 5 West conveyance alignment.

6 The removal of a substantial number of existing permanent structures as a result of constructing the
 7 water conveyance facility would be considered a direct, adverse socioeconomic effect of this
 8 alternative under NEPA. When required, the BDCP proponents would provide compensation to
 9 property owners for losses due to implementation of the alternative, which would reduce the
 10 severity of economic effects related to this physical impact, but would not reduce the severity of the
 11 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
 12 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
 13 release of hazardous materials contained in structures to be demolished are addressed in Chapter
 14 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
 15 are addressed in Chapter 18, *Cultural Resources*.

16 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
 17 removal of a substantial number of existing permanent structures. The removal of existing
 18 structures is not, in itself, considered an environmental impact, though removal might entail
 19 economic impacts. Significant environmental impacts would only result if the structures qualified as
 20 “historical resources” or the removal of structures led to physical effects on certain other resources.
 21 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
 22 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 23 *Utilities*; potential impacts on the public and environment related to the potential release of
 24 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 25 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
 26 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
 27 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
 28 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
 29 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
 30 under CEQA due solely to the removal of physical structures that are not treated under other impact
 31 categories.

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 Water Conveyance Facility (CM1)**

34 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
 35 construction of water conveyance facilities would be the same under Alternative 6C as those
 36 described for Alternative 1C. The construction of permanent facilities and associated work areas
 37 would be located around the community of Clarksburg, creating linear construction zones between
 38 the community and outlying areas. Intakes 1 and 2 (along with their associated pumping plants,
 39 transmission lines, and access roads) and segments of conveyance pipeline would surround the
 40 community on the north, west, and south. While a permanent physical surface crossing of the
 41 community itself is not anticipated to result from these features, activities associated with their
 42 construction would create linear construction areas for a period of time. Additionally, the lasting
 43 placement of the intake facilities would represent physical structures that would substantially alter
 44 the setting of the community and its immediate surroundings, constituting an adverse effect.
 45 Mitigation Measures TRANS-1a and TRANS-1b are available to address this effect.

1 **CEQA Conclusion:** Construction activities associated with Intakes 1 and 2, their associated facilities,
 2 and segments of conveyance pipeline would be located around the community of Clarksburg. Even
 3 though access to and from the community would be maintained over the long-term, the placement
 4 of Intake 2, as well as the nearby construction of Intake 1, would create permanent physical
 5 structures that would substantially alter the setting of the community and its immediate
 6 surroundings. These structures would therefore result in a significant and unavoidable impact.
 7 Implementation of Mitigation Measures TRANS-1a and TRANS-1b would reduce the severity of this
 8 impact by supporting continued access to and from the community on transportation routes;
 9 however, permanent structures would remain, and the impact would be significant.

10 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
 11 **Plan**

12 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 13 1A, Impact TRANS-1.

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

16 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 17 1A, Impact TRANS-1.

18 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 19 **Result of Implementing the Proposed Conservation Measures 2–21**

20 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
 21 policies resulting from implementation of BDCP Conservation Measures 2–21 would be the same
 22 under Alternative 6C as those described under Alternative 1C. Because the locations for the
 23 implementation of these conservation measures are unknown at this time, a conclusion about the
 24 compatibility for this alternative with local land use regulations cannot be made. These issues would
 25 be addressed in detail in site-specific environmental documents for restoration proposals. However,
 26 implementation of this alternative may result in substantial incompatibilities with local land use
 27 regulations due to the amount of land area targeted for restoration actions. As discussed in Section
 28 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
 29 and policies, any related environmental effects are discussed in other chapters.

30 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 31 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
 32 be made; these issues therefore will have to be addressed in detail in site-specific environmental
 33 documents for restoration proposals. Although implementation of this alternative would be
 34 anticipated to result in substantial incompatibilities with local land use regulations due to the
 35 amount of land area targeted for restoration actions, it is presently unknown whether any such
 36 incompatibilities would be indicative of related physical consequences, such as the loss of prime
 37 agricultural land or unique archaeological resources. The relationship between plans, policies, and
 38 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
 39 also be addressed in the site-specific environmental documents for proposed restoration activities.

1 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
2 **Conservation Measures 2-21**

3 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 6C would be the
4 same as those described for Alternative 1C because the proposed CM2-CM21 would be the same
5 under both alternatives. As with Alternative 1C, implementation of CM2-CM21 could create
6 temporary or permanent conflicts with existing land uses where they would require the removal of
7 structures or sever critical access routes. When required, the BDCP proponents would provide
8 compensation to property owners for losses due to implementation of the alternative, which would
9 reduce the severity of economic effects related to this physical impact, but would not reduce the
10 severity of the physical impact itself. Implementation of this alternative would be anticipated to
11 result in substantial conflicts with current land uses due to the amount of land area targeted for
12 restoration actions.

13 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
14 this point, no definitive conclusion can be made about the potential for restoration actions to result
15 in the permanent conversion of land uses (including displacement of existing structures and
16 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
17 made with regard to the degree of indirect impacts, which could occur primarily as a result of
18 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
19 However, implementation of this alternative would be anticipated to result in substantial conflicts
20 with current land uses due to the amount of land area targeted for restoration actions. Where
21 applicable, the BDCP proponents will provide compensation to property owners for losses due to
22 implementation of the alternative. This would reduce the severity of economic effects related to this
23 physical impact, but would not reduce the severity of the physical impact itself.

24 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
25 **Community as a Result of Implementing the Proposed Conservation Measures 2-21**

26 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 6C
27 would be the same as those described for Alternative 1A. Because the locations for the
28 implementation of these conservation measures are unknown at this time, a conclusion about this
29 alternative's potential to divide an existing community cannot be made. Effects related to dividing
30 an existing community as a result of the implementation of CM2-CM21 would not be anticipated to
31 be adverse under this alternative.

32 **CEQA Conclusion:** Because the locations for the implementation of CM2-CM21 are unknown at this
33 point, a conclusion about this alternative's potential to divide an existing community cannot be
34 made; however, because, large-scale restoration actions that take place in areas suitable for open
35 space, resource conservation, and habitat are not likely to create permanent physical divisions in
36 existing communities, this impact is anticipated to be less than significant.

1 **13.3.3.14 Alternative 7—Dual Conveyance with Pipeline/Tunnel, Intakes 2,**
2 **3, and 5, and Enhanced Aquatic Conservation (9,000 cfs;**
3 **Operational Scenario E)**

4 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
5 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

6 *NEPA Effects:* Incompatibility with land use regulations stemming from the construction of water
7 conveyance structures under Alternative 7 would be similar to those described for Alternative 1A.
8 Under Alternative 7, however, only three intake facilities would be constructed, resulting in
9 incompatibilities with land designated under the Sacramento County General Plan for Agricultural
10 Cropland and potentially, land designated for Natural Preserve.

11 Like Alternative 1A, Alternative 7 would place other temporary and permanent structures on lands
12 designated for other uses by the general plans of Sacramento, San Joaquin, Contra Costa, and
13 Alameda Counties. These incompatibilities are summarized by Table 13-15. The construction of the
14 water conveyance facilities would create incompatibilities with numerous land use designations,
15 goals and policies set forth by these counties' general plans, along with guidelines identified by state
16 and regional plans. Construction and subsequent operations and maintenance activities also have
17 the potential to be incompatible with the Byron Airport LUCP. As discussed in Section 13.3.2, to the
18 extent that BDCP alternatives are incompatible with such land use designations, goals, and policies,
19 any related environmental effects are discussed in other chapters.

20 *CEQA Conclusion:* These incompatibilities indicate the potential for a physical consequence to the
21 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
22 chapters throughout this document. The relationship between plans, policies, and regulations and
23 impacts on the physical environment is discussed in Section 13.3.1.

24 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed**
25 **Water Conveyance Facility (CM1)**

26 *NEPA Effects:* Effects related to conflicts with existing land uses under Alternative 7 would be
27 similar to those described for Alternative 1A. However, potential variation in the severity of these
28 effects would result from the construction of two fewer intake locations. Under Alternative 7,
29 approximately 143 structures would be affected, including an estimated 38 residential structures.
30 Other structures affected would consist primarily of storage or agricultural support facilities;
31 however, several industrial, commercial, and private recreational structures would also be affected.
32 One fire station in the community of Hood would also be affected under this alternative. Table 13-4
33 summarizes the estimated number of structures affected across structure type and alternative and
34 Mapbook Figure M13-1 shows the distribution of these effects across the Pipeline/Tunnel
35 conveyance alignment. As for Alternative 1A, construction and operation of physical facilities for
36 water conveyance would create temporary or permanent conflicts with existing land uses where
37 they would require the removal of structures or sever critical access routes.

