Chapter 13
Land Use

[*Note to reviewers: the data and figures presented in this chapter are currently under revision based on updated project alternatives information and GIS data. Please review this chapter with a focus on the format, structure, and impact conclusions at this time. Subsequent versions of this chapter will provide the updated data and figures.*]

13.1 Environmental Setting/Affected Environment

This section describes existing land uses and planned future land uses within the land use study area that could be affected by construction and operation of the proposed project in the Sacramento–San Joaquin Delta (Delta), the Suisun Marsh, and portions of the Yolo Bypass adjacent to upstream State Water Project (SWP) and Central Valley Project (CVP) facilities. 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*, defines Important Farmland, as defined by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), as well as Williamson Act contract lands, including Farmland Security Zones in the Delta Region, 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*.

13.1.1 Potential Environmental Effects Area

The study area evaluated for potential effects on land use is the Delta Region, as defined in Chapter 1, *Introduction*, and includes the portions of the counties containing the statutory Delta, Suisun Marsh, and Yolo Bypass: Yolo, Solano, Contra Costa, San Joaquin, Sacramento, and Alameda Counties (Figure 1-1). Although the study area includes the statutory Delta, Yolo Bypass, Suisun Marsh, relevant local land use issues are analyzed only where they would apply to 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 general plans. General plan land use designations for the six counties and two cities (Oakley and Lathrop) are discussed in Sections 13.2.3.3 and 13.2.3.4 below.

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Statutory Delta

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

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

Alameda County

A small portion of the study area overlays the extreme northeastern corner of Alameda County. This portion of the county is primarily characterized by agricultural land uses, open space, and the Clifton Court Forebay, which extends into Contra Costa County.

Contra Costa County

Proposed project activities would occur in eastern Contra Costa County. Land uses in the eastern part of the county are primarily agricultural, rural, suburban residential, commercial light industrial, and open space. The city of Oakley is located in eastern Contra Costa County, and proposed project activities would occur in the eastern portion of Oakley. Clifton Court Forebay extends from Alameda County into Contra Costa County. The Frank's Tract State Recreation Area falls within this part of Contra Costa County.

Sacramento County

Proposed project activities would occur in the southwestern portion of Sacramento County. Land uses in the southwestern portion of the county are agricultural, rural, suburban residential, commercial, light industrial, and open space. This portion of Sacramento County also contains the Stone Lakes National Wildlife Refuge, the Brannan Island State Recreation Area, and the Lower Sherman Island Waterfowl Management Area.

San Joaquin County

The study area includes the western portion of San Joaquin County. This portion of the county is primarily agricultural but also includes areas of open space, particularly along riparian corridors, as well as some rural residential land uses.

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Solano County

The southeastern portion of Solano County is within the study area. This portion of the county is characterized primarily by agricultural land uses and open space but the southern portion of this area also contains some suburban residential development. Rural residential land use is sparse but scattered throughout this portion of the county as well. Solano County also contains Suisun Marsh, the largest contiguous brackish water marsh remaining on the west coast of North America.

Suisun Marsh

At 116,000 acres, the Suisun Marsh includes 52,000 acres of managed wetlands, 27,700 acres of upland grasses, 6,300 acres of tidal wetlands, and 30,000 acres of bays and sloughs. Currently, 90% of the wetlands are diked and managed as food, cover, and nesting habitat for wildlife. A total of 230 miles of levees within the marsh provides critical protection of the drinking water for 22 million people by reducing saltwater intrusion into the Delta (California Department of Water Resources 2010).

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

Yolo County

The study area includes the extreme southeastern portion of Yolo County. This area of the county consists primarily of agricultural land uses. Approximately 10,200 acres of the Yolo Bypass Wildlife Area spans the northern and north-central portions of this part of the county. The Yolo Bypass Wildlife Area consists of 16,770 acres of wildlife habitat and agricultural land managed by California Department of Fish and Game (California Department of Fish and Game).

Yolo Bypass

The Yolo Bypass, a leveed, 59,000-acre floodplain, traverses the county from the Sutter County-Yolo County Line, near the Fremont Weir in the north, to the Yolo County-Solano County line in the south. The Yolo Bypass conveys floodflows generated by runoff from the Sacramento River watershed. Within this flood management context, most of the land within the Yolo Bypass is farmed, with a smaller amount (located largely in the southern portion of the Yolo Bypass within the statutory

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Delta) dedicated to publically- and privately-managed wetlands (Jones & Stokes 2001). Land use within the Yolo Bypass is restricted by easements held through the Sacramento–San Joaquin Drainage District, as amended by the State of California Reclamation Board (Reclamation Board) (Jones & Stokes 2001). However, these easements do not restrict the use of the land within the Yolo Bypass for agricultural and managed wetland (duck club) activities.

13.2 Regulatory Setting

This section identifies and discusses the federal, state, and local plans, policies, and regulations that govern land use in the study area.

13.2.1 Federal Plans, Policies, and Regulations

13.2.1.1 Stone Lakes National Wildlife Refuge Comprehensive Conservation Plan

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

The CCP management goals are as follows.

- Preserve, enhance, and restore a diverse assemblage of native Central Valley plant communities and their associated fish, wildlife, and plants.
- Preserve, enhance, and restore habitat to maintain and assist in the recovery of rare, threatened, and endangered plants and animals.
- Preserve, enhance, and restore wetlands and adjacent agricultural lands to provide foraging and sanctuary habitat needed to achieve the distribution and population levels of migratory waterfowl and other water birds consistent with the goals and objectives of the North American Waterfowl Management Plan and Central Valley Habitat Joint Venture.
- Create linkages between refuge habitats and habitats on adjacent lands to reverse past impacts of habitat fragmentation on wildlife and plants.
- Coordinate refuge land acquisition and management activities with other agencies and organizations to maximize the effectiveness of refuge contributions to regional habitat needs.
- Provide for environmental education, interpretation, and fish- and wildlife-oriented recreation in an urban setting accessible to large populations.

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- Manage riverine wetlands and adjacent floodplain lands in a manner consistent with local, state, and federal flood management, sediment and erosion control, and water quality objectives.

13.2.2 State Plans, Policies, and Regulations

13.2.2.1 1992 Delta Protection Act

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

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

In November 2009, the Delta Protection Act was amended by SB 1 X7, also known as the Sacramento-San Joaquin Delta Reform Act. In addition to changing the size and composition of the Delta Protection Commission, the DPC was required to submit recommendations to the Legislature regarding expansion or changes to the boundaries of the Delta primary zone of the Delta by July 1, 2010, in particular with regards to Rio Vista, Isleton, Bethel Island, Brannan-Andrus Island, Cosumnes/Mokelumne floodway, and the San Joaquin/South Delta lowlands. SB 1 X7 also tasked the DPC with developing a proposal to protect, enhance, and sustain the unique cultural, historical, recreational, agricultural, and economic values of the Delta as an evolving place, in a manner consistent with the coequal goals, as well as a plan to establish state and federal designation of the Delta as a place of special significance, which could include application for a federal designation of the Delta as a National Heritage Area. This proposal was to be considered and incorporated into the Delta Stewardship Council's Delta Plan. The Council and the Delta Plan are described in more detail below.

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

Delta Protection Commission Land Use and Resource Management Plan

The mission of the DPC is to adaptively protect, maintain, and where possible, enhance and restore the overall quality of the Delta environment consistent with the Delta Protection Act, and the Land

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Use and Resource Management Plan for the Primary Zone. This includes, but is not limited to, agriculture, wildlife habitat, and recreational activities. The goal of the Commission is to ensure orderly, balanced conservation and development of Delta land resources and improved flood protection. DPC is updating the *Land Use and Resource Management Plan for the Primary Zone of the Delta* to account for a variety of important events and changing needs.

The plan outlines the long-term land use requirements for the Delta. The goals of the plan as set out in the Delta Protection Act are to:

> Protect, maintain, and where possible, enhance and restore the overall quality of the Delta environment, including but not limited to agriculture, wildlife habitat, and recreational activities; assure orderly, balanced conservation and development of Delta land resources; and improve flood protection by structural and nonstructural means to ensure an increased level of public health and safety.

The current draft was adopted by DPC on February 25, 2010; it has not yet been adopted by the state. It contains policies to protect the Delta's unique character, expand public access and recreation, and locate new transmission lines and utilities within existing corridors to minimize impacts (Delta Protection Commission 2010). These policies may incorporate aesthetic resources and conflict with the BDCP alternatives, which fall within the Primary Zone of the Delta.

13.2.2.2 The Delta Plan

In November 2009, the California Legislature enacted SB 1 X7, also known as the Sacramento-San Joaquin Delta Reform Act. The centerpiece of the Delta bill created a new Delta Stewardship Council (DSC) and gave this body broad oversight of Delta planning and resource management. The Council is tasked with developing, adopting, and commencing implementation of a long-term plan (the "Delta Plan") which emphasizes the coequal goals of "providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem" Water Code section 85300(a)) as foundation for state decisions as to Delta management. In addition, the Council must:

- Include measures in the Delta Plan to promote statewide water conservation, water use efficiency, and sustainable use of water, as well as improvements to water conveyance/storage and operation of both to achieve the coequal goals.
- Include measures in the Delta Plan which attempt to reduce risks to people, property, and state interests in the Delta by promoting effective emergency preparedness, appropriate land uses, and strategic levee investments.
- Determine whether state or local agency projects are consistent with the Delta Plan, including the Bay Delta Conservation Plan described below.

Under SB 1 X7, the Council is to commence implementation of the Delta Plan by January 1, 2012, with a report to the Legislature by March 31, 2012. In addition to developing and implementing the Delta Plan, the Council must determine if state or local projects are consistent with the Delta Plan, including the Bay Delta Conservation Plan.

The Delta Plan will generally cover five topic areas and goals: increased water supply reliability, restoration of the Delta ecosystem, improved water quality, reduced risks of flooding in the Delta, and protection and enhancement of the Delta. The Delta Stewardship Council does not propose constructing, owning, or operating any facilities related to these five topic areas. Rather, the Delta Plan sets forth regulatory policies and recommendations that seek to influence the actions,

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activities, and projects of cities and counties and state, federal, regional, and local agencies toward meeting the goals in the five topic areas.

The Delta Stewardship Council is in the process of developing the Delta Plan. An interim plan has been developed that includes "recommendations for early actions, projects, and programs," and is primarily a resource management document. The land use objectives of the interim Delta Plan rely on the general plans of the various Delta counties and incorporated areas. For this reason, this chapter does not separately evaluate the consistency of the alternatives with provisions of the interim Delta Plan.

If the proposed BDCP is completed and approved by the California Department of Fish and Game (DFG), the Delta Stewardship Council must consider the BDCP and include it in the Delta Plan, as required by the Delta Reform Act (Water Code section 85320 et seq.). The Delta Reform Act potentially gives the Council three distinct but connected roles related to Delta water conveyance: contingent authority to approve proposed conveyance improvements, authority to generally recommend conveyance options in the Delta Plan, and authority, as a CEQA responsible agency, to provide comments to other agencies during the BDCP process.

13.2.2.3 California Department of Parks and Recreation

General Plan for Brannan Island and Franks Tract State Recreation Areas

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

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

- Recommend and support all measures to maintain the quality and flow of hydrologic resources affecting the unit.
- Control exotic and undesirable plant species.
- Revegetate with indigenous plant species where appropriate.
- Restore and enhance riparian and freshwater wetland ecosystems.
- Protect and enhance existing rare and endangered plant habitat.

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- Perpetuate suitable habitat for animal species that are threatened, endangered, or of special concern.

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

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

13.2.2.4 California Department of Fish and Game

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

Yolo Bypass Wildlife Area Land Management Plan

DFG's prepared the Yolo Bypass Wildlife Area Land Management Plan to accomplish the following.

- Guide the management of habitats, species, appropriate public use, and programs to achieve DFG's mission.
- Direct an ecosystem approach to managing the Yolo Bypass Wildlife Area in coordination with the objectives of the CALFED Ecosystem Restoration Program.
- Identify and guide appropriate, compatible public-use opportunities within the Yolo Bypass Wildlife Area.
- Direct the management of the Yolo Bypass Wildlife Area in a manner that promotes cooperative relationships with adjoining private-property owners.
- Establish a descriptive inventory of the sites and the wildlife and plant resources that occur in the Yolo Bypass Wildlife Area.

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- Provide an overview of the Yolo Bypass Wildlife Area's operation, maintenance, and personnel requirements to implement management goals, and serve as a planning aid for preparation of the annual budget for the Bay-Delta Region (Region 3).
- Present the environmental documentation necessary for compliance with state and federal statutes and regulations, provide a description of potential and actual environmental impacts that may occur during plan management, and identify mitigation measures to avoid or lessen these impacts.

The land management plan identifies eight elements and eight goals that provide broad guidance for management of the Yolo Bypass Wildlife Area and tasks to achieve those goals. The goals focus on managing and maintaining habitat communities for many species; preventing the introduction and spread of invasive nonnative species; restoring and enhancing wetlands; maintaining, restoring, and enhancing aquatic, riparian, and upland communities.

Lower Sherman Island Wildlife Area Land Management Plan

DFG prepared the Lower Sherman Island Wildlife Area Land Management Plan to accomplish the following.

- Guide management of habitats, species, and programs to achieve DFG's mission to protect and enhance wildlife values.
- Serve as a guide for appropriate public uses of the Lower Sherman Island Wildlife Area.
- Serve as a descriptive inventory of fish, wildlife, and native plant habitats that occur on and species that use the wildlife area.
- Provide an overview of the property's operation and maintenance and of the personnel requirements associated with implementing management goals.
- Present the environmental documentation necessary for compliance with state and federal statutes and regulations, provide a description of potentially significant environmental impacts that may occur during plan management, and identify mitigation measures to avoid or lessen these impacts (California Department of Fish and Game 2007b).

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

13.2.3 Regional and Local Plans, Policies, and Regulations

This section presents the regional and local plans, policies, and regulations that may be relevant to implementation of one or more of the BDCP alternatives. Although the project proponents are not

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necessarily required to comply with County General Plans and Policies[1], it is important for CEQA and NEPA compliance purposes to identify relevant land use plans, policies, and regulations that are adopted for the purpose of avoiding or mitigating an environmental effect. Relevant local plans, policies, and regulations, county plans, as well as the general plans for the cities of Oakley and Lathrop are discussed below. Relevant regional or local habitat conservation plans (HCPs) and natural communities conservation plans (NCCPs) are presented in the Regulatory Setting in Chapter 12, *Terrestrial Biological Resources*.

