

## 1 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"/>

### 2 4.10.1 Environmental Setting

#### 3 4.10.1.1 Land Uses

4 The Old River and Connection Slough sites are located in the central Delta, approximately 13 and  
5 16 miles northwest of Stockton, and 4.8 and 6.8 miles north and northwest of Discovery Bay,  
6 respectively. Project construction would occur in both Contra Costa and San Joaquin counties.  
7 Both the Old River and Connection Slough sites are located in a rural area characterized by  
8 agricultural land uses. The study areas on Bacon Island and Mandeville Island are actively  
9 farmed, with land surrounding the agricultural fields regularly disked. Portions of Holland Tract  
10 are under cultivation; but in the study area, the fields are fallow. Adjacent fields on Holland are  
11 utilized as rangeland for cattle. There are several unused structures (old farmhouses) located on  
12 Bacon Island in the Old River location; a large barn is located on Holland Tract. There is a  
13 structure visible on aerial photography at Mandeville Island near the access bridge. Levees have  
14 been constructed along both banks of Old River and Connection Slough. The roads on the Old  
15 River levees are private. The road on the Bacon Island side of Connection Slough is public, while  
16 the road on Mandeville Island is private.

#### 17 4.10.1.2 General Plan Designations

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

24 San Joaquin County designates all waterways as Resource Conservation (RC), areas with  
25 significant resources that generally are to remain in open space. The Resources Element of the  
26 San Joaquin County General Plan (1992) specifies that waterways designated as RC should be  
27 developed with waterway dependent uses only.

28 The construction area in San Joaquin County to the east is designated General Agriculture (A/G).  
29 The areas on either side of Connection Slough are designated as A/G. A/G areas are generally

1 committed to agriculture with viable commercial agricultural enterprises that require large land  
2 areas to efficiently produce their crops.

### 3 4.10.1.3 Zoning

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

### 11 4.10.2 Regulatory Setting

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

### 15 4.10.3 Impacts and Mitigation Measures

#### 16 4.10.3.1 No Project

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

#### 19 4.10.3.2 2-Gates Project

##### 20 a. Physically divide an established community

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

##### 23 b. Be incompatible with existing land use in the vicinity

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

##### 28 c. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction 29 over the project (including, but not limited to the general plan, specific plan, local coastal 30 program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an 31 environmental effect

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

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

2 **No Impact.** The East Contra Costa County Habitat Conservation Plan boundaries exclude the  
3 2-Gates Project area. The SJMSCP covers all of San Joaquin County, so portions of the 2-Gates  
4 Project fall within the SJMSCP area. The proposed Project activities, however, would not be  
5 “covered activities” under the SJMSCP, and the Project would not conflict with the goals of the  
6 plan. It, too, is a conservation plan intended to benefit sensitive species.

7 **4.10.3.3 Cumulative Impacts**

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