1 **Table 13-15. Water Conveyance Incompatibilities with Land Use Designations under Alternative 7 (acres)**

Surface Feature	Alameda County				Contra Costa County						Sacramento County						San Joaquin County			
	Agriculture	Commercial	Public	Residential	Agricultural Lands	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Intensive Industrial	Low Density Residential	Medium Density Residential	Natural Preserve	Recreation	Commercial / Offices	Agriculture / General	Open Space / Resource Conservation	Residential / Very Low Density
Forebay					141	526		26	160	2	1,002									
Intake											163				7	33				
Potential Borrow Area											584				0					
Potential Spoil Area	205	1	7	4	406				1											
Shaft Location											82					0		199	66	
Transmission Line	2	0	1	0	7	12	1		6	1	76	1	1	2	5	1	98	28	0	
Reusable Tunnel Material Area											695						887	14		
Subtotal Permanent	207	1	8	4	554	537	1	26	167	3	2,602	1	1	9	38	1	1,184	108	0	
Access Road Work Area					0				6											
Barge Unloading Facility											27					5		42	99	
Concrete Batch Plant					0	2					44							40		
Control Structure Work Area						1			3											
Fuel Station	1				1	0					6							2		
Intake Work Area											322				9	50				
Pipeline											2									
Pipeline Work Area											114		25							
Road Work Area					0				1											
Safe Haven Work Area						11					37				0	0		68	1	
Transmission Line	1	0	1	0	5	11	0		7	1	105	0	1	0	2	2	1	83	47	0
Tunnel Work Area											70							62		
Subtotal Temporary	2	0	1	1	8	22	0		17	1	726	0	26	0	11	57	1	297	147	0
Grand Total	209	1	9	5	562	559	1	26	184	4	3,328	1	26	1	20	96	2	1,481	255	0

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines. Acreages are rounded; acreage less than 0.5 has been rounded to 0.

2

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

11 **CEQA Conclusion:** Construction of the proposed water conveyance facility would necessitate the
12 removal of a substantial number of existing permanent structures. The removal of existing
13 structures is not, in itself, considered an environmental impact, though removal might entail
14 economic impacts. Significant environmental impacts would only result if the structures qualified as
15 “historical resources” or the removal of structures led to physical effects on certain other resources.
16 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
17 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
18 *Utilities*; potential impacts on the public and environment related to the potential release of
19 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
20 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
21 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
22 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
23 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
24 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
25 under CEQA due solely to the removal of physical structures that are not treated under other impact
26 categories.

27 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing** 28 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

29 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
30 construction of water conveyance facilities under Alternative 7 would be similar to those described
31 for Alternative 1A; however, only Intakes 2, 3, and 5 would be constructed, reducing the potential
32 effects on the community of Hood associated with the construction of Intake 4. Work areas
33 associated with construction of the conveyance pipeline carrying water from Intake 3 to the
34 intermediate forebay would run north to south in the eastern section of the community.
35 Additionally, construction and the long-term placement of Intake 3 and the intermediate forebay
36 would substantially alter the lands surrounding Hood. While a permanent physical surface crossing
37 of the community itself is not anticipated to result from these features, activities associated with
38 their construction would create a linear construction area for a limited period of time, making it
39 difficult to travel within Hood in certain areas. Additionally, the lasting placement of the intake
40 facilities and intermediate forebay would represent physical structures that would substantially
41 alter the setting of the community and its immediate surroundings, resulting in an adverse effect.
42 Mitigation Measures TRANS-1a and TRANS-1b are available to address this effect.
43

1 **CEQA Conclusion:** During the construction of the conveyance pipeline between Intake 3 and the
 2 intermediate forebay, construction activities would cross the community of Hood, limiting access
 3 between some of the community's easternmost structures and the main section of the community.
 4 These divisions would result in a significant and unavoidable impact. Implementation of Mitigation
 5 Measures TRANS-1a and TRANS-1b would reduce the severity of this impact by supporting
 6 continued access to and from the community on transportation routes; however, permanent
 7 structures would remain, and the impact would be significant.

8 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
 9 **Plan**

10 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 11 1A, Impact TRANS-1.

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

14 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 15 1A, Impact TRANS-1.

16 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 17 **Result of Implementing the Proposed Conservation Measures 2-21**

18 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
 19 policies resulting from implementation of BDCP Conservation Measures 2-21 under Alternative 7
 20 would be similar to those described under Alternative 1A. However, under Alternative 7, 40 linear
 21 miles of channel margin habitat would be enhanced and 20,000 acres of seasonally-inundated
 22 floodplain would be restored, as compared with 20 linear miles and 10,000 acres, respectively,
 23 under Alternative 1A. Thus, to the extent that implementation of channel margin habitat
 24 enhancement and seasonally-inundated floodplain restoration would be incompatible with land use
 25 designations, goals, and policies, these effects would be anticipated to be greater than those
 26 resulting from Alternative 1A. Because the locations for the implementation of CM2-CM21 are
 27 unknown at this time, a conclusion about the compatibility of this alternative with local land use
 28 regulations cannot be made. These issues would be addressed in detail in site-specific
 29 environmental documents for restoration proposals. However, implementation of this alternative
 30 may result in substantial incompatibilities with local land use regulations due to the amount of land
 31 area targeted for restoration actions. As discussed in Section 13.3.2, to the extent that BDCP
 32 alternatives are incompatible with such land use designations, goals, and policies, any related
 33 environmental effects are discussed in other chapters.

34 **CEQA Conclusion:** Because the locations for the implementation of these conservation measures are
 35 unknown at this point, a conclusion about the compatibility of this alternative with local land use
 36 regulations cannot be made; these issues therefore will have to be addressed in detail in site-specific
 37 environmental documents for restoration proposals. Although implementation of this alternative
 38 would be anticipated to result in substantial incompatibilities with local land use regulations due to
 39 the amount of land area targeted for restoration actions, it is presently unknown whether any such
 40 incompatibilities would be indicative of related physical consequences, such as the loss of prime
 41 agricultural land or unique archaeological resources. The relationship between plans, policies, and

1 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
2 also be addressed in the site-specific environmental documents for proposed restoration activities.

3 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed** 4 **Conservation Measures 2-21**

5 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 7 would be
6 similar to those described for Alternative 1A. However, potential variation to the severity of these
7 effects could result from different target acreages. As in Alternative 1A, implementation of these
8 conservation measures could create temporary or permanent conflicts with existing land uses
9 where they would require the removal of structures or sever critical access routes. When required,
10 the BDCP proponents would provide compensation to property owners for losses due to
11 implementation of the alternative, which would reduce the severity of economic effects related to
12 this physical impact, but would not reduce the severity of the physical impact itself. This alternative
13 would be anticipated to result in substantial conflicts with current land uses due to the amount of
14 land area targeted for restoration actions.

15 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
16 this point, no definitive conclusion can be made about the potential for restoration actions to result
17 in the permanent conversion of land uses (including displacement of existing structures and
18 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
19 made with regard to the degree of indirect impacts, which could occur primarily as a result of
20 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
21 However, implementation of this alternative would be anticipated to result in substantial conflicts
22 with current land uses due to the amount of land area targeted for restoration actions. Where
23 applicable, the BDCP proponents will provide compensation to property owners for losses due to
24 implementation of the alternative. This would reduce the severity of economic effects related to this
25 physical impact, but would not reduce the severity of the physical impact itself.

26 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing** 27 **Community as a Result of Implementing the Proposed Conservation Measures 2-21**

28 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 7
29 would be similar to those described for Alternative 1A. However, potential variation to the severity
30 of these effects could result from different target acreages. Because the locations for the
31 implementation of these conservation measures are unknown at this time, a conclusion about this
32 alternative's potential to divide an existing community cannot be made. Effects related to dividing
33 an existing community as a result of the implementation of CM2-CM21 would not be anticipated to
34 be adverse under this alternative.

35 **CEQA Conclusion:** Because the locations for the implementation of CM2-CM21 are unknown at this
36 point, a conclusion about this alternative's potential to divide an existing community cannot be
37 made; however, because, large-scale restoration actions that take place in areas suitable for open
38 space, resource conservation, and habitat are not likely to create permanent physical divisions in
39 existing communities, this impact is anticipated to be less than significant.

1 **13.3.3.15 Alternative 8—Dual Conveyance with Pipeline/Tunnel, Intakes 2,**
 2 **3, and 5, and Increased Delta Outflow (9,000 cfs; Operational**
 3 **Scenario F)**

4 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 5 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

6 *NEPA Effects:* Incompatibility with land use regulations stemming from the construction of water
 7 conveyance structures under Alternative 8 would be identical to those described for Alternative 7.

8 Like Alternative 7, Alternative 8 would place temporary and permanent structures on lands
 9 designated for other uses by the general plans of Sacramento, San Joaquin, Contra Costa, and
 10 Alameda Counties. The construction of the water conveyance facilities would create
 11 incompatibilities with numerous land use designations, goals and policies set forth by these
 12 counties' general plans, along with guidelines identified by state and regional plans. Construction
 13 and subsequent operations and maintenance activities also have the potential to be incompatible
 14 with the Byron Airport LUCP. As discussed in Section 13.3.2, to the extent that BDCP alternatives are
 15 incompatible with such land use designations, goals, and policies, any related environmental effects
 16 are discussed in other chapters.

17 *CEQA Conclusion:* These incompatibilities indicate the potential for a physical consequence to the
 18 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
 19 chapters throughout this document. The relationship between plans, policies, and regulations and
 20 impacts on the physical environment is discussed in Section 13.3.1.

21 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed**
 22 **Water Conveyance Facility (CM1)**

23 *NEPA Effects:* Effects related to conflicts with existing land uses under Alternative 8 would be
 24 identical to those described for Alternative 7. As for Alternative 7, construction and operation of
 25 physical facilities for water conveyance would create temporary or permanent conflicts with
 26 existing land uses where they would require the removal of structures or sever critical access
 27 routes. Table 13-4 summarizes the estimated number of structures affected across structure type
 28 and alternative and Mapbook Figure M13-1 shows the distribution of these effects across the
 29 Pipeline/Tunnel conveyance alignment.