13.2.3.1 San Francisco Bay Plan

The San Francisco Bay Plan, which was developed to guide the future protection and use of the San Francisco Bay and its shoreline, was developed and adopted by the San Francisco Bay Conservation and Development Commission (SFBCDC) in 1968. The SFBCDC also proposes and ratifies amendments to the Bay Plan. The McAteer-Petris Act, which first established the Commission on a temporary basis, was then revised to direct the SFBCDC to carry out the plan provisions and oversee permitting activities related to placing fill, extracting minerals, or changing the use of any land, water, or structure within the Commission's jurisdictional boundaries, which includes Suisun Marsh. Bay Plan maps and policies guide the protection of the San Francisco Bay and its tributary waterways, marshes, managed wetlands, salt ponds, and shoreline. Plan maps identify areas designated for "priority uses" which include Wildlife Refuge, Waterfront Park, Beach; Water-Related Industry; Port. Other land designations that the Plan identifies include Tidal Marsh, Salt Pond, and Managed Wetland.

13.2.3.2 Suisun Marsh Protection Act

In 1974, the California Legislature passed the Suisun Marsh Protection Act, designed to preserve the Suisun Marsh from residential, commercial, and industrial development. The act directed the San Francisco Bay Conservation and Development Commission (SFBCDC) and DFG to prepare a protection plan for the Suisun Marsh "to preserve the integrity and assure continued wildlife use" of the marsh. The planning program conducted by SFBCDC involved preparation and tentative adoption of a series of nine background planning reports, which provided the information needed to prepare the findings and policies of the final *Suisun Marsh Protection Plan*, and allowed extensive opportunities for public involvement through hearings before SFBCDC (San Francisco Bay Conservation and Development Commission 2007).

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

[1] Sections 53091 and 53096 of the California Government Code exempt the "location or construction of facilities for the production, generation, storage, treatment, or transmission of water" from regulation under local zoning ordinances.

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functions in the secondary management area (San Francisco Bay Conservation and Development Commission 2007).

Suisun Marsh Local Protection Program

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

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

13.2.3.3 County General Plans

This section identifies relevant goals, objectives, and policies related to land use in adopted local general plans of the six counties within the Primary Zone of the Delta: Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo. These counties have incorporated policies developed by DPC under the Delta Protection Act into their general plans and zoning codes, which enables implementation of the *Land Use and Resource Management Plan for the Primary Zone of the Delta* at the county level. The Primary Zone lands generally are designated for agriculture or special Delta resources in their respective general plans. The zoning codes allow a variety of uses in the Primary Zone: agriculture and agriculturally oriented uses; outdoor recreation; wildlife habitat; public facilities; and limited areas for commercial, industrial, and rural residential development. The parcel sizes specified in the general plans and zoning codes range from 5 to 160 acres, with most of the Primary Zone in the 20- to 80-acre minimum parcel sizes.

Alameda County

East County Area Plan

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

The portion of Alameda County potentially affected by the project is designated as Large Parcel Agriculture, which is intended mainly for low-intensity agriculture and grazing, and related uses; Resource Management, which is intended primarily for land designated for long-term preservation as open space but may include low intensity agriculture, grazing, and very low density residential

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use; or Major Public, which provides for government-owned regional and subregional facilities such as hospitals, jails, colleges, civic centers, and similar and compatible uses.

Contra Costa County

Contra Costa County General Plan

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

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

- **Agriculture Core:** This designation applies to and attempts to protect lands considered the most suitable for raising a wide variety of crops from conversion to non-agricultural uses.
- **Agricultural Lands:** This designation applies to lands not suitable for raising as wide a range of crops as those designated as AC. These lands are commonly used for grazing or raising dry grains. This designation attempts to protect land capable of producing food, fiber, or plant material but does not exclude conversion to other non-urban uses.
- **Public/Semi-Public:** This designation applies to publicly owned facilities (e.g., libraries, fire stations, schools), transportation corridors, and public and privately owned utility corridors.It prohibits construction of private residences or private commercial uses.
- **Delta Recreation and Resources:** The primary uses allowed in the Delta Recreation and Resources designation are those agricultural production and processing activities allowed in the Agricultural Lands designation. Additional uses that may be allowed through the issuance of a land use permit include: marinas, shooting ranges, duck and other hunting clubs, campgrounds, and other outdoor recreation complexes. Conditional uses allowed in the Delta Recreation and Resources designation are limited to those low- to medium-intensity establishments that do not rely on urban levels of service or infrastructure, i.e., a public water or sewer system, and which will not draw large concentrations of people to flood-prone areas.
- **Open Space:** This designation applies to open lands which are not designated as Public/Semi-Public, Watershed, or Parks and Recreation, and includes wetlands, tidelands, other ecological resources, and geologic hazards. Allowed uses in this area include resource management, recreation, or establishment of safety zones. The only permanent structures allowed must be oriented toward recreation or resource conservation or a singlefamily residence on an existing legally established lot.
- **Off-Island Bonus Area:** A bonus density is identified in the off-island area of Bethel Island planning area east of Jersey Island Road. The base dwelling of this area is 1 unit per 5 acres. The density shall be increased through a bonus program if the applicant participates in the Residential Projects program or purchases development rights for land with an Agricultural Land designation.

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- **Commercial:** This designation allows a broad range of commercial uses compatible with small-scale communities and along thoroughfares such as retail, personal services, and limited office and financial uses.
- **Single-Family Residential – Very Low:** This designation allows a maximum density of 0.9 detached single family dwelling units per acre and accessory structures incidental to the primary use. Activities and other uses allowed in this area are those consistent with a rural lifestyle including keeping a small number of livestock, childcare facilities, and churches.
- **Single-Family Residential – Low:** This designation allows the same land uses as the Single-Family Residential – Very Low designation but the maximum density allowed is 1.0–2.9 dwelling units per acre.
- **Single-Family Residential – Medium:** This designation allows the same land uses as the Single-Family Residential – Very Low and Low designations but the maximum density allowed is 3.0–4.9 dwelling units per acre.
- **Single-Family Residential – High:** This designation allows the same land uses as the Single-Family Residential – Very Low, Low, and Medium designations but the maximum density allowed is 5.0–7.2 dwelling units per acre with attached single family dwelling units allowed in some specific areas.
- **Multiple-Family Residential – Low:** This designation allows attached single- and multiple-family residences up to a maximum density of 7.3–11.9 dwelling units per acre. Land uses such as mobile home parks and accessory structures auxiliary tothe primary land use are allowed in this area as well as secondary uses such as churches, home occupations, and childcare facilities when they do not conflict with other uses.
- **Multiple-Family Residential – Medium:** This designation allows the same land uses as the Multiple-Family Residential – Low designation but the maximum density allowed is 12.0–21.9 dwelling units per acre.
- **Multiple-Family Residential – High:** This designation allows the same land uses as the Multiple-Family Residential – Low and Medium designations but the maximum density allowed is 22.0–29.9 dwelling units per acre.

Sacramento County

Sacramento County General Plan

The *Sacramento County General Plan*, adopted on December 15, 1993, provides for growth and development in the unincorporated area through 2010. As a whole, the general plan reflects a balance between the number and locations of land uses occurring in urban areas and those remaining in a rural or natural setting.

The primary land use designations and allowed uses associated with each in the portion of Sacramento County potentially affected by the proposed project are listed below.

Agricultural Cropland and Resource Conservation (combining designation): The Agricultural Cropland designation represents agricultural lands most suitable for intensive agricultural activities including row crops, tree crops, irrigated grains, and dairies. Residential uses at 1 unit per 40 acres are also considered suitable in this area. The Resource Conservation combining designation identifies areas with special resource management needs. The designation targets certain natural

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resources as being important on the Land Use Diagram while recognizing the validity of the underlying land use designation. The intent is to develop programs and incentives to assist land owners with resource protection and enhancement. Compliance with the Resource Conservation designation relies on the voluntary support of landowners who seek cooperative conservation agreements with the County.

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

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

Commercial and Office: The Commercial and Office designation provides for a full range of neighborhood, community and regional shopping centers and a variety of business and professional offices. Uses include locally-oriented retail, professional offices, and regional commercial operations. The location and size of commercial areas is based upon accessibility, historic development patterns, community and neighborhood needs, and minimization of land use conflicts. Ideally, commercial areas are designed to integrate with the community, including the provision for pedestrian amenities.

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

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

Sacramento County General Plan Update

The existing *Sacramento County General Plan* planning horizon ended in 2010. In 2002, the county initiated the first comprehensive update of its general plan since it was adopted in 1993 and expected to complete that process in 2010. After a pause in the process in late 2010, the process has resumed and is ongoing (Sacramento County 2011).

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San Joaquin County

San Joaquin County General Plan Goals and Policies

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

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

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

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

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

- **Open Space Policy 3:** Development may be permitted in Resource Conservation Areas only if proposed uses will not have significant impacts on the continued existence or use of the resource.
- **Open Space Policy 4:** Areas with serious development constraints, such as the Delta, should be predominantly maintained as open space.
- **Open Space Policy 5:** Ridgelines and major hilltops shall remain undeveloped.
- **Open Space Policy 6:** The County shall consider waterways, levees, and utility corridors as major elements of the open space network and shall encourage their use for recreation and trails in appropriate areas.
- **Open Space Policy 13:** Development proposals along scenic routes shall not detract from the visual and recreational experience.
- **Agricultural Lands Policy 5:** Agricultural areas shall be used principally for crop production, ranching, and grazing. All agricultural support activities and non-farm uses shall be compatible with agricultural operations and shall satisfy the following criteria:
  - The use requires a location in an agricultural area because of unusual site area requirements, operational characteristics, resource orientation, or because it is providing a service to the surrounding agricultural area;
  - The operational characteristics of the use will not have a detrimental impact on the management or use of surrounding agricultural properties;
  - The use will be sited to minimize any disruption to the surrounding agricultural operations; and

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- The use will not significantly impact transportation facilities, increase air pollution, or increase fuel consumption.

San Joaquin County General Plan Update

San Joaquin County is in the process of updating their general plan.

Solano County

Solano County General Plan Goals and Policies

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

The proposed project would be in the southeastern portion of Solano County on lands designated as Agriculture or Marsh with a Resource Conservation overlay. The Agriculture designation provides areas for the practice of agriculture as the primary use, including areas that contribute significantly to the local agricultural economy, and allows for secondary uses that support the economic viability of agriculture. The Marsh designation provides for protection of marsh and wetland areas and permits aquatic and wildlife habitat, marsh-oriented recreational uses, agricultural activities compatible with the marsh environment and marsh habitat, educational and scientific research, educational facilities supportive of and compatible with marsh functions, and restoration of historic tidal wetlands. The Resource Conservation overlay identifies and protects areas of the county with special resource management needs by requiring study of potential effects if development is proposed in these locations and providing mitigation to support urban development in cities (Solano County 2008). The following policies contained in the general plan area relevant to the proposed project.

Agriculture Element

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

Resources Element

- **Policy RS. P-1:** Protect and enhance the county's natural habitats and diverse plant and animal communities, particularly occurrences of special-status species, wetlands, sensitive natural communities, and habitat connections.

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- **Policy RS. P-2:** Manage the habitat found in natural areas and ensure its ecological health and ability to sustain diverse flora and fauna.
- **Policy RS. P-3:** Focus conservation and protection efforts on high-priority habitat areas depicted in Figure RS-1 of the general plan.
- **Policy RS. P-4:** Together with property owners and federal and state agencies, identify feasible and economically viable methods of protecting and enhancing natural habitats and biological resources.
- **Policy RS. P-5:** Protect and enhance wildlife movement corridors to ensure the health and long-term survival of local animal and plant populations. Preserve contiguous habitat areas to increase habitat value and to lower land management costs.
- **Policy RS. P-6:** Protect oak woodlands and heritage trees and encourage the planting of native tree species in new developments and along road rights-of-way.
- **Policy RS. P-7:** Preserve and enhance the diversity of habitats in marshes, delta to maintain these unique wildlife resources.
- **Policy RS. P-8:** Protect marsh waterways, managed wetlands, tidal marshes, seasonal marshes, and lowland and grasslands because they are critical habitats for marsh-related wildlife and are essential to the integrity of the marshes.
- **Policy RS. P-9:** Encourage restoration of historic marshes to wetland status, either as tidal marshes or managed wetlands. When managed wetlands are no longer used for waterfowl hunting, restore them as tidal marshes.
- **Policy RS. P-10**: The County shall preserve and enhance wherever possible the diversity of wildlife and aquatic habitats found in the Suisun Marsh and surrounding upland areas to maintain these unique wildlife resources.
- **Policy RS.P-11:** The County shall protect its marsh waterways, managed and natural wetlands, tidal marshes, seasonal marshes and lowland grasslands which are critical habitats for marsh related wildlife.
- **Policy RS.P-12:** Existing uses should continue in the upland grasslands and cultivated areas surrounding the critical habitats of the Suisun Marsh in order to protect the Marsh and preserve valuable marsh-related wildlife habitats. Where feasible, the value of the upland grasslands and cultivated lands as habitat for marsh-related wildlife should be enhanced.
- **Policy RS.P-13:** Agriculture within the Primary Management Area of the Suisun Marsh should be limited to activities compatible with, or intended for, the maintenance or improvement of wildlife habitat. These include extensive agricultural uses such as grain production and grazing. Intensive agricultural activities involving removal or persistent plowing of natural vegetation and maintenance of fallow land during part of the year should not be permitted.
- **Policy RS.P-14:** Agricultural uses consistent with protection of the Suisun Marsh, such as grazing and grain production, should be maintained in the Secondary Management Area. In the event such uses become infeasible, other uses compatible with protection of the Marsh should be permitted.
- **Policy RS.P-16:** The County shall ensure that development in the County occurs in a manner which minimizes impacts of earth disturbance, erosion and water pollution.

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- **Policy RS.P-17:** The County shall preserve the riparian vegetation along significant County waterways in order to maintain water quality and wildlife habitat values.
- **Policy RS.P-20:** The goals, policies, and provisions of the Land Use and Resource Management Plan for the Primary Zone of the Delta are incorporated by reference. Ensure that all public and private management and development activities within the Primary Zone of the Delta are consistent with the goals, policies and provisions of the Land Use and Resource Management Plan for the Primary Zone of the Delta as adopted and as may be amended by the Delta Protection Commission.
- **Policy RS.P-21:** Preserve and protect the natural resources of the Delta including soils and riparian habitat. Lands managed primarily for wildlife habitat should be managed to provide inter-related habitats.
- **Policy RS.P-23:** Ensure that extension of new utilities and infrastructure facilities, including those that support uses and development outside the Delta is consistent with the Land Use and Resource Management Plan for the Primary Zone of the Delta. Where construction of new utility and infrastructure facilities is appropriate, the effects of such new construction on the integrity of levees, wildlife, and agriculture activities shall be minimized to the extent feasible.
- **Policy RS.P-24:** Protect the unique character and qualities of the Primary Zone by preserving the cultural heritage and the strong agricultural base.

