

1 **3.10 LAND USE AND PLANNING**

<b>LAND USE AND PLANNING - Would the Project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2 **3.10.1 Environmental Setting**

3 The Project is located primarily within the San Joaquin River which serves as the  
 4 boundary between Sacramento County (to the north) and Contra Costa County (to the  
 5 south). In addition, some onshore activities are proposed within the onshore pipeline  
 6 landings located within each County.

7 3.10.1.1 Sacramento County

8 The northern landing of the Project pipeline is located within an onshore subterranean  
 9 valve pit on Sherman Island located in Sacramento County. According to the  
 10 Sacramento General Plan Land Use Diagram (County of Sacramento 2011), this portion  
 11 of the Project is located within an area designated for “Recreation” and adjacent to  
 12 lands designated for “Agricultural Cropland.”

13 3.10.1.2 Contra Costa County

14 The southern landing of the pipeline corridor comes ashore at the Lauritzen Yacht  
 15 Harbor in the City of Oakley and terminates in a subterranean valve pit. The Lauritzen  
 16 Yacht Harbor is an area designated by the City of Oakley (2010) and Contra Costa  
 17 County (2010) as “Commercial Recreation.” Adjacent land uses are designated as  
 18 “Parks and Recreation” (the Antioch-Oakley Regional Shoreline Recreational Area  
 19 which is located approximately 530 feet from the Project) and “Light Industrial” (the  
 20 former DuPont “Antioch Facility” Property) (County of Contra Costa 2010).

1 **3.10.2 Regulatory Setting**

2 3.10.2.1 Federal and State

3 There are no Federal or State laws and regulations pertaining to this issue area relevant  
4 to the Project. Regional and local goals, policies, and/or regulations applicable to the  
5 Project are listed below.

6 3.10.2.2 Local

7 **Sacramento County**

8 The following Land Use Policies for Sacramento County are applicable to the Project  
9 (County of Sacramento 2011).

- 10 • Policy LU-31: Strive to achieve a natural nighttime environment and an  
11 uncompromised public view of the night sky by reducing light pollution.
- 12 • Policy LU-116: The County shall consult with state and federal regulatory and  
13 resource agencies during initial review of development projects to identify  
14 potential environmental conflicts and establish, if appropriate, concurrent  
15 application processing schedules.
- 16 • Policy LU-117: The County will provide information to applicants with projects in  
17 potential wetland or natural resource areas and provide coordination assistance  
18 with such entities as the USACE, the U.S. Fish and Wildlife Service and the  
19 California Department of Fish and Game in order to facilitate development review  
20 and permit review process.

21 **Contra Costa County**

22 The following LU Policies and Goals for Contra Costa County are applicable to the  
23 Project.

- 24 • Conservation Element Goal 8-A: To preserve and protect the ecological  
25 resources of the County.
- 26 • Conservation Element Policy 8-3: Watersheds, natural waterways, and areas  
27 important for the maintenance of natural vegetation and wildlife populations shall  
28 be preserved and enhanced.
- 29 • Open Space Element Goal 9-A: To preserve and protect the ecological, scenic  
30 and cultural/historic, and recreational resource lands of the County.
- 31 • Open Space Element Policy 9-2: Historic and scenic features, watersheds,  
32 natural waterways, and areas important for the maintenance of natural vegetation  
33 and wildlife populations shall be preserved and enhanced.

- 1       • Open Space Element Goal 9-12: To preserve the scenic qualities of the San  
2       Francisco Bay/Delta estuary system and the Sacramento-San Joaquin  
3       River/Delta Shoreline.

4       **City of Oakley**

5       The City's 2020 General Plan Land Use Element identifies the following policy that is  
6       applicable to the Project:

- 7       • Policy 2.6.2: Preserve, enhance and/or restore selected existing natural habitat  
8       areas, as feasible.

9       **Delta Protection Commission (DPC)**

10      The northern boundary of the City is located along the eastern edge of the San Joaquin  
11      Delta, and the City's boundary extends approximately 200 feet into the area defined as  
12      the Primary Zone of the Delta. This area is subject to the jurisdiction of the DPC. The  
13      DPC produces reports and proposes policies aimed at protecting, maintaining and  
14      restoring the Sacramento-San Joaquin Delta region.

15      **Association of Bay Area Governments (ABAG)**

16      ABAG is a regional planning agency for the San Francisco Bay region, which consists of  
17      nine counties and 101 cities and more than seven million people. ABAG works to  
18      address regional issues such as housing, transportation, economic development,  
19      education, and environment through advocacy and collaboration among local  
20      governments. As an advisory organization, ABAG has limited statutory authority.

21      **3.10.3 Impact Analysis**

22      ***a) Physically divide an established community?***

23      **No Impact.** The Project includes the removal of the three natural gas lines (Line 114-1,  
24      Line 114-1, and Line SP4Z), which are no longer in use, from across the Sherman  
25      Island levee and the San Joaquin River to a valve pit at the Lauritzen Yacht Harbor. The  
26      removal of the lines would not divide an established community. No impact would result.

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

31      **No Impact.** The Project involves the decommissioning and removal of three existing  
32      inactive gas pipelines (Line 114, Line 114-1, and Line SP4Z), and does not include the

1 construction of any new structures or the incorporation of new land uses. In addition, the  
2 Project would not result in the loss of any open space. Removal activities and site  
3 restoration would return these areas to their previous, and or natural, state resulting in  
4 improved quality of open space, which is in accordance with the policies outlined within  
5 the Contra Costa County Open Space Element. The Project would not conflict with any  
6 other applicable land use plan, policy, or regulation of an agency with jurisdiction over  
7 the Project.

8 Physical changes to the Project site(s) such as the offshore excavation and subsequent  
9 removal of the three pipelines would not conflict with present or future uses of the site.  
10 Portions of the pipelines are spanned near the north landing of the crossing (offshore  
11 Sherman Island) with span lengths up to approximately 125 feet in length and elevated  
12 as much as approximately 6 feet above the riverbed. Thus the removal of the pipelines  
13 would, in some portions of the San Joaquin River, allow for greater or safer use of the  
14 area by recreational boaters. No impact would result.

15 ***c) Conflict with any applicable habitat conservation plan or natural community***  
16 ***conservation plan?***

17 **No Impact.** The upland portion of the south landing may be within the Urban  
18 Development Area of the planning area for the ECCC HCP/NCCP; however, the  
19 requirements of the ECCC HCP/NCCP are generally applicable to development projects  
20 that affect open space and wildlife habitat with the planning area. No ground-disturbing  
21 activities or land use change would occur on the Contra Costa County side of the  
22 Project. In addition, the San Joaquin River is outside of the planning area. Therefore, no  
23 conflict is anticipated.

#### 24 **3.10.4 Mitigation Summary**

25 The Project would not result in impacts to land use and planning; therefore, no  
26 mitigation is required.