30 The removal of a substantial number of existing permanent structures as a result of constructing the
 31 water conveyance facility would be considered a direct, adverse socioeconomic effect of this
 32 alternative under NEPA. When required, the BDCP proponents would provide compensation to
 33 property owners for losses due to implementation of the alternative, which would reduce the
 34 severity of economic effects related to this physical impact, but would not reduce the severity of the
 35 physical impact itself. Project conflicts with existing public structures are addressed in Chapter 20,
 36 *Public Services and Utilities*; potential adverse effects on the environment related to the potential
 37 release of hazardous materials contained in structures to be demolished are addressed in Chapter
 38 24, *Hazards and Hazardous Materials*; and potential adverse effects on traditional cultural properties
 39 are addressed in Chapter 18, *Cultural Resources*.

40 *CEQA Conclusion:* Construction of the proposed water conveyance facility would necessitate the
 41 removal of a substantial number of existing permanent structures. The removal of existing
 42 structures is not, in itself, considered an environmental impact, though removal might entail

1 economic impacts. Significant environmental impacts would only result if the structures qualified as
 2 “historical resources” or the removal of structures led to physical effects on certain other resources.
 3 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
 4 Project conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 5 *Utilities*; potential impacts on the public and environment related to the potential release of
 6 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 7 *and Hazardous Materials*; and potential impacts on “historical resources” (including qualifying
 8 structures) and traditional cultural properties are addressed in Chapter 18, *Cultural Resources*.
 9 Where applicable, BDCP proponents will provide compensation to property owners for losses due to
 10 implementation of the BDCP. This compensation would reduce the severity of economic effects, but
 11 would not constitute mitigation for any related physical impact. In sum, there are no land use effects
 12 under CEQA due solely to the removal of physical structures that are not treated under other impact
 13 categories.

14 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
 15 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

16 **NEPA Effects:** Effects related to any potential division of an existing community as a result of the
 17 construction of water conveyance facilities under Alternative 8 would be identical to those
 18 described for Alternative 7. Work areas associated with construction of the conveyance pipeline
 19 carrying water from Intake 3 to the intermediate forebay would run north to south in the eastern
 20 section of the community. Additionally, construction and the long-term placement of Intake 3 and
 21 the intermediate forebay would substantially alter the lands surrounding Hood. While a permanent
 22 physical surface crossing of the community itself is not anticipated to result from these features,
 23 activities associated with their construction would create a linear construction area for a limited
 24 period of time, making it difficult to travel within Hood in certain areas. Additionally, the lasting
 25 placement of the intake facilities and intermediate forebay would represent physical structures that
 26 would substantially alter the setting of the community and its immediate surroundings, resulting in
 27 an adverse effect. Mitigation Measures TRANS-1a and TRANS-1b are available to address this effect.

28 **CEQA Conclusion:** During the construction of the conveyance pipeline between Intake 3 and the
 29 intermediate forebay, construction activities would cross the community of Hood, limiting access
 30 between some of the community’s easternmost structures and the main section of the community.
 31 These divisions would result in a significant and unavoidable impact. Implementation of Mitigation
 32 Measures TRANS-1a and TRANS-1b would reduce the severity of this impact by supporting
 33 continued access to and from the community on transportation routes; however, permanent
 34 structures would remain, and the impact would be significant.

35 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
 36 **Plan**

37 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 38 1A, Impact TRANS-1.

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

41 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 42 1A, Impact TRANS-1.

1 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
2 **Result of Implementing the Proposed Conservation Measures 2–21**

3 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
4 policies resulting from implementation of BDCP Conservation Measures 2–21 under Alternative 8
5 would be to the same as those described under Alternative 1A. Because the locations for the
6 implementation of these conservation measures are unknown at this point, a conclusion about the
7 compatibility of this alternative with local land use regulations cannot be made. These issues would
8 be addressed in detail in site-specific environmental documents for restoration proposals. However,
9 implementation of this alternative may result in substantial incompatibilities with local land use
10 regulations due to the amount of land area targeted for restoration actions. As discussed in Section
11 13.3.2, to the extent that BDCP alternatives are incompatible with such land use designations, goals,
12 and policies, any related environmental effects are discussed in other chapters.

13 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
14 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
15 be made; these issues therefore will have to be addressed in detail in site-specific environmental
16 documents for restoration proposals. Although implementation of this alternative would be
17 anticipated to result in substantial incompatibilities with local land use regulations due to the
18 amount of land area targeted for restoration actions, it is presently unknown whether any such
19 incompatibilities would be indicative of related physical consequences, such as the loss of prime
20 agricultural land or unique archaeological resources. The relationship between plans, policies, and
21 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
22 also be addressed in the site-specific environmental documents for proposed restoration activities.

23 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
24 **Conservation Measures 2–21**

25 **NEPA Effects:** Effects related to conflicts with existing land uses under this alternative would be
26 similar to those described under Alternative 1A because the proposed CM2–CM21 would be the
27 same under both alternatives. As with Alternative 1A, implementation of CM2–CM21 could create
28 temporary or permanent conflicts with existing land uses where they would require the removal of
29 structures or sever critical access routes. When required, the BDCP proponents would provide
30 compensation to property owners for losses due to implementation of the alternative, which would
31 reduce the severity of economic effects related to this physical impact, but would not reduce the
32 severity of the physical impact itself. This alternative would be anticipated to result in substantial
33 conflicts with current land uses due to the amount of land area targeted for restoration actions.

34 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
35 this point, no definitive conclusion can be made about the potential for restoration actions to result
36 in the permanent conversion of land uses (including displacement of existing structures and
37 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
38 made with regard to the degree of indirect impacts, which could occur primarily as a result of
39 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
40 However, implementation of this alternative would be anticipated to result in substantial conflicts
41 with current land uses due to the amount of land area targeted for restoration actions. Where
42 applicable, the BDCP proponents will provide compensation to property owners for losses due to
43 implementation of the alternative. This would reduce the severity of economic effects related to this
44 physical impact, but would not reduce the severity of the physical impact itself.

1 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
 2 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

3 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 8
 4 would be to the same as those described under Alternative 1A. Because the locations for the
 5 implementation of these conservation measures are unknown at this time, a conclusion about this
 6 alternative’s potential to divide an existing community cannot be made. Effects related to dividing
 7 an existing community as a result of the implementation of CM2–CM21 would not be anticipated to
 8 be adverse under this alternative.

9 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
 10 point, a conclusion about this alternative’s potential to divide an existing community cannot be
 11 made; however, because, large-scale restoration actions that take place in areas suitable for open
 12 space, resource conservation, and habitat are not likely to create permanent physical divisions in
 13 existing communities, this impact is anticipated to be less than significant.

14 **13.3.3.16 Alternative 9—Through Delta/Separate Corridors (15,000 cfs;**
 15 **Operational Scenario G)**

16 **Impact LU-1: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 17 **Result of Constructing the Proposed Water Conveyance Facility (CM1)**

18 **NEPA Effects:** Alternative 9 would result in the construction of permanent and temporary features
 19 associated with the proposed water conveyance and fish movement corridors across land governed
 20 by the general plans of Sacramento, San Joaquin, Contra Costa, and Alameda Counties, along with the
 21 City of Lathrop. Constructing Alternative 9 would require land use activities that would be
 22 incompatible with many of the land use designations ascribed to the study area in the general plans
 23 of these counties. As discussed in Section 13.3.2, to the extent that BDCP alternatives are
 24 incompatible with such land use designations, goals, and policies, any related environmental effects
 25 are discussed in other chapters.

26 There would be no permanent adverse physical effects on or incompatibilities with land use as a
 27 result of the two culvert siphons that would be constructed under Alternative 9. Thus, permanent
 28 incompatibilities with existing land uses as they pertain to the proposed culvert siphons are not
 29 discussed further. Similarly, because operable barriers would be installed within existing water
 30 corridors, it is assumed they would not create incompatibilities with relevant land use plans or
 31 policies.

32 Table 13-16 displays the temporary and permanent structures associated with the water
 33 conveyance facility, the local land designations on which they would occur, and the number of acres
 34 that would be affected. Mapbook Figure M13-5 displays relevant generalized land use designations
 35 where they could overlap with proposed water conveyance structures and temporary work areas.
 36 For further description of the locations of various structures, please refer to Chapter 3, *Description of*
 37 *Alternatives*.