Yolo County

Yolo County General Plan Goals and Policies

The *Yolo County General Plan* was adopted on November 10, 2009, and provides for growth and development in the unincorporated area through 2030. The general objective of the general plan is to guide decision making in the unincorporated areas in the county toward the most desirable future possible and to identify efficient urbanization with the preservation of productive farm resources and open space amenities (Yolo County 2009). The general plan contains policies relating to urban development, including urban communities and the infrastructure necessary to serve them. Other sections of the general plan describe strategies to recognize and preserve areas of open space and natural resources.

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

The Land Use and Community Character Element, the Agriculture and Economic Development Element, and the Conservation and Open Space Element of the general plan include policies applicable to the BDCP. The Land Use and Community Character Element seeks to preserve and foster the rural character of the county and establishes goals for regional collaboration and equity, green building standards, sustainable community design, and net community benefits from new growth. The Agriculture and Economic Development Element seeks to support, sustain, reinvent, and diversify the agricultural economy. The Conservation and Open Space Element focuses on balanced management of the county's multiple natural and cultural resources, seeks to establish a connected and accessible open space system with communities separated by agriculture and natural

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spaces linked by a network of trails, and encourages open spaces that complement other land areas in a way that benefits both natural resources and the community (Yolo County 2009). The following policies contained in the general plan area relevant to the proposed project.

Land Use and Community Character Element

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

Agriculture and Economic Development Element

- **Policy AG-1.3:** Prohibit the division of agricultural land for non-agricultural uses.
- **Policy AG-1.4:** Prohibit land use activities that are not compatible within agriculturally designated areas.
- **Policy AG-1.5:** Strongly discourage the conversion of agricultural land for other uses. No lands shall be considered for redesignation from Agricultural or Open Space to another land use designation unless all of the following findings can be made:
  - There is a public need or net community benefit derived from the conversion of the land that outweighs the need to protect the land for long-term agricultural use.
  - There are no feasible alternative locations for the proposed project that are either designated for non-agricultural land uses or are less productive agricultural lands.
  - The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding lands designated Agriculture.
- **Policy AG-1.6:** Continue to mitigate at a ratio of no less than 1:1 the conversion of farm land and/or the conversion of land designated or zoned for agriculture, to other uses.
- **Policy AG-2.9:** Support the use of effective mechanisms to protect farmers potentially impacted by adjoining habitat enhancement programs, such as "safe harbor" programs and providing buffers within the habitat area.
- **Policy AG-2.10:** Encourage habitat protection and management that does not preclude or unreasonably restrict on-site agricultural production.
- **Policy AG-6.1:** Continue to promote agriculture as the primary land use in the portion of Yolo County that lies within the Primary Zone of the Sacramento-San Joaquin Delta.
- **Policy AG-6.3:** Within the Delta Primary Zone, ensure compatibility of permitted land use activities with applicable agricultural policies of the Land Use and Resource Management Plan of the Delta Protection Commission.

Conservation and Open Space

- **Policy CO-1.17:** Out-of-county mitigation easements in Yolo County for the loss of open space, agriculture, or habitat in other jurisdictions, and flood easements in Yolo County are not acceptable unless the project meets all of the following criteria.

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- Prior notification to Yolo County.
- Consistency with the goals and policies of the Yolo County General Plan, particularly as related to planned growth, infrastructure, and agricultural districts.
- Secured water rights and infrastructure to economically maintain the proposed mitigation use.
- Requirements that existing agricultural operations continue to be farmed for commercial gain.
- Prohibitions on residential use.
- Mandatory wildlife-friendly strategies and practices.
- Compensation to Yolo County for all lost direct and indirect revenue.
- Accommodation of recreational uses, such as hunting, fishing, birdwatching, hiking, etc.

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

Yolo County Habitat Project Moratorium

In October 2010, the Yolo County Board of Supervisors enacted a 45-day moratorium on habitat mitigation projects within the county. In November 2010, that moratorium was extended to a full 2 years (Sacramento Bee 2010). The halt on projects intended to mitigate habitat damage will allow the County to develop an ordinance that establishes its authority over such projects. Such an ordinance is intended to protect the County's economic and environmental interests and control the conversion of revenue-generating agricultural land to habitat restoration and mitigation lands. DWR is not subject to complying with this moratorium.

13.2.3.4 City General Plans

City of Oakley

The *City of Oakley 2020 General Plan* was adopted December 16, 2002 and amended January 26, 2010 (City of Oakley 2010). Proposed project activities would occur in the eastern portion of Oakley, and these activities would occur on land with the following Oakley 2020 General Plan land use designations:

Public/Semi Public: This land use designation includes properties owned by public agencies such as libraries, fire stations, public transportation corridors, and schools, as well as privately owned transportation and utility corridors such as railroads, and power transmission lines. In specific locations, such as downtown Oakley, mixed use projects may be determined consistent with this designation. A wide variety of public and private uses are allowed with this General Plan category. However, construction of private commercial uses will be limited to uses related to the public or semi-public activity. Residential subdivision of this designation is not allowed.

Agriculture Limited: The purpose of the Agriculture Limited designation is to accommodate light agriculture including vineyards, orchards, and row crops, animal husbandry and very low-density residential uses. Primary land uses may include single-family residences, secondary residential units, and limited agriculture and animal husbandry, subject to developmental and operational standards. Equestrian and livestock uses are permitted within the Agriculture Limited district,

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subject to limits. Limited commercial activities are possible under this land use designation, including roadside produce stands, animal boarding and breeding, and other products and services associated with the agrarian lifestyle.

Single Family Residential, Very Low Density: The purpose of this land use designation is to provide for large-lot residential development, which maintains the rural character. These lots typify an estate lot, but are not associated with commercial agriculture or animal husbandry. Primary land uses include detached single-family homes and accessory structures, which are consistent with the rural or estate lifestyle. Unlike the Agricultural Limited designation, commercial agricultural practices are generally not allowed within this designation. Secondary uses may, however, include home occupations, small residential care and childcare facilities, churches and other places of worship, secondary dwelling units, and other uses and structures incidental to the primary use.

Single Family Residential, Low Density: This land use designation accommodates traditional single-family residential development, which maintains the low density typical of a large-lot suburban development. Primary land uses include detached single-family homes and accessory structures. Secondary uses may include home occupations, small residential care and childcare facilities, churches and other places of worship, and other uses and structures incidental to the primary use.

Single Family Residential, Medium Density: The purpose of the Single-Family Residential, Medium Density (SM) Land Use Designation is to accommodate moderate density, single-family residential development. These neighborhoods will more closely resemble a typical suburban development with spacious yards and little resemblance to a rural neighborhood. Primary permitted land uses include detached single-family homes and accessory structures. Secondary uses may include home occupations, small residential care and childcare facilities, churches and other places of worship, and other uses and structures incidental to the primary use.

City of Lathrop

The *Comprehensive General Plan for the City of Lathrop* was adopted December 17, 1991, and was last amended November 9, 2004 (City of Lathrop 2004). The Community Element of Lathrop's general plan sets forth the body of policies and proposals which provide the basis for the zoning and development of all public and private land within the city. Proposed project activities would occur in the eastern portion of Oakley, and these activities would occur on land designated as Recreational Residential, a designation intended to provide a variety of recreational-oriented housing types, in addition to some neighborhood serving commercial uses. The urban design concept review shall establish the precise mixture of housing types and other uses in accordance with the provisions of this section.

13.3 Environmental Consequences

This section describes potential direct (both temporary and permanent) and indirect effects on land uses that would result with implementation of each alternative. An analysis of the consistency of the alternatives with applicable general plans and local policies is provided. Note that the impact analysis separates each of the alternatives' proposed features into two categories; *physical/ structural components*, which are project-level features and *restoration actions*, which are

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programmatic features. No project effects on land use are anticipated strictly due to operation of any of the alternatives once constructed because operation would not directly or indirectly lead to the conversion of additional land area from one land use to another in the Delta Region, in the Upstream of the Delta Region , including SWP and CVP waterways and reservoirs, or in the SWP and CVP Export Service Areas Region. Because of this, SWP and CVP waterways and reservoirs are not discussed further in this section. See Chapter 30, *Growth Inducement*, for a detailed discussion of potential specific growth-related effects on land use in SWP and CVP export service areas.

Additionally, two of the proposed conservation measures related to reducing other stressors (listed below and described in detail in Chapter 3, *Description of the Alternatives)*, which would be implemented under all action alternatives, are not anticipated to result in any meaningful effects upon land use in the Delta Region because the actions implemented under these conservation measures are not, for the most part, land-based or land-focused activities, nor would they be expected to result in any direct or indirect, permanent or substantial temporary changes in land use. As such, these measures will not be addressed further in this impact analysis.

- Nonnative Predator Control (CM21)
- Mark-Selective Fisheries (CM22)

13.3.1 Methods for Analysis

Potential temporary, permanent, direct, and indirect land use impacts associated with each alternative were assessed based on the compatibility of constructing and operating the proposed project with the existing and planned land uses of the following geographic areas: Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties; the Stone Lakes National Wildlife Refuge, Lower Sherman Island Wildlife Area, and Brannan Island and Franks Tract SRAs within the Delta; the Suisun Marsh west of the Delta; and the Yolo Bypass upstream of the Delta.

Proposed project consistency and potential effects on existing land uses were assessed by reviewing current aerial imagery covering all areas where proposed project activities would have the potential to convert land use from its current status to another use. Similarly, for purposes of determining land use compatibility, aerial imagery was reviewed to identify residences, schools, churches, and other structures (e.g., agricultural storage units, commercial and industrial units) in the study area. It was assumed that some land uses including residential uses, schools, religious institutions, and open space are sensitive uses that could potentially be disrupted by changes in adjacent land uses because of proposed project implementation.

Proposed project consistency and potential effects on planned future land uses were assessed by reviewing local land use plans and policies described above in Section 13.2, *Regulatory Setting*, and listed as follows.

- Alameda County East County Area Plan
- Contra Costa County General Plan 2005–2020
- Sacramento County General Plan
- San Joaquin County General Plan
- Solano County General Plan
- Yolo County 2030 Countywide General Plan

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ED_000733_DD_NSF_00001846-00022

- City of Oakley 2020 General Plan
- City of Lathrop Comprehensive General Plan
- DPC Land Use and Resource Management Plan
- Stone Lakes National Wildlife Refuge Comprehensive Conservation Plan
- Lower Sherman Island Wildlife Area Land Management Plan
- General Plan for Brannan Island and Franks Tract State Recreation Areas
- Yolo Bypass Wildlife Area Land Management Plan
- San Francisco Bay Plan
- Suisun Marsh Protection Plan

Land use designations were identified and mapped for areas within the six Delta counties, two incorporated cities (the cities of Oakley and Lathrop), as well as Suisun Marsh outside of the Delta and the Yolo Bypass upstream of the Delta, potentially impacted by the proposed project (Figures 13-2 to 13-6). The allowable land uses for each land use designation were identified by reviewing each county and applicable city general plan.

13.3.2 Determination of Adverse Effects

The impacts of the action alternatives on land use may result from both construction and operation of proposed project features. This impact analysis assumes that an action alternative would have an impact on land use according to the degree of landscape change associated with the following conditions.

- Physically divide an established community.
- Conflicts with or threatens to violate any applicable land use plan, policy, or regulation of an agency (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Create land uses substantially incompatible with existing land uses within or adjacent to the study area. This would include where implementing a BDCP alternative would potentially result in the relocation of residents or public service facilities (addressed in detail in Chapter 20, *Public Services and Utilities*), or would result in a direct physical impact to existing structures.

The potential for conflicts with an existing HCP or NCCP is addressed in Chapter 12, *Terrestrial Biological Resources*; effects associated with designated parklands are addressed in Chapter 15, *Recreation*; and effects associated with impacts on community character are addressed Chapter 16, *Socioeconomics* In addition, Chapter 14, *Agricultural Resources* addresses potential project-related impacts to or conflicts with agriculture, including temporary and permanent conversion of agricultural lands to non-agricultural uses, as well as the long-term viability of agriculture in the Delta in light of continued land subsidence, increased levee vulnerability, seismic risk, and sea level rise. Any potential temporary or permanent direct or indirect effects on land use in the SWP and CVP Export Service Area Region are evaluated in Chapter 30, *Growth Inducement*.

Because conflicts with applicable land use plans are not necessarily adverse alterations of the physical environment and thus not necessarily impacts, for this assessment impact conclusions are noted as "consistent" rather than "less than significant" or "not adverse," or "inconsistent" rather

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than "significant" or "adverse" for conflicts with land use plans. If the inconsistency relates to a plan, policy, or regulation adopted to avoid environmental effects, then an inconsistency can result in a significant or adverse impact under CEQA and NEPA, respectively.

Regional plans and those geared toward the management of specific areas, including the Stone Lakes National Wildlife Refuge CCP, Brannan Island and Franks Tract SRAs, Yolo Bypass Wildlife Area Land Management Plan, Lower Sherman Island Wildlife Area Land Management Plan, San Francisco Bay Plan, and Suisun Marsh Protection Plan are primarily designed to preserve and enhance the natural resource and recreation qualities of these areas. Implementing the BDCP alternatives may create temporary disruptions related to facility and restoration improvements but overall design would require conveyance alignments to avoid these managed areas by placing tunnels underneath them (Brannan Island and Franks Tract) or by avoiding plan areas altogether (Stone Lakes). Proposed restoration areas in the Yolo Bypass, on Sherman Island, and in Suisun Marsh would be designed to be consistent with and complement the current management direction for these areas and would be required to adapt restoration proposals to meet current policy established for managing these areas.

Policies or zoning ordinances established by DPC, the cities of Oakley and Lathrop, and the six counties focus mainly on various ways to preserve and enhance open space, natural resources areas, recreation functions, and agricultural land and farming operations. All of the BDCP alternatives could be deemed inconsistent with a number of these policies because of the construction effects that would occur over the 10-year near-term period at various locations throughout the Delta and the permanent nature of many of these changes. Several of the conservation measures would likely be deemed inconsistent with numerous polices related to agricultural preservation.

