

4.10 LAND USE AND PLANNING

Issues & Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the Project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.10.1 Environmental Setting

4.10.1.1 Land Uses

The Old River and Connection Slough sites are located in the central Delta, approximately 13 and 16 miles northwest of Stockton, and 4.8 and 6.8 miles north and northwest of Discovery Bay, respectively. Project construction would occur in both Contra Costa and San Joaquin counties. Both the Old River and Connection Slough sites are located in a rural area characterized by agricultural land uses. The study areas on Bacon Island and Mandeville Island are actively farmed, with land surrounding the agricultural fields regularly disked. Portions of Holland Tract are under cultivation; but in the study area, the fields are fallow. Adjacent fields on Holland are utilized as rangeland for cattle. There are several unused structures (old farmhouses) located on Bacon Island in the Old River location; a large barn is located on Holland Tract. There is a structure visible on aerial photography at Mandeville Island near the access bridge. Levees have been constructed along both banks of Old River and Connection Slough. The roads on the Old River levees are private. The road on the Bacon Island side of Connection Slough is public, while the road on Mandeville Island is private.

4.10.1.2 General Plan Designations

In Contra Costa County, the Old River is designated as Water (WA). Uses allowed in the WA designation include transport facilities associated with heavy industrial plants, such as ports and wharves; and water-oriented uses such as boating and fishing. The construction area in Contra Costa County just west of Old River is designated as Delta Recreation (DR). The primary land uses allowed in the DR designation are related to agricultural production and processing activities.

San Joaquin County designates all waterways as Resource Conservation (RC), areas with significant resources that generally are to remain in open space. The Resources Element of the

San Joaquin County General Plan (1992) specifies that waterways designated as RC should be developed with waterway dependent uses only.

The construction area in San Joaquin County to the east is designated General Agriculture (A/G). The areas on either side of Connection Slough are designated as A/G. A/G areas are generally committed to agriculture with viable commercial agricultural enterprises that require large land areas to efficiently produce their crops.

4.10.1.3 Zoning

Old River and Connection Slough are waterways and as such do not have zoning designations. The construction area in Contra Costa County just west of Old River is zoned General Agriculture, 5-acre minimum parcel size (A-2). The construction area in San Joaquin County to the east is zoned General Agriculture, 80-acre minimum parcel size (AG-80). The areas on either side of Connection Slough are designated as AG-80. These agricultural zoning designations are established to preserve agricultural lands for the continuation of commercial agriculture enterprises.

4.10.2 Regulatory Setting

Contra Costa and San Joaquin counties regulate land use through zoning and general plan designations, which specify allowable uses, as well as through general plan policies. Key policies related to individual resources are addressed in their respective sections.

4.10.3 Impacts and Mitigation Measures

4.10.3.1 No Project

The No Project alternative would not affect local land uses or planning because no development would occur.

4.10.3.2 2-Gates Project

a. Physically divide an established community

No Impact. The Project would be located in a remote area and would place structures in waterways. It would not physically divide an established community.

b. Be incompatible with existing land use in the vicinity

Less than Significant. The Project is located in an agricultural area and would not be incompatible with existing agricultural uses. Short-term noise and dust emissions would occur during the installation of Project components, but impacts would be less than significant and would not prevent agricultural activities from taking place.

c. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect

Less than Significant. The Project would not result in any significant, unavoidable environmental impacts, and with mitigation that would be implemented as part of the Project, it would be consistent with the policies included in the Contra Costa and San Joaquin County General Plans; moreover, it is intended to be a conservation project that would improve conditions for delta smelt and other sensitive species and thus is consistent with policies and regulations requiring the protection of such species. The Project is a water-dependent use and is consistent with the WA and RC designations established by Contra Costa and San Joaquin counties.

d. Conflict with any applicable habitat conservation plan or natural communities conservation plan

No Impact. The East Contra Costa County Habitat Conservation Plan boundaries exclude the 2-Gates Project area. The SJMSCP covers all of San Joaquin County, so portions of the 2-Gates Project fall within the SJMSCP area. The proposed Project activities, however, would not be “covered activities” under the SJMSCP, and the Project would not conflict with the goals of the plan. It, too, is a conservation plan intended to benefit sensitive species.

4.10.3.3 Cumulative Impacts

The 2-Gates Project is a water-based project and would not result in land use changes. No cumulative impacts would occur.