1 **Table 13-16. Water Conveyance Incompatibilities with Land Use Designations under Alternative 9 (acres)**

Surface Feature	Alameda County		Contra Costa County					Sacramento County					San Joaquin County						
	Agriculture	Commercial	Delta Recreation and Resources	Open Space	Parks and Recreation	Public and Semi-Public	Water	Agricultural Cropland	Intensive Industrial	Low Density Residential	Natural Preserve	Recreation	Commercial / Offices	City	Agriculture / General	Open Space / Other	Open Space / Resource Conservation	Residential / Low & Medium Density	Residential / Very Low Density
Canal	8	4	213	1	12	14	35							77	1	67	1	3	
Channel Dredging																484			
Channel Enlargement								14			28	6					1		
Fish Screen Area								5		14	1	70	1						
In-Stream Island Dredging																	89		
Operable Barrier			5				10	14	0	2	7	11		4	2		52		
Potential Borrow and/or Spoil			179		0	14		18			1	9		5	140		10		
Potential Spoil Area														1,582		87			
Transmission Line			2					12	3	1	0		0	22		1			
Subtotal Permanent	8	4	399	1	12	28	45	63	3	17	37	96	1	9	1,823	1	791	1	3
Access Road Work Area			7				0	4			14	5		2	1		57		
Barge Facility Work Area			12				15								10		29		
Bridge Work Area								1											
Canal Work Area			26			1									42		0		
Channel Enlargement Work Area								2			12								
Concrete Batch Plant			2					2							2				
Dredging Work Area															12		873		
Fuel Station			2					2							2				
Intake Work Area								11				18							
Levee Work Area	4	1													11	1	4	5	
Operable Barrier Work Area			37					14			5	10		10	96		37		
Pumping Plant Work Area														1	8		1		
Siphon Work Area			87												26		10		
Transmission Line			0					0							8		0		
Subtotal Temporary	4	1	173			1	15	36			31	33		13	218	1	1,011	5	
Grand Total	12	5	572	1	12	29	60	99	3	17	68	129	1	22	2,041	2	1,802	6	3

Notes: To avoid double counting, where temporary transmission lines overlap with a different temporary or permanent surface feature, these acreages are counted under the other feature. Where permanent transmission lines overlap with another temporary surface feature (i.e., work area), these acreages are counted under permanent transmission lines. Acreages are rounded; acreage less than 0.5 has been rounded to 0.

1 **State and Regional Plan Policies**

2 Under Alternative 9, construction activities associated with the features listed in Table 13-16 would
 3 take place on lands governed by policies designed to avoid or mitigate environmental effects, as
 4 identified in the Delta Protection Commission Land Use and Resource Management Plan and in the
 5 Delta Stewardship Council Delta Plan. The Delta Plan policies most closely associated with land use
 6 are ER P2 (Restore Habitats at Appropriate Elevations), ER P3 (Protect Opportunities to Restore
 7 Habitat), DP P1 (Locate New Urban Development Wisely), and DP P2 (Respect Local Land Use When
 8 Siting Water or Flood Facilities or Restoring Habitats). Because CM1 would not involve habitat
 9 restoration nor residential, commercial, or industrial development, ER P2 and DP P1 would not be
 10 applicable. With regard to Policy ER P3, construction of water conveyance facilities could occur on
 11 priority habitat restoration areas identified in Delta Plan Figure 4-4. Impacts to the opportunity for
 12 habitat restoration must be “avoided or mitigated” under this policy. Specifically, a segment of canal
 13 and levee work area on the western boundary of Fabian Tract, and an operable barrier, along with
 14 related features including a work area, transmission lines, and an access road at the head of Old
 15 River could occur on the Lower San Joaquin River Floodplain Priority Habitat Restoration Area,
 16 which would exclude the potential for these lands to be restored. Similarly, areas identified for
 17 operable barriers and channel enlargement, along with associated work areas, transmission lines,
 18 and a borrow/spoil area west of Walnut Grove could be incompatible with the
 19 Cosumnes/Mokelumne Confluence Priority Habitat Restoration Area. While the potential for
 20 restoration of these lands would be affected, activities associated with BDCP Conservation Measures
 21 3 through 11 would reduce these effects by restoring or permanently protecting other areas that
 22 could have been restored at the site(s) affected. As noted under Alternative 1A, Impact LU-4, priority
 23 habitat restoration areas substantially coincide with the restoration opportunity areas identified for
 24 tidal natural communities under BDCP CM4. Therefore, implementation of this BDCP alternative
 25 would be considered compatible with this policy. Policy DP P2 requires that parties responsible for
 26 proposed actions avoid or reduce incompatibilities with existing or planned uses when feasible. In
 27 some cases, commitments and mitigation measures identified in this document (see, for example,
 28 Chapter 14, *Agricultural Resources*, Mitigation Measure AG-1: Develop an ALSPP to preserve
 29 agricultural productivity and mitigate for loss of Important Farmland and land subject to Williamson
 30 Act contracts or in Farmland Security Zones) will help meet this requirement. However, avoidance
 31 of all incompatibilities is likely to be considered infeasible; thus, activities associated with CM1
 32 would be considered compatible with Policy DP-P2.

33 Alternative 9 may also result in incompatibilities with LURMP policies related to land use. Many of
 34 these policies focus on local government activities; however, Land Use P-7 declares that new
 35 structures should be set back from levees. Fish screens, operable barriers, and their related
 36 structures require contact with water and cannot feasibly be set back from levees. Incompatibilities
 37 could also occur with other LURMP policies, including Agriculture P-2, which suggests that
 38 agricultural land conversion should occur first where productivity and values are lowest. As
 39 discussed in Chapter 14, *Agricultural Resources*, some higher-value agricultural land would be
 40 converted under construction and operation of CM1. These incompatibilities suggest the potential
 41 for a physical effect on the environment. As discussed in Section 13.3.2, such effects are discussed in
 42 other chapters throughout this EIR/EIS.

43 Under Alternative 9, indirect effects on land use may also arise through incompatibilities with land
 44 subject to Williamson Act contracts or in Farmland Security Zones. If the construction and operation
 45 of water conveyance facilities under this alternative results in contract nonrenewal, cancellation, or

1 otherwise removes land within an agricultural preserve from a Williamson Act contract, the county
2 overseeing the preserve may decide to manage the preserve differently; for instance, the county
3 could modify the rules governing compatible uses on remaining land within the preserve. However,
4 this effect is speculative and its magnitude or geographical incidence cannot be evaluated with
5 enough certainty. Chapter 14, *Agricultural Resources*, discusses the potential for direct conflicts with
6 land subject to Williamson Act contracts or in Farmland Security Zones.

7 ***Sacramento County***

8 Permanent surface features associated with that portion of the water conveyance facility that would
9 fall in Sacramento County include channel enlargement areas, fish screen areas, operable barriers,
10 borrow and/or spoil areas, and 12 kV and 480 V transmission lines and towers. These features
11 would result in the permanent conversion of land designated under the Sacramento County General
12 Plan as Agricultural Cropland, Agricultural Cropland with a combined Resource Conservation
13 overlay, Natural Preserve, Recreation, Low Density Residential, Commercial/Offices, and Industrial
14 Intensive. These incompatibilities are summarized by Table 13-16. Construction of permanent water
15 conveyance facility components on land designated as Agricultural Cropland would directly result in
16 permanent land use changes that would preclude agricultural land uses in this area in the future and
17 would result in a reduction of land available for agricultural use (discussed further in Chapter 14,
18 *Agricultural Resources*). The conversion of agricultural land would be incompatible with the general
19 plan, including Policy AG-5 regarding the conversion of farmland. However, public water supply and
20 treatment facilities are exempt from local land use policies.

21 Temporary project features in Sacramento County associated with the construction of the water
22 conveyance facility would include work and staging areas, access roads, a concrete batch plant, a
23 fuel station, and transmission lines. These features would occupy land designated as Agricultural
24 Cropland, combined Agricultural Cropland and Resource Conservation, Recreation, and Natural
25 Preserve. These features would likely be in place for the first nine or more years of project
26 implementation (i.e., during the near-term implementation or the nine-year project construction
27 period). During that period, lands designated as Agricultural Cropland would be temporarily
28 converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Construction
29 of these temporary project features on agricultural land would be incompatible with the general
30 plan, including Policy AG-5.

31 ***San Joaquin County***

32 Alternative 9 would result in the permanent conversion of land designated under the San Joaquin
33 County General Plan as Agriculture/General, Open Space/Resource Conservation, Open
34 Space/Other, Residential/Low & Medium Density, and Very Low Density Residential primarily due
35 to the construction of new or enlarged water channels, operable barriers, a pumping plant, a canal
36 segment, an on-channel levee, and associated borrow and/or spoil areas and transmission lines.
37 Additionally, an operable barrier, pumping plant, borrow and/or spoil area, and transmission lines
38 would be incompatible with land designated by the City of Lathrop as Recreation Residential. These
39 incompatibilities are summarized by Table 13-16. Conversion of agricultural lands and project
40 conflicts with the Agriculture land use are described in Chapter 14, *Agricultural Resources*. The
41 conversion of agricultural lands would be incompatible with the general plan, including Agricultural
42 Lands Policy 5. The placement of these features on or adjacent to lands designated as Open
43 Space/Resource Conservation would be incompatible with this land use designation and related

1 policies, including Open Space Policies 3 and 4 because it would diminish the amount of land
2 dedicated to open space and conservation of natural habitat and resources.

3 Temporary project features in San Joaquin County associated with the construction of the water
4 conveyance structures would include work and staging areas, access roads, dredging work areas, a
5 concrete batch plant, a fuel station, a barge facility work area, and transmission lines. These features
6 would occupy land designated as Agriculture/General, Open Space/Other, Open Space/Resource
7 Conservation land, and Residential/Low & Medium Density. Access roads and work areas may also
8 be incompatible with land designated by the City of Lathrop as Recreation Residential and Public
9 (Schools, Parks, and Open Space). These incompatibilities are summarized by Table 13-16. As
10 previously noted, many of these temporary features would likely be in place for the first nine or
11 more years of project implementation (i.e., during the near-term implementation or the nine-year
12 project construction period). During that period, lands designated as Agriculture would be
13 temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*.
14 The conversion of agricultural lands would be incompatible with the general plan, including
15 Agricultural Lands Policy 5.