13.3.3 Effects and Mitigation Approaches

13.3.3.1 No Action Alternative

[*Note to reviewers: this section is still being developed*]

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

Under the No Action Alternative, statewide and federal programs to preserve open space and agricultural lands would continue to be implemented. The land uses in the Delta would be similar to those of today because only limited types of development are allowed in the Primary Zone of the Delta.

Under the No Action Alternative some change in Plan Area land use and local communities would occur as a result of localized population growth and conversion of agricultural land uses. California is presently losing agricultural land at a rate of 49,700 acres (20,100 hectares) annually. This loss is due in part to urban development fueled by a number of factors including population growth, housing prices and economics, and commuting patterns (Kuminoff et al. 2001) as well as drainage problems, loss of a reliable or affordable water supply, and conversion to wildlife habitat. These

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circumstances suggest that existing Delta land use patterns and agricultural uses may experience change related to continued development pressure in areas outside the primary zone. Other factors that may affect agricultural and rural land use conditions in the Plan Area include continued land subsidence on Delta islands, levee instability and potential flood risk, and sea level rise effects on land uses near existing waterways.

Agricultural cultivation of peat soils in the Delta has contributed to the subsidence of the majority of Delta islands. Current agricultural practices on some Delta islands have led to average subsidence of 12 to 15 feet below sea level, and in some areas up to 25 feet below sea level, creating tremendous pressure on the levees to act as dikes—to hold back water constantly rather than only during peak flow periods. Recent studies confirm that as subsidence continues over time, increased hydrostatic pressure is placed on the surrounding levees, increasing the cost of levee maintenance, water table management, and land loss from seepage and increasing salinity (Trott 2007). The cost of maintaining, improving, or repairing these levees in some cases may be more than the assessed value of the use of the land they protect (Sumner et al. 2011). Funding for local levees in the Delta comes primarily from agricultural reclamation district fees and this funding has been insufficient for levee improvements that would meet current standards (Trott 2007). This creates an uncertain future for Delta agriculture and for the associated Delta economy and those residents who depend upon it. (Fourth Staff Draft Delta Plan; Delta Stewardship Council; June 13, 2011.)

DWR's Delta Risk Management Strategy (DRMS) evaluated the potential for catastrophic levee failure and subsequent effects on water supply and concluded that agriculture within the Delta is unsustainable over the long-term if current land and levee management practices continue for the baseline conditions currently existing in the Delta. According to the DRMS Phase 1 report (California Department of Water Resources 2009), a seismic event is the single greatest risk to levee integrity in the Delta. Levees would fail and as many as 20 islands could flood simultaneously. If this were to occur during a time of low-to-moderate fresh water Delta inflow, brackish water from Suisun Marsh would enter the Delta and would compromise local water supplies, as well as State and federal water project exports, and water could not be used for in-Delta agricultural irrigation (California Department of Water Resources 2009).

A 2005 study estimated that there is a two-in-three chance that 100-year recurrence interval floods or earthquakes will cause catastrophic flooding and significant change in the Delta by 2050 (Mount and Twiss 2005). Continued subsidence on the islands has reduced the stability of Delta levees, increasing the risk of levee failure. A white paper entitled "Projecting Future Sea Level," published by the California Climate Change Center, estimated a sea level rise from 4 to 35 inches every century (0.3 to 2.9 feet), depending on the model and assumptions used (Cayan et al. 2006). Ongoing subsidence coupled with the expected sea level rise over the next 50 years associated with climate change is expected to significantly increase the instability of the current Delta levee network, and will result in increased potential for and consequence of island flooding (Mount and Twiss 2005).

Although irrigation and drainage systems would be maintained and in some cases, possibly improved in the Delta to provide for long-term agricultural production, implementation of the No Action Alternative would not provide additional flood control benefit or create additional levee stability; and it may, as compared to baseline conditions, have a long-term deterioration of levee stability and an increase, although unquantifiable, in flood risk. Levee stability on Delta islands would continue to be as vulnerable to flood, seismic risk, and land subsidence as it is under existing conditions (see Chapter 6, *Surface Water*, for a full discussion of levee stability). Under the No Action Alternative, maintenance practices would continue at their current levels as the local Reclamation

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Districts (RDs) strive to achieve the adopted PL84-99 standard as the preferred delta island levee geometry; however, the resources of local RDs are limited and are not always adequate to achieve or maintain compliance on an annual basis. Levee failure on subsided islands would impair or damage the islands' agriculture as well as affect the salinity balance of the Delta, which in turn would threaten water conveyance to agricultural in the region and beyond (Trott 2007).

13.3.3.2 Alternative 1A—Dual Conveyance with Tunnel and Intakes 1–5

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Alternative 1A would result in the construction of permanent and temporary features associated with the proposed water conveyance facility across land governed by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, Alameda, and Solano Counties. Constructing Alternative 1A would require land use activities that would be inconsistent with many of the land use designations ascribed to the study area in the general plans of these counties.

Because the primary conveyance component for Alternative 1A would be an underground tunnel, there would be no permanent adverse physical effects on or conflicts with land use solely due to this subsurface component; similarly, pipelines would not result in a permanent land surface change, and accordingly there would be no direct permanent conflicts with existing land use designations due to these subsurface features. As such, excepting construction activities potentially occurring over a 10-year period (e.g., tunneling and open-trench installation of pipelines) and surface features related to the tunnels and conveyance pipelines (e.g., tunnel muck areas, shafts, inspection points, etc.), permanent conflicts with existing land uses as they pertain to the proposed tunnel and pipelines are not discussed further.

Yolo County

No permanent water conveyance features would be located in Yolo County. However, temporary project features in Yolo County associated with the construction of the water conveyance facility would include two concrete batch plants in the southern part of the county. Land use in this part of Yolo County is designated as Agriculture with a Delta Protection overlay. The concrete batch plants, each approximately 5–10 acres, would be in place for approximately 10 years while CM1 is being constructed. Once the water conveyance facility has been constructed, the concrete batch plants would be removed and the area would be returned to preproject conditions. Nonetheless, land designated for agricultural use would be taken out of production for a minimum of 10 years, and this disruption would be inconsistent with the existing land use designation during that period.

Sacramento County

Permanent surface features associated with that portion of the water conveyance facility that would fall in Sacramento County include 5 intakes (currently, 12 intake locations are being considered [Intakes CER 1–5 and Alt 1–7]), setback levees, intake pumping plant facilities (including sedimentation basins and solids lagoons), tunnel shafts, intermediate forebay and pumping plant, tunnel muck work areas, borrow areas, permanent access roads, a segment of the new 230 kilovolt (kV) transmission line, including towers, as well as 69 kV transmission lines tying in to each intake pumping plant. These features would result in the permanent conversion of approximately XX acres of land designated as Agricultural Cropland with a combined Resource Conservation designation. Under an alternative set of intake locations (Alt 1–7), additional conflict would occur with land

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designated as Natural Preserve, Industrial Intensive, Commercial and Office, Medium-Density Residential, and Low-Density Residential. Under this option, XX acres of agricultural land would be converted, while XX acres of Natural Preserve, XX acres of Industrial Intensive, XX acres of Commercial and Office, XX acres of Medium-Density Residential, and XX acres of Low-Density Residential uses would be converted to project-related uses. Construction of permanent water conveyance facility components on land designated as Agricultural Cropland would directly result in permanent land use changes that would preclude agricultural land uses in the future in this area and would result in the reduction of lands available for agricultural use (Chapter 14, *Agricultural Resources*).

In addition to the alternative intake locations, there are other project features within Sacramento County that would be constructed on land designated as Natural Preserve; however, this area is confined to Georgiana Slough, and because the only permanent project feature crossing or falling within that designated land use area would be the tunnel, there would be no land use conflicts because the tunnel is a subsurface feature.

Temporary water conveyance project features that would be built in Sacramento County would include temporary access roads, work and staging areas, and spoils and/or borrow then spoils areas. These features would occupy approximately XX acres, mostly over land designated for agricultural uses. Temporary conflicts associated with construction activities for the alternative set of five intake locations would occur on land designated as Natural Preserve, Industrial Intensive, Commercial and Office, Medium-Density Residential, and Low-Density Residential. Under this option, XX acres of agricultural land would be converted, while XX acres of Natural Preserve, XX acres of Industrial Intensive, XX acres of Commercial and Office, XX acres of Medium-Density Residential, and XX acres of Low-Density Residential uses would be temporarily converted to construction-related uses. A precast segment plant would also be constructed in southern Sacramento County; however the precise location has yet to be determined. Because the majority of land in that area is designated Agricultural Cropland, it is likely that it would be constructed on agricultural land. Many of these features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period).During that period, lands designated as Agricultural Cropland would be temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Once project construction is completed, these areas would be returned to preproject conditions.

San Joaquin County

Alternative 1A would result in the permanent conversion of XX and XX acres of land designated as Agriculture and Open Space/Resource Conservation, respectively, in San Joaquin County primarily due to the construction of tunnel shafts, permanent access roads, potentially one or more tunnel muck work areas, and a segment of the new 230 kV transmission line and associated towers. Conversion of agricultural lands and project conflicts with the Agriculture land use are described in Chapter 14, *Agricultural Resources*. The placement of tunnel shafts, permanent access roads, and potentially tunnel muck work areas, were they to occur on or adjacent to lands designated as Open Space/Resource Conservation would conflict with this land use designation because it would diminish the amount of land dedicated to open space and conservation of natural habitat and resources.

Temporary project features in San Joaquin County associated with the construction of the water conveyance facility would include temporary access roads and work and staging areas. These

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features would occupy approximately XX acres on lands designated as Agriculture. A concrete batching plant (approximately 5–10 acres) would also be constructed in San Joaquin County to support the project. This concrete batching plant would be located in southern San Joaquin County, however the precise location has yet to be determined. Many of these temporary features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). During that period, lands designated as Agriculture would be temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Once project construction is completed, these areas would be returned to preproject conditions.

Contra Costa County

Under Alternative 1A, permanent project water conveyance features in Contra Costa County would include Bryon Tract Forebay and associated water control structures, a short segment of canal, and a segment of the 230 kV transmission line and associated towers. These features, comprising a total of approximately XX acres, would be constructed, for the most part, on lands designated Delta Recreation and Resources. However, the transmission line and towers could also be placed across land designated as Agriculture Core, Agricultural Lands, and Public/Semi-Public; the precise alignment has not yet been determined and would be based on the selection of power providers for the project.

Constructing the Forebay on lands within the Delta Recreation and Resources designation would be inconsistent with the goals of the Contra Costa County General Plan related to this land use designation, which focus on the preservation of land for recreation over the placement of new infrastructure.

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

Temporary project features in Contra Costa County associated with the construction of the water conveyance facility would be the same as described above for Sacramento County, and these features would occupy approximately XX acres of land designated Delta Recreation and Resources, XX acres of land designated Public/ Semi-Public, XX acres of Agriculture Core, and XX acres of land designated as Agricultural Lands. A precise location for a precast segment yard has yet to be determined so a conclusion as to the consistency or inconsistency with land use designation(s) cannot be made. Many of these temporary features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). Temporary land use conflicts would be of the same nature as the permanent conflicts described above, however they would occur over a shorter period of time (up to 10 years) and once project construction is completed, these areas would be returned to preproject conditions.

Alameda County

Under Alternative 1A, the only permanent project water conveyance feature proposed within Alameda County is a 230 kV transmission line and associated towers. This transmission line would

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extend from near Byron Tract Forebay southwest through the northeastern part of the county where it would ultimately tie in to an existing line, the location of which would depend on the selected power provider for the proposed project. Although the precise alignment for the 230 kV line has not yet been determined and would be based on the selection of a power provider for the project, generally the transmission line towers would be constructed approximately 750 feet apart through land designated as Large Parcel Agriculture, although there are small areas of land designated as Resource Management in the northeastern corner of the county where the transmission line corridor could be located; because the exact location of the transmission line is not yet known, it cannot be said with certainty what land use designations would be effected Permanent and temporary (up to the 10-year duration of construction) effects related to conversion of agricultural land are discussed in Chapter 14, *Agricultural Resources*.

Solano County

No permanent water conveyance features would be located in Solano County. However, one concrete batching plant (approximately 5–10 acres) and one precast segment yard (approximately XX acres) would be constructed in northern and southern Solano County, respectively. The precise locations for these facilities have yet to be determined, so a conclusion as to the consistency or inconsistency with land use designation(s) cannot be made. These facilities would be in place for approximately 10 years while CM1 is being constructed. Once the water conveyance facility has been constructed, these supporting facilities would be removed and areas would be returned to preproject conditions.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

[*Note to reviewer: This section will be revised to reflect final decisions regarding intake locations, as well as current data on existing land uses, including information on and location identification for existing structures (e.g., residences, agricultural structures, schools, churches, etc.) within or immediately adjacent to the alternative footprint*]

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

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Construction of Alternative 1A would directly affect land use in the project area by temporarily converting XX acres currently under agricultural and open space uses to temporary access roads, spoils areas, and temporary work and staging areas. These effects would be temporary with this land returning to agricultural use following construction.

Construction of Alternative 1A would also directly affect land use in the project area by permanently converting XX acres currently under agricultural land use and open space to permanent access roads, intakes and associated facilities, pumping plants, control structures, a small segment of canal, two new forebays, and footings for electric transmission line towers. In addition, at least 65 permanent structures would be removed or relocated by the project within the water conveyance facility footprint under this alternative. These include XX agricultural operation support buildings, XX residences…[*Note to reviewer: others to be identified; final counts depend on selected intake locations*].

As described in Chapter 19, *Transportation,* depending on which five intake locations are selected, the levee road along State Route (SR) 160 (Intakes CER 1–5 and Alt 1–5), River Road (Intakes Alt 6 and Alt 7), and Randall Island Road (Intake Alt 5) would require temporary detour roads during construction of the intakes. Because temporary access routes around these construction areas would be built prior to the disruption of the existing road network, residents and travelers through the Delta would not experience substantial delays in travel from one side of the intake area to the other.

Alternative 1A includes a forebay (Intermediate Forebay) with an embankment located less than one mile southeast of Courtland, and a large borrow or spoils area adjacent to the forebay on the east side, part of which could be permanently located at the site. Once constructed, these facilities would potentially create an obstacle to travel between agricultural properties to the south and east of Courtland, the Sacramento River, and SR 160. Lambert Road and Wilson Road would remain usable on the north and east sides of the Intermediate Forebay, so access would not be precluded to and from this area, but travel times for residents and others in this area could increase. On the southeast side of the Intermediate Forebay, Russel Road would terminate at the forebay embankment and would no longer be a viable travel option for its eastern extent (see Chapter 19, *Transportation*).