16 ***Contra Costa County***

17 Under Alternative 9, permanent project water conveyance features in Contra Costa County would
18 include two canal segments and associated structures, borrow and/or spoil areas, operable barriers,
19 and 12 kV and 480 V transmission lines with associated towers. These features would be
20 constructed on lands designated as Delta Recreation and Resources, Public/Semi-Public, Parks and
21 Recreation, and Open Space, as designated under the Contra Costa County General Plan. These
22 incompatibilities are summarized by Table 13-16.

23 Constructing features on lands within the Delta Recreation and Resources designation would be
24 incompatible with the goals of the Contra Costa County General Plan related to this land use
25 designation, which focus on the preservation of land for recreation over the placement of new
26 infrastructure. Construction would be incompatible with general plan Goal 3-G, which discourages
27 development not related to agriculture, mineral extraction, wind energy or other appropriate rural
28 uses on vacant rural lands.

29 A narrow area of land running through a proposed new canal segment is designated Public/Semi-
30 Public. The Public/Semi-Public designation includes properties owned by public governmental
31 agencies such as libraries, fire stations, and schools. This designation is also applied to public
32 transportation corridors, as well as privately owned transportation and utility corridors. The
33 Public/Semi-Public designation applies to properties owned by public agencies and privately-owned
34 transportation and utility corridors. Because this designation exists for large-scale infrastructure
35 and utilities, these project features would be compatible with this designation. However,
36 construction of 12 kV and 480 V transmission lines with associated towers could be compatible with
37 Policy 9-20, which requires that new power lines be located parallel to existing lines in order to
38 minimize visual impact.

39 Temporary project features in Contra Costa County associated with the construction of the water
40 supply and fish movement corridors would consist of work and staging areas, areas access roads,
41 dredging work areas, a concrete batch plant, a fuel station, a barge facility work area, and
42 transmission lines. These features would occupy land designated Delta Recreation and Resources
43 and land designated Public/Semi-Public. These temporary features would likely be in place for the
44 first nine or more years of project implementation (i.e., during the near-term implementation or the

1 nine-year project construction period). Temporary land use incompatibilities would be of the same
2 nature as the permanent incompatibilities described above; however, they would occur over a
3 shorter period of time.

4 ***Alameda County***

5 Under Alternative 9, the permanent, project features proposed for Alameda County include a
6 segment of canal and associated features. These features would be constructed on land designated
7 under the Alameda County East County Area Plan as Large Parcel Agriculture and Commercial.
8 Temporary features would consist of a levee work area, occurring over land dedicated to Large
9 Parcel Agriculture and Commercial. These incompatibilities are summarized by Table 13-16.
10 Permanent and temporary effects related to conversion of agricultural land are discussed in Chapter
11 14, *Agricultural Resources*. Construction of temporary features on agricultural land would be
12 incompatible with ECAP policies, including Policy 71, which seeks to conserve farmland soils.

13 ***CEQA Conclusion:*** These incompatibilities indicate the potential for a physical consequence to the
14 environment. As discussed in Section 13.3.2, the physical effects they suggest are discussed in other
15 chapters throughout this document. The relationship between plans, policies, and regulations and
16 impacts on the physical environment is discussed in Section 13.3.1.

17 **Impact LU-2: Conflicts with Existing Land Uses as a Result of Constructing the Proposed** 18 **Water Conveyance Facility (CM1)**

19 ***NEPA Effects:*** Construction of the water conveyance facility under this alternative, particularly the
20 intake structures and new segment of canal extending south from Clifton Court Forebay, would
21 require the disruption of approximately 255 structures throughout the alignment, including an
22 estimated 74 residential buildings. Construction of the intakes and canal, as well as channel
23 dredging activities, would also conflict with private recreational structures. Table 13-4 summarizes
24 the estimated number of structures affected across structure type and alternative and Mapbook
25 Figure M13-5 shows the distribution of these effects across the Through Delta/Separate Corridors
26 conveyance alignment. Installation of fish screens and construction of associated structures on the
27 Delta Cross Channel and Georgiana Slough would disrupt 90 structures near Walnut Grove and
28 Locke. Approximately 75 of the structures affected under this alternative would be disrupted by
29 activities associated with the canal and channel realignment on and near Hammer Island south of
30 Clifton Court Forebay. Another 65 structures would be affected by dredging activities, particularly
31 near Middle River south of Mildred Island and north of State Route 4. Other features—including
32 operable barriers and associated work areas, borrow and spoil areas, channel enlargement areas,
33 and access road work areas—would also create disruptions to existing structures.

34 These activities would create an adverse socioeconomic effect with respect to existing land uses
35 under NEPA. When required, the BDCP proponents would provide compensation to property
36 owners for losses due to implementation of the alternative, which would reduce the severity of
37 economic effects related to this physical impact, but would not reduce the severity of the physical
38 impact itself. Project conflicts with existing public structures are addressed in Chapter 20, *Public*
39 *Services and Utilities*; potential adverse effects on the environment related to the potential release of
40 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
41 *and Hazardous Materials*; and potential adverse effects on traditional cultural properties are
42 addressed in Chapter 18, *Cultural Resources*.

1 **CEQA Conclusion:** This alternative would remove a substantial number of structures throughout the
2 alternative footprint, but particularly on and near Hammer Island. This would be necessary for the
3 modification of channels and the construction of new levees south of Clifton Court Forebay. Similar
4 to other alternatives, the removal of existing structures is not, in itself, considered an environmental
5 impact, though removal might entail economic impacts. Significant environmental impacts would
6 only result if the structures qualified as “historical resources” or the removal of structures led to
7 physical effects on certain other resources. As discussed in Section 13.3.2, such effects are discussed
8 in other chapters throughout this EIR/EIS. Project conflicts with existing public structures are
9 addressed in Chapter 20, *Public Services and Utilities*; potential impacts on the public and
10 environment related to the potential release of hazardous materials contained in structures to be
11 demolished are addressed in Chapter 24, *Hazards and Hazardous Materials*; and potential impacts
12 on “historical resources” (including qualifying structures) and traditional cultural properties are
13 addressed in Chapter 18, *Cultural Resources*. Where applicable, BDCP proponents will provide
14 compensation to property owners for losses due to implementation of the BDCP. This compensation
15 would reduce the severity of economic effects, but would not constitute mitigation for any related
16 physical impact. In sum, there are no land use effects under CEQA due solely to the removal of
17 physical structures that are not treated under other impact categories.

18 **Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing**
19 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

20 **NEPA Effects:** Under Alternative 9, the construction of permanent facilities and associated work
21 areas would be located in close proximity of the communities of Walnut Grove and Locke, displacing
22 numerous structures in the communities and creating construction zones that would cross portions
23 of the communities. Considered together, construction activities for the intake facilities would occur
24 across seven years, substantially altering lands surrounding portions of the communities on the east
25 side of the Sacramento River. Associated operable barriers and spoils areas would also be active
26 worksites to the north and south of these communities, creating further structures adjacent to the
27 surrounding areas. In the long-term, the intake facilities would represent a physical structures that
28 would substantially alter the setting these communities and activities associated with their
29 construction would cross the communities over a multiyear period, representing an adverse effect.
30 Mitigation Measures TRANS-1a and TRANS-1b are available to address these effects.

31 **CEQA Conclusion:** Construction of intake facilities would create construction zones crossing Walnut
32 Grove and Locke on the east bank of the Sacramento River. Construction zones associated with these
33 and other project features including operable barriers would substantially alter these communities
34 and outlying areas. These physical structures would result in a significant and unavoidable impact.
35 Implementation of Mitigation Measures TRANS-1a and TRANS-1b would reduce the severity of this
36 impact by supporting continued access to and from the community on transportation routes;
37 however, permanent structures would remain, and the impact would be significant.

38 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
39 **Plan**

40 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
41 1A, Impact TRANS-1.

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

3 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 4 1A, Impact TRANS-1.

5 **Impact LU-4: Incompatibility with Applicable Land Use Designations, Goals, and Policies as a**
 6 **Result of Implementing the Proposed Conservation Measures 2-21**

7 **NEPA Effects:** Effects related to incompatibility with applicable land use designations, goals, and
 8 policies resulting from implementation of BDCP Conservation Measures 2-21 under Alternative 9
 9 would be similar to those described under Alternative 1A. Potential variation from Alternative 1A
 10 would be anticipated to be minor but could result from the selection of different areas for
 11 restoration activities or implementation of other conservation measures based on the location and
 12 nature of the physical water conveyance features associated with each alternative. Because the
 13 locations for the implementation of these conservation measures are unknown at this time, a
 14 conclusion about the compatibility of this alternative with local land use regulations cannot be
 15 made. These issues would be addressed in detail in site-specific environmental documents for
 16 restoration proposals. However, implementation of this alternative may result in substantial
 17 incompatibilities with local land use regulations due to the amount of land area targeted for
 18 restoration actions. As discussed in Section 13.3.2, to the extent that BDCP alternatives are
 19 incompatible with such land use designations, goals, and policies, any related environmental effects
 20 are discussed in other chapters.

21 **CEQA Conclusion:** Because the locations for the implementation of CM2-CM21 are unknown at this
 22 point, a conclusion about the compatibility of this alternative with local land use regulations cannot
 23 be made; these issues therefore will have to be addressed in detail in site-specific environmental
 24 documents for restoration proposals. Although implementation of this alternative would be
 25 anticipated to result in substantial incompatibilities with local land use regulations due to the
 26 amount of land area targeted for restoration actions, it is presently unknown whether any such
 27 incompatibilities would be indicative of related physical consequences, such as the loss of prime
 28 agricultural land or unique archaeological resources. The relationship between plans, policies, and
 29 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
 30 also be addressed in the site-specific environmental documents for proposed restoration activities.

31 **Impact LU-5: Conflicts with Existing Land Uses as a Result of Implementing the Proposed**
 32 **Conservation Measures 2-21**

33 **NEPA Effects:** Effects related to conflicts with existing land uses under Alternative 9 would be
 34 similar to those described under Alternative 1A. Potential variation from Alternative 1A would be
 35 anticipated to be minor but could result from the selection of different areas for restoration
 36 activities or implementation of other conservation measures based on the location and nature of the
 37 physical water conveyance features associated with each alternative. As with Alternative 1A,
 38 implementation of CM2-CM21 could create temporary or permanent conflicts with existing land
 39 uses where they would require the removal of structures or sever critical access routes. When
 40 required, the BDCP proponents would provide compensation to property owners for losses due to
 41 implementation of the alternative, which would reduce the severity of economic effects related to
 42 this physical impact, but would not reduce the severity of the physical impact itself. This alternative

1 would be anticipated to result in substantial conflicts with current land uses due to the amount of
2 land area targeted for restoration actions.

3 **CEQA Conclusion:** Because the locations and types of restoration to be implemented are unknown at
4 this point, no definitive conclusion can be made about the potential for restoration actions to result
5 in the permanent conversion of land uses (including displacement of existing structures and
6 residences) due to the construction of permanent features of the facility. Nor can a conclusion be
7 made with regard to the degree of indirect impacts, which could occur primarily as a result of
8 incompatibility with adjacent land uses or the loss or increased difficulty of access to parcels.
9 However, implementation of this alternative would be anticipated to result in substantial conflicts
10 with current land uses due to the amount of land area targeted for restoration actions. Where
11 applicable, the BDCP proponents will provide compensation to property owners for losses due to
12 implementation of the alternative. This would reduce the severity of economic effects related to this
13 physical impact, but would not reduce the severity of the physical impact itself.

14 **Impact LU-6: Create Physical Structures Adjacent to and through a Portion of an Existing**
15 **Community as a Result of Implementing the Proposed Conservation Measures 2–21**

16 **NEPA Effects:** Effects related to the physical division of an existing community under Alternative 9
17 would be similar to those described under Alternative 1A. Potential variation from Alternative 1A
18 would be anticipated to be minor but could result from the selection of different areas for
19 restoration activities or implementation of other conservation measures based on the location and
20 nature of the physical water conveyance features associated with each alternative. Because the
21 locations for the implementation of these conservation measures are unknown at this time, a
22 conclusion about this alternative's potential to divide an existing community cannot be made. Effects
23 related to dividing an existing community as a result of the implementation of CM2–CM21 would not
24 be anticipated to be adverse under this alternative.

25 **CEQA Conclusion:** Because the locations for the implementation of CM2–CM21 are unknown at this
26 point, a conclusion about this alternative's potential to divide an existing community cannot be
27 made; however, implementation of Conservation Measures 2–21 would not be anticipated to result
28 in significant impacts within the study area.

29 **13.3.4 Cumulative Analysis**

30 This cumulative impact analysis considers projects that could affect the same resources and, where
31 relevant, in the same time frame as the alternatives, resulting in a cumulative impact. Land use and
32 local communities are expected to change as a result of past, present, and reasonably foreseeable
33 future projects, related to population growth and changes in economic activity in the study area (for
34 discussion of effects in water delivery regions, see Chapter 30, *Growth Inducement and Other Indirect*
35 *Effects*). It is expected that some changes related to land use including compatibility, communities
36 and neighborhoods, property, and environmental justice will take place, even though it is assumed
37 that reasonably foreseeable future projects would include typical design and construction practices
38 to avoid or minimize potential impacts.

39 When the effects of the alternatives on land use are considered in combination with the potential
40 effects of other initiatives including those listed in Table 13-17, the cumulative effects on land use
41 are potentially adverse. The specific programs, projects, and policies are identified below for each
42 impact category based on the potential to contribute to an impact that could be deemed

1 cumulatively considerable. The potential for cumulative impacts on land use is described for effects
 2 related to the construction of water conveyance facilities and effects stemming from the long-term
 3 implementation of CM2–CM21.

4 **Table 13-17. Effects on Land Use from a Selection of Plans, Policies, and Programs Considered for**
 5 **Cumulative Analysis**

Agency	Program/ Project	Status	Description of Program/Project	Effects on Land Use
Department of Water Resources	North Delta Flood Control and Ecosystem Restoration Project	Final EIR complete	Project implements flood control and ecosystem restoration benefits in the north Delta	Project includes changes to land uses from restoration of floodplain areas
Freeport Regional Water Authority and Bureau of Reclamation	Freeport Regional Water Project	Project was completed late 2010	Project includes an intake/pumping plant near Freeport on the Sacramento River and a conveyance structure to transport water through Sacramento County to the Folsom South Canal	Project resulted in permanent conversion of approximately 50–70 acres of farmland to nonagricultural uses. Approximately 35–45 acres of farmland and 415 acres of land subject to Williamson Act contracts were temporarily affected.
Reclamation District 2093	Liberty Island Conservation Bank		This project includes the restoration of inaccessible, flood prone land, zoned as agriculture but not actively farmed, to area enhancement of wildlife resources	Although this will result in a modification in zoning, the project will not convert active farmland to nonagricultural uses
Bureau of Reclamation	Delta-Mendota Canal/Californi a Aqueduct Intertie	Completed in 2012	The purpose of the intertie is to better coordinate water delivery operations between the California Aqueduct (state) and the Delta-Mendota Canal (federal) and to provide better pumping capacity for the Jones Pumping Plant. New project facilities include a pipeline and pumping plant	Under the preferred alternative, approximately 2 acres of grazing land has been permanently converted to developed land

6
 7 Projects considered for this cumulative effects section include those in the following list; each
 8 project is then described and its relationship to the resource impacts caused by the alternatives is
 9 discussed. For a complete list of such projects, consult Appendix 3D, *Defining Existing Conditions, No*
 10 *Action Alternative, No Project Alternative, and Cumulative Impact Conditions*.

11 The projects evaluated for cumulative impacts includes a number of projects that would create land
 12 use changes and specifically convert agricultural lands to nonagricultural uses. The BDCP
 13 alternatives, in conjunction with other projects that affect land use, would not be compatible with

1 state, regional, and local plan designations, goals, and policies that promote the retention and
2 protection of open space and agricultural land as described in this chapter. Overall, cumulative land
3 use changes would involve temporary and permanent changes in land use. Land use conversions
4 could also occur through the urban development of Delta islands, levee improvement and flood
5 control projects, or subsidence-reduction programs. The actual amount of land that may be
6 converted by other projects is not known. Considering two major projects in the vicinity of the BDCP
7 alternatives, Mountain House and River Islands development, an estimated 7,241 acres of
8 agricultural land would be converted to developed uses.

9 **No Action Alternative**

10 The No Action Alternative in the cumulative condition would result in some change in study area
11 land use and local communities as a result of localized population growth and conversion of
12 agricultural land uses. In recent years California has lost agricultural land at a rate of about 50,000
13 acres annually. This loss is due in part to urban development fueled by a number of factors including
14 population growth (University of California Agricultural Issues Center 2009) as well as drainage
15 problems, loss of a reliable or affordable water supply, and conversion to wildlife habitat. These
16 circumstances suggest that existing Delta land use patterns and agricultural uses may experience
17 change related to continued development pressure in areas outside the primary zone. Other factors
18 that may affect agricultural and rural land use conditions in the study area over the long term
19 include continued land subsidence on Delta islands, levee instability and potential flood risk, and sea
20 level rise effects on land uses near existing waterways. These potential effects are discussed further
21 in Chapter 29, *Climate Change*, and Appendix 3E, *Potential Seismic and Climate Change Risks to*
22 *SWP/CVP Water Supplies*.

23 Foreseeable land use changes in the study area could be incompatible with applicable land use
24 designations, goals, and policies. Habitat restoration or development projects would take place on
25 land governed by policies designed to avoid or mitigate environmental effects, as identified in the
26 Delta Protection Commission Land Use and Resource Management Plan and the Delta Stewardship
27 Council Proposed Final Delta Plan. The Delta Plan policies most closely associated with land use are
28 ER P2 (Restore Habitats at Appropriate Elevations), ER P3 (Protect Opportunities to Restore
29 Habitat), DP P1 (Locate New Urban Development Wisely), and DP P2 (Respect Local Land Use When
30 Siting Water or Flood Facilities or Restoring Habitats). Depending on location and other
31 characteristics, habitat restoration and urban development projects may result in incompatibilities
32 with these policies and with local land use plans.

33 Such changes to land use would also be expected to conflict with existing land uses. Habitat
34 restoration or urban development would directly affect land uses within the study area by both
35 temporarily converting existing land uses during construction and permanently converting existing
36 land uses. Indirect impacts would primarily happen as a result of incompatibility with adjacent land
37 uses or the loss or increased difficulty of access to parcels. However, due to land use restrictions in
38 the Primary Zone of the Delta, activities creating conflicts with existing land uses would likely be
39 limited to a small percentage of the total land area within the study area.

40 Cumulative land use changes under the No Action Alternative would not be anticipated to result in
41 the physical division of any existing communities within the study area.

42 Overall, the effects of plans, policies, programs, and other reasonably foreseeable circumstances
43 included as part of the No Action Alternative would not be anticipated to result in substantial
44 cumulative adverse effects on land use within the study area.