While this loss of access would not be considered an adverse effect under this topic, 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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

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Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

If Intake Alt 4 was selected under this alternative, a potential temporary work area to construct the intake and its associated facilities would be constructed in the vicinity of a significant portion of the community of Hood. A temporary construction area associated with Intake CER 3 would also conflict with a section of the northwestern part of the community. Furthermore, construction of a permanent access road to a tunnel shaft, as well as the construction of conveyance pipelines carrying water from intakes north of Hood, would take place from north to south in the eastern section of the community, temporarily limiting access to and from the easternmost structures in the community. The selection and construction of these intake facilities, the permanent access road, and the conveyance pipelines would not result in the permanent physical division of the community, and thus would not be considered an adverse effect. However, because these activities would interfere with existing permanent structures and conflict with land use designations, as previously described these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2, as previously described.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

This section assesses the consistency of the conservation components (described in detail in Chapter 3, *Description of Alternatives,* Section 3.6.2) that would be implemented across ten conservation zones (CZs) with the predominant applicable county land use designations in those zones, as well as with other applicable local land use plans and policies. Table 13-1 identifies these land use designations and the county land use jurisdictions for each of the CZs. Small acreage inclusions of other specific land use designations are also within each zone. Table 13-1 provides a general overview of the designations in each zone rather than an identification of every land use or jurisdiction in each zone. Note that no conservation components are proposed for implementation in 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, as part of the conservation measures, would be carried out within the Plan Area.

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Table 13-1. Predominant Land Use Designations in the Conservation Zones

Conservation Zone	Jurisdiction	General Plan Land Use Designation
1	Solano County	Agriculture
2	Solano County	Agriculture
	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 no conservation components 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. CZ 10 occurs in a very urbanized portion of Contra Costa County with a diverse number of land use designations.

In addition, many specific areas within each conservation zone are governed by individual management plans as follows.

- Delta Protection Commission Land Use and Resource Management Plan
- Stone Lakes National Wildlife Refuge Comprehensive Conservation Plan
- Lower Sherman Island Wildlife Area Land Management Plan
- General Plan for Brannan Island and Franks Tract State Recreation Areas

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- Yolo Bypass Wildlife Area Land Management Plan
- Suisun Marsh Protection Plan

Over the 50-year BDCP implementation period, restoration actions would include approximately 65,000 acres of land conversions from current uses to restored tidal habitat; 10,000 acres to seasonally inundated floodplain; 5,000 acres to riparian habitat; 2,000 acres to grassland; and 400 acres to nontidal freshwater marsh. Additionally, conservation components would include enhancement of 20 linear miles of channel margin habitat, restored vernal pool complex to achieve no net loss and 600 acres of vernal pool complex protection, 400 acres of alkali seasonal wetland complex protection, 16,620–32,640 acres of agricultural habitat protected, and floodplain enhancement in the Yolo Bypass. The implementation period for the various restoration and enhancement components would vary based on land identification, acquisition, planning coordination, construction duration, and other variables. These conservation components would be in CZs 1 through 9 and/or 11, in Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties. Across these CZs, agricultural and open space land use designations encompass the largest total acreage. Smaller constituent land uses in these zones include natural preserve, marsh, recreational, residential, public infrastructure, commercial, and industrial designations.

Where restoration or enhancement actions would directly convert agricultural land uses (in Contra Costa, San Joaquin, Sacramento, and Solano Counties), these actions would be inconsistent with the land use designation and would result in the loss of productive agricultural lands (discussed further in Chapter 14, *Agricultural Resources.* For example, under CM5, Seasonally Inundated Floodplain Restoration, it may be necessary to discontinue farming. In certain areas, the this alternative would protect agricultural lands. Under CM3 and CM11, between 16,620 and 32,640 acres of agricultural lands would be acquired and managed for specific habitat values for species including Swainson's hawk, giant garter snake, greater sandhill crane, white-tailed kite, and tricolored blackbird. The management activities would include the minimization or discontinuation of pesticide use and the creation of grassland edges, hedgerows, and small woodlots—activities that would be generally consistent with agricultural land use designations.

Open Space, and Open Space/Recreation land use designations (in Contra Costa, San Joaquin, and Yolo Counties), Natural Preserve (Sacramento County), and Marsh (Solano County) land use designations would typically be consistent with the conservation component activities that could be implemented in those counties as part of the proposed project (e.g., restoration of tidal marsh, riparian habitat, grasslands, and floodplain enhancement and restoration). As such, there would be no permanent adverse effect from these types of activities in these types of land use areas. In November 2010, the Yolo County Board of Supervisors approved a 2-year moratorium on habitat mitigation projects within the county. However, DWR is not subjected to complying with this moratorium.

Measures designed at the species-level to support viability and reduce the effects of environmental stressors on covered species would also carry the potential to alter land use within the study area. However, as previously noted, CM21 and CM22 would have negligible, if any, effect on land use; therefore, their potential inconsistency with land use plans and policies will not be discussed. Further, in some cases, the precise location of implementation for these measures is not yet known. For these measures, only theoretical effects can be discussed.

Actions to manage methylmercury under CM12 could include a number of methods, including the initial characterization of soil mercury at potential restoration sites, the reduction of organic

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material at potential restoration sites, site design that enhances the photodegradation of methylmercury, sediment remediation, and capping of mercury-laden sediments. While these activities would not, in themselves, be anticipated to create inconsistencies with land use designations, additional standards or measures designed and implemented through the adaptive management process could create the potential for conflicts with land use designations within the Delta Region.

CM13 would control nonnative aquatic vegetation including Brazilian waterweed, water hyacinth, and other nonnative submerged and floating aquatic vegetation in BDCP tidal habitat restoration areas. Site-specific conditions and the intended goal would dictate the specific method of removal. Operations associated with vegetation control, including mechanical removal, could conflict with existing land use designations if the construction of new facilities and structures is necessary to house related equipment and machinery. Additionally, operations under this measure may require facilities dedicated to the storage of removed vegetation, which could hold the potential to conflict with land use designations.

Implementation of CM14 would include the operation and maintenance of an oxygen aeration facility in the Stockton Deep Water Ship Channel to increase dissolved oxygen concentrations. This conservation measure would modify the existing aeration facility as necessary and, if necessary, additional aerators and associated infrastructure would be added to optimize oxygen delivery to the river. To the extent that this facility would require additional land not currently dedicated to similar purposes, this measure may create an inconsistency with local land use designations.

CM15 would reduce local effects of predators on covered fished species by conducting predator control in areas with high predator density. Predator *hot spots* would be identified and control methods would be adopted including removal of predator hiding spots, modification of channel geometry, targeted removal of predators, and other focused methods as dictated by site-specific conditions and the intended outcome or goal. Implementation of some of these methods, particularly modification of channel geometry, could conflict with designated land uses. The extent of this effect would depend on the extent to which this method or those with similar physical aspects were chosen for implementation.

Installation of non-physical fish barriers at the Head of Old River, the Delta Cross Channel, and Georgiana Slough would occur under CM16. Other possible locations include Turner Cut, Columbia Cut, the Delta Mendota Canal intake, Clifton Court Forebay, and potentially other future locations. In addition to the installation of the barrier itself between October and June, the installation and operation could require the construction of transmission facilities and access roads, and potentially other facilities. Additionally, barriers would be removed and stored off-site while not in operation. Temporary (e.g., work and staging areas) or permanent facilities associated with these barriers could potentially conflict with land zoned for General Agriculture or Resource Conservation in San Joaquin County; land zoned by the City of Lathrop as Recreation Residential and Public (Schools, Parks, & Open Space); Sacramento County land zoned for Natural Preserve, Agricultural Cropland, Intense Industrial, Low Density Residential, or Recreation; and other designations in other jurisdictions, depending on final selection of barrier locations.

To address the illegal harvest of covered species across the Delta Region, CM17 would provide funds to hire and equip 22 additional staff, including 17 game wardens, to increase enforcement of fishing regulations. To the degree that these staff would require the construction of additional office space,

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storage areas, or vehicle parking areas on lands not currently designated by local entities for such uses, incompatibilities may arise.

Under CM18, a new conservation hatchery would be developed by USFWS to support delta and longfin smelt populations. The facility as planned would consist of two sites: a science-oriented genetic refuge and research facility on the edge of the Sacramento River, and a larger supplementation production facility nearby. The precise location of these facilities is unknown; however, their construction and long-term operation would create the potential for temporary or permanent inconsistencies with land use plans and policies in Sacramento and/or Yolo Counties. This measure would also fund the expansion of the University of California (UC) Davis Fish Conservation and Culture Laboratory, near Byron, California. Expansion of the existing facility could result in a conflict with Contra Costa County lands zoned as Agricultural Lands or Delta Recreation.

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

Implementation of CM20 would include the provision of wash stations with sufficient cleaning abilities to kill aquatic invasives on watercraft, trailers, and other equipment leaving water bodies within California that are infested with zebra or quagga mussels. Wash stations will be strategically placed at boat ramps of each water body and owners will be encouraged to clean their watercraft and trailers upon leaving the water body. Additionally, this measure would fund inspection stations on roads at California borders that currently do not have inspection stations. Locations of these stations would include Needles Highway southbound; Highway 95 southbound at Arrowhead Junction; State Route 95, southbound at Needles Bridge; Havasu Lake Road near the west shore of Lake Havasu; Highway 95 at Vidal Junction; Agnes Wilson Bridge westbound; and Highway 95 southbound north of Blythe. Semi-permanent inspection stations will be established and operated on busy boat traffic days. While precise locations of these facilities are unknown at this point, they would carry the potential to conflict with designations that currently guide acceptable land uses in these areas.

CM23 would address nonproject irrigation diversions to reduce the entrainment of covered fish species in the Delta. Activities associated with this measure could include installation of screens; alteration of diversion timing; or physical removal, relocation, consolidation, and modification of diversions. Removing or modifying the location of these structures would likely conflict with land designated for agricultural uses throughout the Delta Region, at least on a temporary basis. Removal of diversions could create indirect conflicts with land uses, particularly with respect to agricultural lands. These potential effects are described further in Chapter 14, *Agricultural Resources*.

CM24 is under development, but would relate to waterfowl and shorebird areas in the Delta Region. Depending on the activities undertaken for this measure, it could potentially create inconsistencies with local land use designations and policies.

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For any conservation measure requiring construction activities (e.g., establishment of storage, staging and stockpiling areas; grading; levee removal/replacement), temporary conflicts with land use designations across the five counties could potentially occur for the duration of those activities.

Because the precise location for the implementation of conservation activities is not known at this point, a definitive conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Existing land uses in the CZs, encompassing parts of Yolo, Sacramento, Solano, San Joaquin, and Contra Costa Counties are predominantly agricultural, open space, or rural residential with some small inclusions of commercial and industrial areas, as previously described. While the precise location of each restoration and/or enhancement action is not known at this time, it is possible that implementing the conservation components and associated restoration and enhancement actions may result in temporary (e.g., construction activities that may conflict with adjacent land uses such as residential areas) or permanent (e.g., displacement of existing residents and removal of existing structures) conflicts with existing land uses in or immediately adjacent to the study area.

Restoration of tidal habitat, riparian areas, nontidal perennial aquatic habitat, nontidal perennial freshwater emergent wetland, grasslands, and vernal pool complexes, protecting and enhancing alkali seasonal wetland complexes, and managing agricultural lands for optimal habitat use may conflict with existing agricultural and rural residential land uses in the Cache Slough Restoration Opportunity Area (ROA) in CZ 1, and in southeastern Solano and Yolo Counties depending on the specific location of each activity. Similarly, restoring riparian habitat and managing agricultural lands for optimal habitat use may conflict with existing agricultural and rural and suburban residential, as well as commercial and light industrial land uses in various locations within CZ 3 in Sacramento County. Activities associated with restoration of tidal habitat perennial aquatic/tidal brackish emergent wetland, riparian areas, nontidal perennial aquatic habitat, and nontidal perennial freshwater emergent wetland areas of San Joaquin, Alameda, and Contra Costa Counties and managing agricultural lands for optimal habitat use, restoring vernal pool complexes, or protecting and enhancing alkali seasonal wetland complexes in CZs 5–10 of these counties may conflict with existing agricultural and other land uses depending on the specific locations of these activities. Activities associated with restoration of tidal habitat, were it to occur within the Stone Lakes National Wildlife Refuge, would be compatible with existing land uses. Restoration of tidal perennial aquatic/tidal brackish emergent wetland, riparian areas, nontidal perennial aquatic habitat, nontidal perennial freshwater emergent wetland, grasslands, and vernal pool complexes,

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and protecting and enhancing alkali seasonal wetland complexes in the Suisun Marsh are not likely to conflict with any existing land uses because that area is already managed toward these goals.

Without more site-specific information about the precise locations and types of restoration to be implemented, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

The areas in which restoration actions are planned would be primarily natural or agricultural areas. Without more site-specific information about the precise locations and types of restoration to be implemented at those locations, no definitive conclusion can be made about the potential for restoration actions to result in the physical division of an existing community. In general, large-scale restoration actions that take place in areas suitable for open space, resource conservation, and habitat are not likely to create permanent physical divisions in existing communities. To the extent that conservation areas are anticipated to create conflicts with community functionality and land use guidance, these effects are captured by and described under Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components. In areas and land use designations that focus on agricultural production, the potential exists for restoration actions to isolate agricultural areas from the communities that provide services and markets to those farmers; however, such an effect would not be considered to divide an existing community. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.3 Alternative 1B—Dual Conveyance with East Canal and Intakes 1–5

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Alternative 1B would construct permanent and temporary features upon lands guided by the general plans of Sacramento, San Joaquin, and Contra Costa, and Alameda Counties. Constructing Alternative 1B would require activities that would be inconsistent with many of the land use designations ascribed to the study area in the general plans of these counties.

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 conflicts with land use; similarly, pipelines would not result in a permanent land surface change, and therefore there would be no direct conflicts with existing land use designations. As such, potential permanent conflicts with existing land uses as they pertain to the proposed tunnel segments, culvert siphons, and pipelines are not discussed further.