1 Land uses within the study area are primarily agricultural in nature. The potential for major seismic
 2 events, along with the potential effects of climate change, could affect ongoing agricultural uses if
 3 they resulted in the failure of levees or in climatic conditions less favorable for productive
 4 agricultural uses. Such events could also result in the physical division of existing Delta communities
 5 and effects on individual homes and businesses. (See Chapter 29, *Climate Change*, and Appendix 3E,
 6 *Potential Seismic and Climate Change Risks to SWP/CVP Water Supplies* for more detailed discussion
 7 of seismic and climate change risks). While similar risks would occur under implementation of the
 8 action alternatives, some of these risks may be reduced by BDCP-related levee improvements along
 9 with flood control programs and projects that would be implemented as part of the cumulative
 10 condition.

11 **Impact LU-7: Cumulative Incompatibility with Applicable Land Use Designations, Goals, and**
 12 **Policies as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

13 **NEPA Effects:** Each alternative would place temporary and permanent structures on lands
 14 designated for other uses by the general plans of study area counties and, in some cases, cities. The
 15 construction of the water conveyance facilities would create incompatibilities with numerous land
 16 use designations, goals and policies set forth by these general plans. Construction of these facilities
 17 would also take place on areas governed by state and regional plans. The Delta Plan policies most
 18 closely associated with land use are ER P2 (Restore Habitats at Appropriate Elevations), ER P3
 19 (Protect Opportunities to Restore Habitat), DP P1 (Locate New Urban Development Wisely), and DP
 20 P2 (Respect Local Land Use When Siting Water or Flood Facilities or Restoring Habitats). Because
 21 CM1 under Alternatives 1A through 9 would not involve habitat restoration nor residential,
 22 commercial, or industrial development, ER P2 and DP P1 would not be applicable. With regard to
 23 Policy ER P3, construction of water conveyance facilities could occur on priority habitat restoration
 24 areas identified in Delta Plan Figure 4-4. Impacts to the opportunity for habitat restoration must be
 25 “avoided or mitigated” under this policy. As discussed above, Alternatives 1A, 1C, 2A, 2C, 3, 4, 5, 6A,
 26 6C, 7, and 8 would avoid constructing water conveyance features on these areas. However, under
 27 Alternatives 1B, 2B, 6B, and 9, several features could be incompatible with one or more of the
 28 priority habitat restoration areas. While the potential for restoration of these lands would be
 29 affected, activities associated with BDCP Conservation Measures 3 through 11 would reduce these
 30 effects by restoring or permanently protecting other areas that could have been restored at the
 31 site(s) affected. As noted under Alternative 1A, Impact LU-4, priority habitat restoration areas
 32 substantially coincide with the restoration opportunity areas identified for tidal natural
 33 communities under BDCP CM4. Therefore, implementation of this BDCP alternative would be
 34 considered compatible with this policy. Policy DP P2 requires that parties responsible for proposed
 35 actions avoid or reduce incompatibilities with existing or planned uses when feasible. In some cases,
 36 commitments and mitigation measures identified in this document (see, for example, Chapter 14,
 37 *Agricultural Resources*, Mitigation Measure AG-1: Develop an ALSP to preserve agricultural
 38 productivity and mitigate for loss of Important Farmland and land subject to Williamson Act
 39 contracts or in Farmland Security Zones) will help meet this requirement. However, avoidance of all
 40 incompatibilities is likely to be considered infeasible; thus, activities associated with CM1 under
 41 Alternatives 1A through 9 would be considered compatible with Policy DP P2.

42 Alternatives 1A–9 may also result in incompatibilities with LURMP policies related to land use. Many
 43 of these policies focus on local government activities; however, Land Use P-7 declares that new
 44 structures should be set back from levees. Intakes, fish screens, operable barriers, and their related
 45 structures require contact with water and cannot feasibly be set back from levees. Incompatibilities

1 could also occur with other LURMP policies, including Agriculture P-2, which suggests that
 2 agricultural land conversion should occur first where productivity and values are lowest. As
 3 discussed in Chapter 14, *Agricultural Resources*, some higher-value agricultural land would be
 4 converted under construction and operation of CM1 for each action alternative. Other projects that
 5 would potentially create incompatibilities are listed in Table 13-17.

6 Implementing these projects in combination with Alternatives 1A-9 would result in the potential for
 7 additional incompatibilities with designations, goals, and policies intended to reduce environmental
 8 effects. For example, construction of projects related to water supply, infrastructure, and habitat
 9 restoration would require temporary staging areas, resulting in land use changes throughout the
 10 study area. Permanent footprints of these projects would, in some cases, require direct changes in
 11 land use. Some of these changes could be incompatible with existing policies, particularly those
 12 regarding protection of agricultural resources. New plans or updates to existing plans could
 13 indirectly affect land use by creating new regulations by which land uses in the study area are
 14 governed. Incompatibilities suggest the potential for a physical effect on the environment. As
 15 discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.

16 **CEQA Conclusion:** These cumulative incompatibilities with land use regulations indicate the
 17 potential for a physical consequence to the environment. As discussed in Section 13.3.2, the
 18 cumulative physical effects they suggest are discussed in other chapters throughout this document.
 19 The relationship between plans, policies, and regulations and impacts on the physical environment
 20 is discussed in Section 13.3.1.

21 **Impact LU-8: Cumulative Conflicts with Existing Land Uses as a Result of Constructing the** 22 **Proposed Water Conveyance Facility (CM1)**

23 **NEPA Effects:** Under Alternatives 1A-9, construction and operation of physical facilities for water
 24 conveyance would create temporary or permanent conflicts with existing land uses. These effects
 25 result from the removal or relocation of existing structures, as summarized in Table 13-4, and from
 26 the disruption of critical access routes.

27 Table 13-17 includes other projects and programs in the study area that could create similar
 28 conflicts with existing land uses. Implementing these projects in combination with Alternatives 1A-
 29 9 could result in the removal of additional structures or disruption of access in more locations. For
 30 example, construction of projects related to water supply, infrastructure, and habitat restoration
 31 would require temporary staging areas, resulting in the potential for temporary disruption of access.
 32 The permanent footprints of these projects could require existing structures to be demolished and
 33 removed, creating substantial conflicts with existing land uses. New plans or updates to existing
 34 plans would not be anticipated to result in adverse effects with respect to existing land uses because
 35 these tend to focus on general goals, objectives, and policies designed to guide land use.

36 The removal of a cumulatively considerable number of existing permanent structures would be
 37 considered a direct, adverse socioeconomic effect under NEPA. To reduce these cumulative effects,
 38 when required, the BDCP proponents would provide compensation to property owners for losses
 39 due to BDCP implementation, which would reduce the severity of economic effects related to these
 40 cumulative impacts, but would not reduce the severity of the physical impacts themselves.
 41 Cumulative conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 42 *Utilities*; potential cumulative effects on the environment related to the potential release of
 43 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*

1 *and Hazardous Materials*; and potential cumulative effects on traditional cultural properties are
2 addressed in Chapter 18, *Cultural Resources*.

3 **CEQA Conclusion:** Construction of cumulative projects within the study area could result in the
4 removal of a substantial number of existing permanent structures based on the locations of new
5 features such as water facilities or restored habitat. The removal of existing structures is not, in
6 itself, considered an environmental impact, though removal might entail economic impacts.
7 Significant cumulative environmental impacts would only result if the structures qualified as
8 “historical resources” or the removal of structures led to physical effects on certain other resources.
9 As discussed in Section 13.3.2, such effects are discussed in other chapters throughout this EIR/EIS.
10 Cumulative conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
11 *Utilities*; potential cumulative impacts on the public and environment related to the potential release
12 of hazardous materials contained in structures to be demolished are addressed in Chapter 24,
13 *Hazards and Hazardous Materials*; and potential impacts on “historical resources” (including
14 qualifying structures) and traditional cultural properties are addressed in Chapter 18, *Cultural*
15 *Resources*. Where applicable, BDCP proponents will provide compensation to property owners for
16 losses due to BDCP implementation. This compensation would reduce the severity of economic
17 effects, but would not constitute mitigation for any related physical impact. In sum, there are no land
18 use effects under CEQA due solely to the removal of physical structures that are not treated under
19 other impact categories.

20 **Impact LU-9: Cumulative Physical Structures Adjacent to and through a Portion of an Existing**
21 **Community as a Result of Constructing the Proposed Water Conveyance Facility (CM1)**

22 ***Alternatives 3 and 5***

23 **NEPA Effects:** The construction of structures related to water conveyance would not establish
24 physical structures adjacent to and through a portion of any existing community under BDCP
25 Alternatives 3 and 5. While construction activities for intakes and the intermediate forebay would
26 occur in the relative proximity of the community of Hood, the community would not be crossed by
27 these alternatives or by any other plan, policy, or program considered for cumulative analysis.
28 Therefore, this effect is not considered adverse.

29 **CEQA Conclusion:** No structure built for the purposes of water conveyance would be located
30 adjacent to or through a portion of an existing community under BDCP Alternatives 3 and 5.
31 Similarly, other plans, policies, and programs considered for cumulative analysis are not anticipated
32 to create such an effect. Therefore, this impact is not significant.