Sacramento County

Permanent surface features associated with water conveyance facilities that would be located in Sacramento County include five intakes, setback levees, intake pumping plant facilities (including sedimentation basins, solids lagoons), canals, bridges, borrow areas, permanent access roads, a segment of the new 230 kV transmission line and towers, and 69 kV transmission lines tying into each intake pumping plant. These features would result in the permanent conversion of approximately XX acres of land variously designated as Agricultural Cropland, Resource Conservation, or Natural Preserve. Under an alternative set of intake locations, additional conflict would occur with land designated as Natural Preserve, Industrial Intensive, Commercial and Office, Medium-Density Residential, and Low-Density Residential. Under this option, XX acres of agricultural land would be converted, while XX acres of Natural Preserve, XX acres of Industrial Intensive, XX acres of Commercial and Office, XX acres of Medium-Density Residential, and XX acres of Low-Density Residential uses would be converted to proposed project uses. Construction of permanent water conveyance facility components on land designated as Agricultural Cropland would directly result in permanent land use changes that would preclude agricultural land uses in the future in this area and would result in the reduction of lands available for agricultural use (discussed further in Chapter 14, *Agricultural Resources*).

In addition to the alternative intake locations, there are other project features within Sacramento County that would be constructed on land designated as Natural Preserve; however, these areas are confined to Georgiana Slough, and because the only permanent project feature crossing or falling within that designated land use area would be the culvert siphon or tunnel siphon, there would be no land use conflicts resulting from these subsurface features.

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Temporary project features in Sacramento County associated with the construction of the water conveyance facility would include temporary access roads, work and staging areas, and spoils and/or borrow-then-spoils areas. These features would occupy approximately XX acres, mostly on land designated for agricultural uses. Temporary conflicts associated with construction activities for the alternative set of five intake locations would occur on land designated as Natural Preserve, Industrial Intensive, Commercial and Office, Medium-Density Residential, and Low-Density Residential. Under this option, XX acres of agricultural land would be converted, while XX acres of Natural Preserve, XX acres of Industrial Intensive, XX acres of Commercial and Office, XX acres of Medium-Density Residential, and XX acres of Low-Density Residential uses would be temporarily converted to construction-related uses. A precast segment plant may also be constructed in southern Sacramento County but the precise location has yet to be determined. Because the majority of land in that area is designated for agricultural use, it is likely that it would be constructed on agricultural land. Many of these features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). During that period, lands designated as Agricultural Cropland would be temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Once project construction is completed, these areas would be returned to preproject conditions.

San Joaquin County

Alternative 1B would result in the permanent conversion of XX and XX acres of land designated as Agriculture and Open Space/Resource Conservation, respectively, in San Joaquin County primarily due to the construction of canals, bridges, permanent access roads, an intermediate pumping plant, potential borrow areas, and segments of 230 kV and 69 kV transmission lines with associated towers. Conversion of agricultural lands and project conflicts with the Agriculture land use are described in Chapter 14, *Agricultural Resources*. The placement of canals, where constructed over or adjacent to lands designated as Open Space/Resource Conservation, would conflict with this land use designation because they would diminish the amount of land dedicated to open space and conservation of natural habitat and resources. In most cases, conflicts with this land use classification would stem from subsurface features (culvert siphons and tunnel siphons); thus, these would not be considered permanent impacts on land use.

Temporary project features in San Joaquin County associated with the construction of water conveyance facilities would include temporary access roads, work and staging areas, and spoils and/or borrow-then-spoils areas. These features would occupy approximately XX acres total on lands designated as Agriculture. A concrete batching plant (approximately 5–10 acres) may also be constructed in San Joaquin County to support the project. This concrete batching plant would be located in southern San Joaquin County; however, the precise location is yet to be determined. Many of these temporary features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). During that period, lands designated under agricultural zones would be temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Once project construction is completed, these areas would be returned to preproject conditions.

Contra Costa County

Under Alternative 1B, permanent project water conveyance features in Contra Costa County would include Bryon Tract Forebay and associated water control structures, a short segment of canal, borrow areas, and a segment of the 230 kV transmission line and associated towers. These features,

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comprising approximately XX acres, would be constructed, for the most part, on lands designated Delta Recreation and Resources. However, the transmission line and towers could also be placed across land designated as Agriculture and Public/Semi-Public; the precise alignment has not yet been determined and would be based partially on the selection of power providers for the project. Borrow areas and a short segment of canal would cross XX acres of lands zoned for agricultural uses. Conversion of agricultural lands and project conflicts with the Agriculture land use designation are described in Chapter 14, *Agricultural Resources*.

Constructing the forebay on lands within the Delta Recreation and Resources zone would be inconsistent with the goals of the Contra Costa County General Plan related to this land use designation, which focus on the preservation of land for recreation over the placement of new infrastructure.

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

Temporary project features in Contra Costa County associated with the construction of the water conveyance facility would be the same as described above for Sacramento County, and these features would occupy approximately XX acres of land designated Delta Recreation and Resources, XX acres of land designated Public /Semi-Public, and XX acres of land designated for Agriculture. A precise location for a precast segment yard has yet to be determined so a conclusion as to the consistency or inconsistency with land use designation(s) cannot be made. As previously described, many of these temporary features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). Temporary land use conflicts would be of the same nature as the permanent conflicts described above, however they would occur over a shorter period of time (up to 10 years) and once project construction is completed, these areas would be returned to preproject conditions.

Alameda County

Under Alternative 1B, the only potential permanent features proposed for Alameda County are a borrow area and short segment of a 230 kV transmission line. This transmission line would extend from near Byron Tract Forebay southwest through the northeastern part of the county where it would ultimately tie in to an existing line, the location of which would depend on the selected power provider for the project. Although the precise alignment for the 230 kV line has not yet been determined, and would be based on the selection of a power provider for the project, generally the transmission line towers would be constructed approximately 750 feet apart. Both the transmission line facilities and the borrow areas would be constructed through land designated as Large Parcel Agriculture. Spoils and "borrow then spoils" areas would comprise the potential temporary effects of this Alternative on Land Use in Alameda County. These areas would also occur upon land designated for agricultural uses. Both permanent and temporary (up to the 10-year duration of construction) effects related to conversion of agricultural land are discussed in Chapter 14, *Agricultural Resources*.

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[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

[*Note to reviewer: This section will be revised to reflect final decisions regarding intake locations, as well as current data on existing land uses, including information on and location identification for existing structures (e.g., residences, agricultural structures, schools, churches, etc.) within or immediately adjacent to the alternative footprint.]*

Construction of Alternative 1B would directly affect land use in the study area by temporarily converting XX acres currently under agricultural land use and open space to temporary access roads, borrow and spoils areas and temporary work areas. These effects would be temporary with this land returning to agricultural use following construction.

Construction of Alternative 1B would also directly affect land use in the study area by permanently converting XX acres currently under agricultural land use and open space to permanent access roads, new bridges, pumping plants, control structures, canals, a new forebay, and footings for electrical transmission line towers. In addition, at least 94 permanent structures would be removed or relocated by the project under this alternative. These include XX agricultural operation support buildings, XX residences …[*Note to reviewer: others to be identified; final counts depend on selected intake locations*].

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

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Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of intake facilities would be similar to those described for Alternative 1A; however, substantial differences associated with other facilities would occur. While the construction of conveyance pipelines and a permanent access road would not be constructed in or near the community of Hood, a canal segment and a bridge crossing it would be built in the eastern portion of the community. The canal would be constructed from north to south and the bridge would reconnect Hood with a roadway to the east. While construction activities would have the potential to temporarily and permanently occupy land in the community of Hood, there would not be a permanent division of the community under this alternative. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, as previously described because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be similar to those described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could result from the selection of different areas for restoration activities based on the location of the physical water conveyance features associated with each alternative. Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under this alternative would be similar to those described for Alternative 1A because the proposed conservation components would be the same under both alternatives. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the

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removal of structures or sever critical access routes. Implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under this alternative would similar to those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a definitive conclusion about this alternative's potential to divide an existing community cannot be made. However, effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.4 Alternative 1C—Dual Conveyance with West Canal and Intakes W1–W5

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Alternative 1C would construct permanent and temporary structures on land covered by the general plans of Yolo, Solano, Sacramento, and Contra Costa Counties. Construction activities under

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Alternative 1C would create inconsistencies with many of the designated land uses identified by the general plans of these counties.

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

Yolo County

Permanent surface features associated with water conveyance facilities that would be located in Yolo County include five intakes, setback levees, intake pumping plant facilities (including sedimentation basins, solids lagoons), canals, a control structure, bridges, borrow areas, permanent access roads, a segment of the new 230 kV transmission line and towers, and 69 kV transmission lines tying into each intake pumping plant. These features would result in the permanent conversion of approximately XX acres of land designated for agricultural uses and lying within Delta Protection and Agricultural District overlays. Construction of permanent water conveyance facility components on land zoned for agriculture would directly result in permanent land use changes that would preclude agricultural land uses in the future in this area and would result in the reduction of lands available for agricultural use (discussed further in Chapter 14, *Agricultural Resources*).

Temporary project features in Yolo County associated with the construction of the water conveyance facilities under Alternative 1C would include temporary access roads, work and staging areas, and spoils and/or "borrow then spoils" areas. These features would occupy approximately XX acres total. Two precast segment plants may also be constructed in southern Yolo County; however the precise location has yet to be determined, although because the majority of land in that area is designated for agricultural use, it is likely that it would be constructed on agricultural land. The concrete batch plants, each approximately 5–10 acres in size, would be in place for approximately 10 years while CM1 is being constructed. Once the water conveyance facility has been constructed, the concrete batch plants would be removed and the area would be returned to preproject conditions. Nonetheless, land designated for agricultural use would be taken out of production for a minimum of 10 years, as described in Chapter 14, *Agricultural Resources.* This disruption would be inconsistent with the Agricultural land use designation during that period.

Solano County

Construction of Alternative 1C would result in the permanent conversion of XX acres of land designated jointly for agricultural uses and within a Resource Conservation overlay in Solano County primarily due to the construction of canals, bridges, permanent access roads, an intermediate pumping plant, tunnel shafts, borrow areas, and segments of 230 kV and 69 kV transmission lines, with associated towers. Conversion of agricultural lands and project conflicts with agriculture land uses are described in Chapter 14, *Agricultural Resources.* The placement of facilities, where constructed over or adjacent to lands designated as Resource Conservation, would conflict with this land use designation because they would diminish the amount of land dedicated to open space and conservation of natural habitat and resources.

Temporary project features associated with the construction of water conveyance facilities in Solano County would include temporary access roads, work and staging areas, and spoils and/or "borrow

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then spoils" areas. These features would occupy approximately XX acres on lands designated for agricultural and resource conservation uses. A concrete batching plant (approximately 5–10 acres) may also be constructed in Solano County to support the proposed project. This concrete batching plant would be in eastern Solano County; however, the precise location has not been determined. Many of these temporary features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or the project construction period). During that period, lands designated under agricultural zones would be temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Once project construction is completed, these areas would be returned to preproject conditions.

Sacramento County

Permanent surface features associated with water conveyance facilities that would be in Sacramento County under Alternative 1C include tunnel shafts, tunnel muck work areas, and permanent access roads. These features would result in the permanent conversion of approximately XX acres of land designated as Agricultural Cropland. Construction of permanent water conveyance facility components on land designated as Agricultural Cropland would directly result in permanent land use changes that would preclude agricultural land uses in the future in this area and would result in the reduction of lands available for agricultural use (discussed further in Chapter 14, *Agricultural Resources*).

In addition to the Agricultural Cropland designation, there are areas within Sacramento County encompassed by the study area designated as Recreation or Natural Preserve; however, this area is confined to subsurface crossings, where no land use conflicts would occur.

Temporary project features in Sacramento County associated with the construction of the water conveyance facility would include temporary access roads and work and staging areas. These features would occupy approximately XX acres. A precast segment plant may also be constructed in southern Sacramento County; however, the precise location has yet to be determined. Because the majority of land in that area is designated for agricultural use, it is likely that it would be constructed on agricultural land. Many of these features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). During that period, lands designated as Agricultural Cropland would be temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Once project construction is completed, these areas would be returned to preproject conditions.

Contra Costa County

Under Alternative 1C, permanent project water conveyance features in Contra Costa County would include Bryon Tract Forebay and associated water control structures, canal segments, bridges, tunnel shafts, tunnel muck work areas, borrow areas, and permanent access roads. These features, comprising approximately XX acres, would be constructed on lands designated Delta Recreation, Commercial Recreation, Agricultural Lands, Off Island Bonus Area, and Agricultural Core. Conversion of agricultural lands and project conflicts with agricultural-related uses are described in Chapter 14, *Agricultural Resources* while effects on and conflicts with recreational resources are discussed further in Chapter 15, *Recreation*.

Constructing structures on lands within the zones dedicated to recreation would be inconsistent with the goals of the Contra Costa County General Plan related to this land use designation, which focuses on the preservation of land for recreation over the placement of new infrastructure.

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

A canal segment may also cross XX acres of land zoned as Open Space. Conversion of this land would contravene the general plan set forth by Contra Costa County; however, this use would also fall under the exemption available to water facility uses.

Temporary project features in Contra Costa County associated with the construction of the water conveyance facility would include temporary access roads, work and staging areas, and spoils and/or "borrow then spoils" areas. These features would occupy approximately XX acres of land designated Delta Recreation and Resources, XX acres of land designated Public/Semi-Public, and XX acres of land designated for agricultural use (Agriculture Core and Agricultural Lands. A precise location for a precast segment yard has yet to be determined so a conclusion as to the consistency or inconsistency with land use designation(s) cannot be made. As previously described, many of these temporary features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). Temporary land use conflicts would be of the same nature as the permanent conflicts described above, however they would occur over a shorter period of time (up to 10 years) and once project construction is completed, these areas would be returned to preproject conditions.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

[*Note to reviewer: This section will be revised to reflect final decisions regarding intake locations, as well as current data on existing land uses, including information on and location identification for existing structures (e.g., residences, agricultural structures, schools, churches, etc.) within or immediately adjacent to the alternative footprint.]*

Construction of Alternative 1C would directly affect land use in the study area by temporarily converting XX acres currently under agricultural land use and open space to temporary access roads, borrow and spoils areas, and temporary work areas. These effects would be temporary with this land returning to agricultural use following construction.

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Construction of Alternative 1C would also directly affect land use in the study area by permanently converting XX acres currently under agricultural land use and open space to permanent access roads, new bridges, pumping plants, control structures, canals, a new forebay, and footings for electrical transmission line towers. In addition, at least 142 permanent structures would need to be removed or relocated by the project under this alternative. These include XX agricultural operation support buildings, XX residences…[*Note to reviewer: others to be identified; final counts depend on selected intake locations*].

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Construction of conveyance facilities under this alternative would be near the community of Clarksburg. Additionally, one intake facility would permanently lie just south of Clarksburg. However, the community would not be divided by these temporary or permanent features; thus, construction of these facilities would not be considered to create an adverse effect. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be similar to those described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could result from the selection of different areas for restoration activities based on the location of the physical water conveyance features associated with each alternative. Because the precise location for the implementation of

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conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under this alternative would be the same as those described for Alternative 1A because the proposed conservation components would be the same under both alternatives. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. Implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less than significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under this alternative would be the same as those described for Alternative 1A. Because the precise location for implementation of

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conservation activities is not known at this time, a conclusion about the potential for this alternative to divide an existing community cannot be made. However, effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.5 Alternative 2A—Dual Conveyance with Tunnel and Five Intakes

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Incompatibility with land use regulations stemming from the construction of water conveyance structures under Alternative 2A would be similar to those described for Alternative 1A. Under Alternative 2A, however, locations chosen for two intakes could differ from those options presented for Alternative 1A. Selection of intakes under this alternative could avoid potential conflicts with land designated as Industrial Intensive, Commercial and Office, Medium- and Low-Density Residential, and Natural Preserve uses. Under Alternative 2A, XX acres of agricultural cropland would be permanently converted for these two intakes, rather than XX acres or XX acres of farmland that would be converted under Alternative 1A. Conflicts related to temporary construction activities for these two intakes would result in the conversion of XX acres of land zoned for agricultural uses, rather than the temporary disruption of XX acres or XX acres, as would occur under Alternative 1A.

Like Alternative 1A, Alternative 2A would place temporary and permanent structures on lands designated for other uses by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, and Alameda Counties. The construction of the water conveyance facilities would create inconsistencies with these plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under this alternative would be similar to those described for Alternative 1A. However, potential variation in the severity of these effects would result from two potentially different intake locations. As for Alternative 1A, construction and operation of physical facilities for water conveyance would create temporary or permanent conflicts

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with existing land uses where they would require the removal of structures or sever critical access routes.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities under Alternative 2A would be similar to those described for Alternative 1A. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be the same for Alternative 2A as those described under Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency for this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use

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regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 2A would be similar to those described for Alternative 1A because the proposed conservation components would be the same under both alternatives. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. Without more site-specific information about the precise locations and types of restoration to be implemented, no definitive conclusion can be made; however, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 2A would be the same as those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about this alternative's potential to divide an existing

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community cannot be made; however, because, large-scale restoration actions that take place in areas suitable for open space, resource conservation, and habitat are not likely to create permanent physical divisions in existing communities, this impact is anticipated to be less than significant.

13.3.3.6 Alternative 2B—Dual Conveyance with East Canal and Five Intakes

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Land use incompatibility resulting from the construction of water conveyance facilities under Alternative 2B would be identical to those described for Alternative 1B. Under this alternative, however, locations chosen for two intakes could differ from those options presented for Alternative 1B. Selection of intakes under Alternative 2B could avoid potential conflicts with land designated as Industrial Intensive, Commercial and Office, Medium- and Low-Density Residential, and Natural Preserve. Under Alternative 2B, XX acres of agricultural cropland would be permanently converted for these two intakes, rather than XX acres or XX acres of farmland that would be converted under Alternative 1B. Conflicts related to temporary construction activities for these two intakes would result in the conversion of XX acres of land zoned for agricultural uses, rather than the temporary disruption of XX acres or XX acres, as would occur under Alternative 1B.

Like Alternative 1B, Alternative 2B 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 inconsistencies with land use designations set forth by these counties' general plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under Alternative 2B would be similar to those described for Alternative 1B. However, potential variation in the severity of these effects would result from potentially different intake locations. 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. [*Note to reviewer: others to be identified; final counts depend on selected intake locations*].

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 effect of this alternative.

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CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities under Alternative 2B would be similar to those described for Alternative 1B. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be the same under Alternative 2B as those described under Alternative 1B. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

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Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 2B would be the same as those described for Alternative 1B because the proposed conservation components would be the same under both alternatives. As with Alternative 1B, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. Implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under this alternative would be the same as those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

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13.3.3.7 Alternative 2C—Dual Conveyance with West Canal and Five Intakes

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Conflicts with local land use plans under Alternative 2C would be identical to those described for Alternative 1C. Alternative 2C would construct permanent and temporary water conveyance structures on land governed by the general plans of Yolo, Solano, Sacramento, and Contra Costa Counties. Construction activities under Alternative 2C would create inconsistencies with many of the designated land uses identified by the general plans of these counties.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under Alternative 2C would be identical to those described for Alternative 1C. As for Alternative 1C, construction and operation of physical facilities for water conveyance under Alternative 2C would create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

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Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities would be the same under Alternative 2C as those described for Alternative 1C. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be the same under Alternative 2C as those described under Alternative 1C. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency for this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 2C would be the same as those described for Alternative 1C because the proposed conservation components would be the same under both alternatives. As with Alternative 1C, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes.Implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

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CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 2C would be the same as those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.8 Alternative 3—Dual Conveyance with Intakes 1 and 2

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Incompatibility with land use regulations stemming from the construction of water conveyance structures under Alternative 3 would be similar to those described for Alternative 1A. Under this Alternative, however, only the two northernmost intake facilities would be constructed, resulting in conflicts with land zoned exclusively for Agricultural Cropland. Under Alternative 3, XX acres of agricultural cropland would permanently be converted from placement of the intakes, rather than XX acres or XX acres of farmland that would be converted under Alternative 1A. Temporary conflicts related to intake construction would convert XX acres of agricultural cropland, rather than XX acres or XX acres, which would be converted under Alternative 1A.

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Like Alternative 1A, Alternative 3 would place other temporary and permanent structures on lands designated for other uses by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, and Alameda Counties. The construction of the water conveyance facilities would create inconsistencies with these plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under Alternative 3 would be similar to those described for Alternative 1A. However, potential variation in the severity of these effects would result from potentially different intake locations. 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.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to potential division of an existing community as a result of the construction of water conveyance facilities under Alternative 3 would be similar to those described for Alternative 1A; however, only the two northernmost intake facilities would be constructed, reducing potential effects to the community of Hood relating to intake facility construction. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these

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activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be the same under Alternative 3 as those described under Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency of Alternative 3 with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 3 would be the same as those described for Alternative 1A because the proposed conservation components would be the same under both alternatives. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. This alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact.

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Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 3 would be the same as those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.9 Alternative 4—Dual Conveyance with Intakes 1–3

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Incompatibility with land use regulations stemming from the construction of water conveyance structures under Alternative 4 would be similar to those described for Alternative 1A. Under Alternative 4, however, only three intake facilities would be constructed, resulting in conflicts with land designated for Agricultural Cropland and potentially land designated as Natural Preserve. Under Alternative 4, XX acres or XX acres of agricultural cropland would be permanently converted from placement of intakes, rather than XX acres or XX acres of farmland that would be converted under Alternative 1A. Temporary conflicts related to intake construction would convert XX acres of agricultural cropland, rather than XX acres or XX acres, which would be temporarily converted under Alternative 1A.

Like Alternative 1A, Alternative 4 would place other temporary and permanent structures on lands designated for other uses by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, and Alameda Counties. The construction of the water conveyance facilities would create inconsistencies with these plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to*

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the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under Alternative 4 would be similar to those described for Alternative 1A. However, potential variation in the severity of these effects would result from potentially different intake locations. 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.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to potential division of an existing community as a result of the construction of water conveyance facilities would be similar under Alternative 4 to those described for Alternative 1A; however, only the three intake facilities would be constructed, reducing the potential effects to the community of Hood associated with the construction of Intake Alt 4. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere

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with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be the same under Alternative 4 as those described under Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency for this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 4 would be the same as those described for Alternative 1A because the proposed conservation components would be the same under both alternatives. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. This alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

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[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 4 would be the same as those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.10 Alternative 5—Dual Conveyance with 3,000 cfs Diversion

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

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, resulting in conflicts with land designated as Agricultural Cropland. In this case, XX acres of agricultural cropland would be permanently converted from placement of the intake, rather than XX acres or XX acres of farmland that would be converted under Alternative 1A. Temporary conflicts related to intake construction would convert XX acres of agricultural cropland, rather than XX acres or XX acres, which would be temporarily converted under Alternative 1A.

Like Alternative 1A, Alternative 5 would place other temporary and permanent structures on lands designated for other uses by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, and Alameda Counties. The construction of the water conveyance facilities would create inconsistencies with these plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

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Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

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 potentially different intake locations. 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.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities under Alternative 5 would be similar to those described for Alternative 1A; however, only the northernmost intake facility would be constructed, reducing potential effects to the community of Hood relating to intake facility and conveyance pipeline construction. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be similar under Alternative 5 to those described under Alternative 1A. However, under Alternative 5, only 25,000 acres of tidal habitat would be restored,

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as compared with 65,000 under Alternative 1A. Thus, to the extent that implementation of tidal habitat restoration would conflict with land use plans and policies, these effects would be anticipated to be smaller than those resulting from Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would still be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 5 would be the similar to those described for Alternative 1A. However, potential variation in the severity of these effects would result from a lower target acreage for tidal habitat restoration. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. Despite its smaller restoration area, this alternative would still be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

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Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 5 would be similar to those described for Alternative 1A. However, potential variation in the severity of these effects could result from different target acreages for tidal habitat restoration. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about Alternative 5 potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.11 Alternative 6A—Isolated Conveyance with Pipeline and Intakes 1–5

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Incompatibility with land use regulations stemming from the construction of water conveyance structures under Alternative 6A would be identical to those described for Alternative 1A. Like Alternative 1A, Alternative 6A would place temporary and permanent structures on lands designated for other uses by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, and Alameda Counties. The construction of the water conveyance facilities would create inconsistencies with these plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under this alternative would be identical to those described for Alternative 1A. 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.

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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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities under Alternative 6A would be identical to those described for Alternative 1A. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be the same for Alternative 6A as those described under Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency for this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area

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targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 6A would be similar to those described for Alternative 1A because the proposed conservation components would be the same under both alternatives. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. Without more site-specific information about the precise locations and types of restoration to be implemented, no definitive conclusion can be made; however, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 6A would be the same as those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about this alternative's potential to divide an existing community cannot be made; however, because, large-scale restoration actions that take place in

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areas suitable for open space, resource conservation, and habitat are not likely to create permanent physical divisions in existing communities, this impact is anticipated to be less than significant.

13.3.3.12 Alternative 6B—Isolated Conveyance with East Canal and Intakes 1–5

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

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 inconsistencies with land use designations set forth by these counties' general plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under Alternative 6B would be similar 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.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

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Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities under Alternative 6B would be similar to those described for Alternative 1B. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be the same under Alternative 6B as those described under Alternative 1B. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 6B would be the same as those described for Alternative 1B because the proposed conservation components would be the same under both alternatives. As with Alternative 1B, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. Implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

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CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under this alternative would be the same as those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.13 Alternative 6C—Isolated Conveyance with West Canal and Intakes W1–W5

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Conflicts with local land use plans under Alternative 6C would be identical to those described for Alternative 1C. Alternative 6C would construct permanent and temporary water conveyance structures on land governed by the general plans of Yolo, Solano, Sacramento, and Contra Costa Counties. Construction activities under Alternative 6C would create inconsistencies with many of the designated land uses identified by the general plans of these counties.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to*

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the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under Alternative 6C would be identical to those described for Alternative 1C. As for Alternative 1C, construction and operation of physical facilities for water conveyance under Alternative 6C would create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities would be the same under Alternative 6C as those described for Alternative 1C. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

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Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors would be the same under Alternative 6C as those described under Alternative 1C. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency for this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 6C would be the same as those described for Alternative 1C because the proposed conservation components would be the same under both alternatives. As with Alternative 1C, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. Implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

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[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 6C would be the same as those described for Alternative 1A. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.14 Alternative 7—Dual Conveyance with Intakes 2, 3, and 5, and Enhanced Aquatic Conservation

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Incompatibility with land use regulations stemming from the construction of water conveyance structures under Alternative 7 would be similar to those described for Alternative 1A. Under Alternative 7, however, only three intake facilities would be constructed, resulting in conflicts with land designated for Agricultural Cropland and potentially, land designated for Natural Preserve. Under Alternative 7, XX acres or XX acres of agricultural cropland would be permanently converted from placement of intakes, rather than XX acres or XX acres of farmland that would be converted under Alternative 1A. Temporary conflicts related to intake construction would convert XX acres of agricultural cropland, rather than XX acres or XX acres, which would be temporarily converted under Alternative 1A. Depending on final selection of intake locations, Alternative 7 could permanently conflict with XX acres of land designated as Natural Preserve, with a temporary construction-related disturbance of XX acres for this land use classification.

Like Alternative 1A, Alternative 7 would place other temporary and permanent structures on lands designated for other uses by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, and Alameda Counties. The construction of the water conveyance facilities would create inconsistencies with these plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water*

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supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under Alternative 7 would be similar to those described for Alternative 1A. However, potential variation in the severity of these effects would result from potentially different intake locations. 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.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities under Alternative 7 would be similar to those described for Alternative 1A; however, only the three intake facilities, potentially including Intake CER 3, would be constructed, reducing the potential effects to the community of Hood associated with the construction of Intake Alt 4. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

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Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors under Alternative 7 would be similar to those described under Alternative 1A. However, under Alternative 7, 40 linear miles of channel margin habitat would be enhanced and 20,000 acres of seasonally-inundated floodplain would be restored, as compared with 20 linear miles and 10,000 acres, respectively, under Alternative 1A. Thus, to the extent that implementation of channel margin habitat enhancement and seasonally-inundated floodplain restoration would conflict with land use plans and policies, these effects would be anticipated to be greater than those resulting from Alternative 1A. Because the precise location for the implementation of conservation components is not known at this time, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 7 would be similar to those described for Alternative 1A. However, potential variation to the severity of these effects could result from different target acreages. As in Alternative 1A, implementation of conservation activities could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. This alternative would beanticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

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Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 7 would be similar to those described for Alternative 1A. However, potential variation to the severity of these effects could result from different target acreages. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.15 Alternative 8—Dual Conveyance with Increased Delta Outflow

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

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

Like Alternative 7, Alternative 8 would place temporary and permanent structures on lands designated for other uses by the general plans of Yolo, Sacramento, San Joaquin, Contra Costa, and Alameda Counties. The construction of the water conveyance facilities would create inconsistencies with these plans.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

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Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

Effects related to conflicts with existing land uses under Alternative 8 would be identical to those described for Alternative 7. As for Alternative 7, 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.

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 effect of this alternative.