33 ***Alternatives 1A, 1B, 1C, 2A, 2B, 2C, 4, 6A, 6B, 6C, 7, 8, and 9***

34 **NEPA Effects:** Under these alternatives, at least one feature would be located in and around a
35 community, resulting in an adverse effect. For those alternatives constructing Intake 3 or 4 on the
36 east bank of the Sacramento River, a conveyance pipeline or canal would create a linear construction
37 zone between structures in the community of Hood, except for Alternative 4, which would instead
38 convey water from Intake 3 to the intermediate forebay via a tunnel. However, this alternative
39 would include a permanent power line through the eastern section of the community, which would
40 provide power to the intake pumping plants. Additionally, a temporary work area associated with
41 construction of the conveyance facilities would be built adjacent to Hood on the southern side of the
42 community, and would serve as a staging area during the construction phase. It would consist of
43 facilities such as parking areas, offices, and construction equipment storage. For alternatives

1 constructing a conveyance pipeline between Intakes 1 and 2 on the west bank of the Sacramento
 2 River, the lands surrounding the community of Clarksburg would be altered during the construction
 3 period for this feature. Fish screens constructed under Alternative 9 would create physical
 4 structures adjacent to the communities of Walnut Grove and Locke. The construction of these
 5 facilities would create an adverse effect with respect to establishing structures adjacent to or
 6 through a portion of an existing community. Mitigation Measures TRANS-1a and TRANS-1b are
 7 available to help address these effects.

8 **CEQA Conclusion:** Construction of facilities under Alternatives 1A, 1B, 1C, 2A, 2B, 2C, 4, 6A, 6B, 6C, 7,
 9 8, and 9 would create physical structures adjacent to and through a portion of one of several
 10 communities in the study area. Linear construction zones would also be associated with these
 11 features, which include intakes, pipelines, canals, bridges, and/or fish screens. These divisions
 12 would result in a cumulatively considerable incremental contribution to a significant and
 13 unavoidable cumulative impact. Implementation of Mitigation Measures TRANS-1a and TRANS-1b
 14 would help reduce the severity of this impact by supporting continued access to and from the
 15 community on transportation routes; however, permanent structures would remain, and the impact
 16 would be significant.

17 **Mitigation Measure TRANS-1a: Implement Site-Specific Construction Traffic Management**
 18 **Plan**

19 Please refer to Mitigation Measure TRANS-1a in Chapter 19, *Transportation*, under Alternative
 20 1A, Impact TRANS-1.

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

23 Please refer to Mitigation Measure TRANS-1b in Chapter 19, *Transportation*, under Alternative
 24 1A, Impact TRANS-1.

25 **Impact LU-10: Cumulative Incompatibility with Applicable Land Use Designations, Goals, and**
 26 **Policies as a Result of Implementing the Proposed Conservation Measures 2–21**

27 **NEPA Effects:** Under Alternatives 1A–9, implementation of CM2–CM21 could result in
 28 incompatibility with applicable land use designations, goals, and policies in the study area. For any
 29 conservation measure requiring construction activities (e.g., establishment of storage, staging and
 30 stockpiling areas; grading; levee removal/replacement), temporary incompatibilities with land use
 31 designations or policies intended to avoid or mitigate environmental impacts across the study area
 32 counties or cities could potentially occur for the duration of those activities. Because the locations
 33 for the implementation of these conservation measures are unknown at this point, a definitive
 34 conclusion about the compatibility of these measures with applicable land use regulations cannot be
 35 made. These issues would be addressed in detail in site-specific environmental documents for
 36 restoration proposals. Because most activities would be anticipated to take place on land designated
 37 for agriculture, open space, natural preserve and recreation, local designations, goals, and policies
 38 related to preservation of those attributes would be most implicated.

39 As discussed under Impact LU-7, above, implementation of projects listed in Table 13-17 in
 40 combination with CM2–CM21 discussed under Alternatives 1A–9 could result in the potential for
 41 additional incompatibilities with designations, goals, and policies intended to reduce environmental
 42 effects. For example, construction of projects related to water supply, infrastructure, and habitat

1 restoration would require temporary staging areas, resulting in land use changes throughout the
 2 study area. Permanent footprints of these projects would, in some cases, require direct changes in
 3 land use. Some of these changes could be incompatible with existing policies, particularly those
 4 regarding protection of agricultural resources. New plans or updates to existing plans could
 5 indirectly affect land use by creating new regulations by which land uses in the study area are
 6 governed. Incompatibilities suggest the potential for cumulative physical effects on the
 7 environment. As discussed in Section 13.3.2, such effects are discussed in other chapters throughout
 8 this EIR/EIS.

9 **CEQA Conclusion:** Considered together, the construction of projects within the study area in
 10 addition to implementation of BDCP Conservation Measures 2–21 under Alternatives 1A–9 could
 11 result in the potential for substantial incompatibilities with land use designations, goals, and
 12 policies. However, because the locations for the implementation of these conservation measures are
 13 unknown at this point, a definitive conclusion about these measures’ incremental contributions to
 14 cumulative incompatibilities with applicable land use guidelines cannot be made. These issues
 15 therefore will have to be addressed in detail in site-specific environmental documents proposals
 16 related to these measures. Although cumulative implementation of these conservation measures
 17 along with other projects would be anticipated to result in substantial incompatibilities with land
 18 use regulations due to the amount of land area affected, it is presently unknown whether any such
 19 incompatibilities would be indicative of related physical consequences, such as the loss of prime
 20 agricultural land or unique archaeological resources. The relationship between plans, policies, and
 21 regulations and impacts on the physical environment is discussed in Section 13.3.1. These issues will
 22 also be addressed in the site-specific environmental documents for proposed restoration activities.

23 **Impact LU-11: Cumulative Conflicts with Existing Land Uses as a Result of Implementing the** 24 **Proposed Conservation Measures 2–21**

25 **NEPA Effects:** Implementation of CM2–CM21 under Alternatives 1A–9 could create temporary or
 26 permanent conflicts with existing land uses where they would require the removal of structures or
 27 sever critical access routes.

28 As described under Impact LU-8, Table 13-17 includes other projects and programs in the study
 29 area that could create similar conflicts with existing land uses. Implementing these projects in
 30 combination with Alternatives 1A–9 could result in the removal of additional structures or
 31 disruption of access in more locations. For example, construction of projects related to water supply,
 32 infrastructure, and habitat restoration would require temporary staging areas, resulting in the
 33 potential for temporary disruption of access. The permanent footprints of these projects could
 34 require existing structures to be demolished and removed, creating substantial conflicts with
 35 existing land uses. New plans or updates to existing plans would not be anticipated to result in
 36 adverse effects with respect to existing land uses because these tend to focus on general goals,
 37 objectives, and policies designed to guide land use.

38 The removal of a cumulatively considerable number of existing permanent structures as a result of
 39 constructing the water conveyance facility would be considered a direct, adverse effect. Where
 40 applicable, the BDCP proponents will provide compensation to property owners for losses due to
 41 implementation of the BDCP measures, which would reduce the severity of economic effects related
 42 to these cumulative impacts, but would not reduce the severity of the physical impacts themselves.
 43 Cumulative conflicts with existing public structures are addressed in Chapter 20, *Public Services and*
 44 *Utilities*; potential cumulative effects on the environment related to the potential release of

1 hazardous materials contained in structures to be demolished are addressed in Chapter 24, *Hazards*
 2 *and Hazardous Materials*; and potential cumulative effects on traditional cultural properties are
 3 addressed in Chapter 18, *Cultural Resources*.

4 **CEQA Conclusion:** Construction of cumulative projects within the Plan Area could result in the
 5 removal of a substantial number of existing permanent structures based on the locations of new
 6 features such as water facilities or restored habitat. However, because the locations for the
 7 implementation of CM2–CM21 are unknown at this point, a definitive conclusion about these
 8 measures' incremental contributions to cumulative conflicts with existing land uses cannot be made.
 9 These issues therefore will have to be addressed in detail in site-specific environmental documents
 10 for restoration proposals. In addition, the removal of existing structures is not, in itself, considered
 11 an environmental impact. Cumulative conflicts with existing public structures are addressed in
 12 Chapter 20, *Public Services and Utilities*; potential cumulative impacts on the public and environment
 13 related to the potential release of hazardous materials contained in structures to be demolished are
 14 addressed in Chapter 24, *Hazards and Hazardous Materials*; and potential impacts on traditional
 15 cultural properties are addressed in Chapter 18, *Cultural Resources*. When required, the BDCP
 16 proponents would provide compensation to property owners for losses due to implementation of
 17 CM2–CM21, which would reduce the severity of economic effects related to this physical impact, but
 18 would not reduce the severity of the physical impact itself.

19 **Impact LU-12: Cumulative Physical Structures Adjacent to and through a Portion of an**
 20 **Existing Community as a Result of Implementing the Proposed Conservation Measures 2–21**

21 **NEPA Effects:** Because the locations for the implementation of CM2–CM21 under Alternatives 1A–9
 22 are unknown at this time, a definitive conclusion about their potential to divide an existing
 23 community cannot be made. These conservation measures are anticipated to take place largely on
 24 undeveloped lands that lie outside of existing communities. Those conservation measures that
 25 would take place inside existing communities (for instance, CM14, CM18, and CM19) would be
 26 anticipated to be limited in their physical scope and would not be linear in nature.

27 **CEQA Conclusion:** Implementation of CM2–CM21 would not be anticipated to physically divide an
 28 existing community under BDCP Alternatives 1A–9. However, without the locations where these
 29 components would be implemented, a definitive conclusion cannot be made.

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