CEQA Conclusion: Due to the interference with and necessary removal of a substantial number of permanent structures associated with the construction of water conveyance facilities, this would be considered a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Effects related to any potential division of an existing community as a result of the construction of water conveyance facilities under Alternative 8 would be identical to those described for Alternative 7. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, this impact would be considered less than significant; therefore, no mitigation is required. However, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors under Alternative 8 would be similar to those described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could result from the selection of different acreage targets for conservation activities under this alternative. Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use

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regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under this alternative would be similar to those described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could result from the selection of different acreage targets for conservation activities under this alternative. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. This alternative would beanticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 8 would be similar to those described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could result from the selection of different acreage targets for

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conservation activities under this alternative. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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

13.3.3.16 Alternative 9—Separate Corridors

Impact LU-1: Incompatibility with local land use plans and policies as a result of constructing the proposed water conveyance facility

Alternative 9 would result in the construction of permanent and temporary features associated with the proposed water conveyance and fish movement corridors across land governed by the general plans of Sacramento, San Joaquin, Contra Costa, and Alameda Counties. Constructing Alternative 9 would require land use activities that would be inconsistent with many of the land use designations ascribed to the study area in the general plans of these counties.

There would be no permanent adverse physical effects on or conflicts with land use as a result of the two culvert siphons that would be constructed under Alternative 9. Thus, permanent conflicts with existing land uses as they pertain to the proposed culvert siphons are not discussed further. Similarly, because operable barriers would be installed within existing water corridors, it is assumed they would not create inconsistencies with relevant land use plans or policies.

Sacramento County

Permanent surface features associated with that portion of the water conveyance facility that would fall in Sacramento County include new channel connections, permanent access roads, borrow areas, and 12 kV and 480 V transmission lines and towers. These features would result in the permanent conversion of approximately XX acres of land designated as Agricultural Cropland, XX acres as Agricultural Cropland with a combined Resource Conservation designation, XX acres as Natural Preserve, XX acres as Recreation, XX acres as Low Density Residential, and XX acres as Industrial Intensive. Construction of permanent water conveyance facility components on land designated as Agricultural Cropland would directly result in permanent land use changes that would preclude agricultural land uses in this area in the future and would result in a reduction of land available for agricultural use (discussed further in Chapter 14, *Agricultural Resources*). However, public water supply and treatment facilities are exempt from county land use designations and zoning as set forth in California Government Code Sections 53091 and 53096.

Temporary project features in Sacramento County associated with the construction of the water conveyance facility would include work and staging areas and spoils and/or "borrow then spoils" areas. These features would occupy approximately XX acres, on land designated as Agricultural Cropland, combined Agricultural Cropland and Resource Conservation, Recreation, and Natural Preserve. These features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). During that period, lands

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designated as Agricultural Cropland would be temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Once project construction is completed, these areas would be returned to preproject conditions.

San Joaquin County

Alternative 9 would result in the permanent conversion of XX, XX, XX acres of land designated as Agriculture, Open Space/Resource Conservation, and Very Low Density Residential, respectively, in San Joaquin County primarily due to the construction of permanent access roads, borrow areas, new or enlarged water channels, pumping plants, a canal segment, an on-channel levee, and 12 kV and 480 V transmission line with associated towers. Additionally, small portions of land dedicated to a 12 kV line, permanent access road, and potential borrow area would conflict with land designated by the city of Lathrop as Recreation Residential. Conversion of agricultural lands and project conflicts with the Agriculture land use are described in Chapter 14, *Agricultural Resources*. The placement of these features, where they occur on or adjacent to lands designated as Open Space/Resource Conservation would conflict with this land use designation because it would diminish the amount of land dedicated to open space and conservation of natural habitat and resources.

Temporary project features in San Joaquin County associated with the construction of the water conveyance structures would include work and staging areas, spoils or "borrow then spoils" areas, dredging areas, and a barge facility work area. These features would occupy approximately XX acres of land designated as Agriculture, XX acres of Open Space/Resource Conservation land, XX acres of Recreation Residential, and XX acres of land designated as Public (Schools, Parks, and Open Space). As previously noted, many of these temporary features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). During that period, lands designated as Agriculture would be temporarily converted to non-agricultural use, as described in Chapter 14, *Agricultural Resources*. Once project construction is completed, these areas would be returned to preproject conditions.

Contra Costa County

Under Alternative 9, permanent project water conveyance features in Contra Costa County would include two canal segments and an associated control structure, borrow areas, permanent access roads, bridges, new or enlarged water channels, a new on-channel levee, canal fill, and 12 kV and 480 V transmission lines with associated towers. These features would be constructed on approximately XX acres of lands designated as Delta Recreation and Resources, XX acres of Public/Semi-Public, and XX acres of Open Space.

Constructing features on lands within the Delta Recreation and Resources designation would be inconsistent with the goals of the Contra Costa County general plan related to this land use designation, which focus on the preservation of land for recreation over the placement of new infrastructure.

A narrow area of land running through a proposed new canal segment is designated Public/Semi-Public. The Public/Semi-Public designation includes properties owned by public governmental agencies such as libraries, fire stations, and schools. This designation is also applied to public transportation corridors, as well as privately owned transportation and utility corridors. The Public/Semi-Public designation applies to properties owned by public agencies and privately-owned

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transportation and utility corridors. Because this designation exists for large-scale infrastructure and utilities, these project features would be consistent with this designation.

Temporary project features in Contra Costa County associated with the construction of the water supply and fish movement corridors would consist of work and staging areas, spoils and borrow then spoils areas, dredging areas, and a barge facility work area. These features would occupy approximately XX acres of land designated Delta Recreation and Resources and XX acres of land designated Public/Semi-Public. These temporary features would likely be in place for the first 10 years of project implementation (i.e., during the near-term implementation or project construction period). Temporary land use conflicts would be of the same nature as the permanent conflicts described above; however, they would occur over a shorter period of time (up to 10 years) and once project construction is completed, these areas would be returned to preproject conditions.

Alameda County

Under Alternative 9, the permanent, project features proposed for Alameda County include canal fill, new or expanded channels, and a new on-channel levee. These features would be constructed on XX acres of land designated as Large Parcel Agriculture. Temporary features would consist of a dredging area and a work and staging area, occurring over XX acres of land dedicated to Large Parcel Agriculture. Permanent and temporary (up to the 10-year duration of construction) effects related to conversion of agricultural land are discussed in Chapter 14, *Agricultural Resources*.

[*Note to reviewer: NEPA conclusion pending completion of analysis; however, implementation of this alternative is anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction. Widespread inconsistencies with land use designations would result in a direct, adverse effect.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending completion of analysis; while implementation of this alternative would otherwise be anticipated to result in substantial inconsistencies with local land use regulations due to the size and number of structures necessary for construction, public water supply and treatment facilities are exempt from local land use policies as provided by California Government Code Sections 53091 and 53096.*]

Impact LU-2: Conflicts with existing land uses as a result of constructing the proposed water conveyance facility

[*Note to reviewer: This section will be completed once updated geospatial data for Alternative 9 is received from DWR. It is anticipated that this data includes specific locations for the elements of the project footprint. Based upon preliminary review of this alternative, however, effects to existing land uses would be anticipated to be adverse, because channel modification and new levee construction south of Clifton Court Forebay would require the removal of a significant number of structures on and near Hammer Island, as well as other locations throughout the project footprint.*]

CEQA Conclusion: [*Note to reviewer: conclusion pending receipt of geospatial data for Alternative 9; however, this impact is anticipated to be significant due to the removal of a significant number of structures throughout the project footprint, but particularly on and near Hammer Island. This would be necessary for the modification channels and the construction of new levees south of Clifton Court Forebay. Mitigation Measure LU-1 would potentially reduce the severity of this impact, but not to a less-than-significant level.*]

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Mitigation Measure LU-1: Provide compensation for property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-3: Physical division of an existing community as a result of constructing the proposed water conveyance facility

Construction of the physical features associated with Alternative 9 would potentially temporarily divide the communities of Walnut Grove and Locke. Construction could limit access to Walnut Grove and from points west of the Sacramento River by temporarily removing access to and from the only bridge that directly connects Walnut Grove with the west side of the river. However, construction would not result in the permanent physical division of the community; thus, the short-term limited access would not be considered an adverse effect. Because the construction of structures related to water conveyance would not permanently nor physically divide any existing community under this alternative, this effect is not considered adverse. However, because these activities would interfere with existing permanent structures and conflict with land use designations, these effects would be considered adverse under Impacts LU-1 and LU-2.

CEQA Conclusion: Because no structure built for the purposes of water conveyance would physically divide an existing community under this alternative, and because the severity of temporary access restrictions would be mitigated for with implementation of Mitigation Measure TRANS-1a: Establish alternate access routes and Mitigation Measure TRANS-1b: Implement traffic management plan (described in Chapter 19, Transportation), this impact would be considered less than significant However, as previously described, because these facilities would interfere with existing permanent structures, these impacts would be considered significant under Impact LU-2.

Impact LU-4: Incompatibility with local land use plans and policies as a result of implementing the proposed conservation components

Effects related to incompatibility with local land use plans and policies resulting from implementation of BDCP conservation components and those measures designed to reduce the effect of species-level stressors under Alternative 9 would be similar to those described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could result from the selection of different areas for restoration activities or implementation of other conservation measures based on the location and nature of the physical water conveyance features associated with each alternative. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a direct, adverse effect.

CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about the consistency of this alternative with local land use regulations cannot be made; however, implementation of this alternative would be anticipated to result in substantial inconsistencies with local land use regulations due to the amount of land area

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targeted for restoration actions. Were they to occur, widespread inconsistencies would result in a significant, unavoidable impact.

Impact LU-5: Conflicts with existing land uses as a result of implementing the proposed conservation components

Effects related to conflicts with existing land uses under Alternative 9 would be similar to those described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could result from the selection of different areas for restoration activities or implementation of other conservation measures based on the location and nature of the physical water conveyance features associated with each alternative. As with Alternative 1A, implementation of conservation components could create temporary or permanent conflicts with existing land uses where they would require the removal of structures or sever critical access routes. This alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a direct, adverse effect.

CEQA Conclusion: Because the precise locations and types of restoration to be implemented are unknown at this point, no definitive conclusion can be made about the potential for restoration actions to result in the permanent conversion of land uses (including displacement of existing structures and residences) due to the construction of permanent features of the facility, nor can a conclusion be made with regard to the degree of indirect impacts, which could occur primarily as a result of incompatibility with adjacent land uses or the loss or increased difficultly of access to parcels. However, implementation of this alternative would be anticipated to result in substantial conflicts with current land uses due to the amount of land area targeted for restoration actions. Were they to occur, widespread conflicts would result in a significant, unavoidable impact. Mitigation Measure LU-1would reduce the severity of this impact, but not to a less-than-significant level.

Mitigation Measure LU-1: Provide compensationfor property loss

DWR will compensate property owners for the full value of any property loss due to implementation of the proposed project.

[*Note to reviewers: This mitigation measure will be developed further with input/guidance from DWR*]

Impact LU-6: Physical division of an existing community as a result of implementing the proposed conservation components

Effects related to the physical division of an existing community under Alternative 9 would be similar to those described under Alternative 1A. Potential variation from Alternative 1A would be anticipated to be minor but could result from the selection of different areas for restoration activities or implementation of other conservation measures based on the location and nature of the physical water conveyance features associated with each alternative. Because the precise location for the implementation of conservation activities is not known at this time, a conclusion about this alternatives potential to divide an existing community cannot be made. Effects related to dividing an existing community as a result of the implementation of conservation components would not be anticipated to be adverse under this alternative.

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CEQA Conclusion: Because the precise location for the implementation of conservation activities is not known at this point, a conclusion about this alternative's potential to divide an existing community cannot be made; however, conservation component implementation would not be anticipated to result in significant impacts within the Delta Region.

13.3.4 Cumulative Analysis

[*Note to reviewers: this section is still being developed*]

This cumulative impact analysis considers projects that could affect the same resources and, where relevant, in the same time frame as the Proposed Project, resulting in a cumulative impact. Land use and local communities are expected to change as a result of past, present, and reasonably foreseeable future projects, related to population growth and changes in economic activity in the three subregions (see also, Chapter 30, Growth Inducement). It is expected that some changes related to land use compatibility, communities and neighborhoods, property, and environmental justice will take place, even though it is assumed that reasonably foreseeable future projects would include typical design and construction practices to avoid or minimize potential impacts.

The following list contains projects considered for this updated cumulative effects section; each project is then described and its relationship to the resource impacts caused by the Proposed Project is discussed.

- Alternative Intake Project
- CALFED Ecosystem Restoration Program
- Cecchini Ranch
- Clifton Court Forebay–Jones Pumping Plant Intertie
- Delta Wetlands
- Dutch Slough Tidal Marsh Restoration Project
- East Altamont Energy Center Power Plant Project
- Freeport Regional Water Project
- Ironhouse Sanitary District Wastewater Treatment Plant Expansion
- Liberty Island Conservation Bank
- Mountain House Community
- North Bay Aqueduct Alternative Intake Project
- North Delta Flood Control and Ecosystem Restoration Project
- River Islands at Lathrop Development
- San Joaquin River Restoration Program
- South Bay Salt Ponds Restoration Project
- South Delta Improvements Program
- Suisun Marsh Restoration Program
- Projects in Contra Costa General Plan

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- Projects in San Joaquin County General Plan
- Other Development Projects

The above list of related projects evaluated for cumulative impacts includes a number of projects that would convert agricultural lands to nonagricultural uses., The Project, in conjunction with other projects that convert agricultural land to other uses, would not be consistent with general plan or DPC's principles that promote the retention and production of agricultural land as described in this chapter.

A number of CALFED actions and regional and local projects would contribute to cumulative changes in land uses in the vicinity of BDCP alternatives (Delta Wetlands, San Joaquin River Restoration Program, Suisun Marsh Restoration Program, Mountain House Development Project, River Islands Development Project, and a power facility development project). Other, more localized activities could also contribute to cumulative land use impacts. Overall, cumulative land use changes would involve temporary and permanent conversion of agricultural land to non-agricultural uses. Agricultural land conversions could occur through the urban development of Delta islands, levee improvement and flood control projects, or subsidence-reduction programs. The actual amount of agricultural land that may be converted by other projects is not known. Considering the two major projects in the vicinity of the BDCP alternatives, Mountain House and River Islands development, would be approximately 7,241 acres. Overall, this cumulative loss of agricultural land is considered an adverse effect and is described further in Chapter 14, *Agriculture*.

Significant land-use compatibility, communities and neighborhoods, and property cumulative impacts associated with past, present, and reasonably foreseeable future projects within the study area are anticipated.

These land use impacts are cumulatively considerable and unavoidable.

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