

4.0 LAND USE

This chapter evaluates the environmental impacts from implementation of the proposed project on existing land uses. A description of the existing site characteristics and setting is followed by an analysis focused on the relationship between the project and existing plans and policies, and the relationship with proposed on-site and existing adjacent land uses.

4.1 ENVIRONMENTAL SETTING

4.1.1 PROJECT AREA

The project area is located on the southern slope of the North Fork American River canyon in Placer County, approximately 40 miles northeast of Sacramento (Exhibit 3-1). The proposed trail alignment is located in the Auburn State Recreation Area (SRA) on land owned by the U.S. Bureau of Reclamation (Reclamation) and managed by the California Department of Parks and Recreation (State Parks) under a memorandum of understanding. The beginning of the proposed trail alignment is located at the North Fork/Middle Fork American River confluence (confluence), approximately 3 miles northeast of the City of Auburn near Foresthill Road (Exhibit 3-2). The trail ends at the Ponderosa Bridge, approximately 14.2 miles upstream and southwest of Weimar. Approximately the first 1.8 miles of the proposed trail alignment is already in place, as it coincides with the existing Lake Clementine Trail between the confluence and Lake Clementine Road. Land use designations and zoning for the project area, as described by applicable planning documents, are discussed in detail below.

PLACER COUNTY GENERAL PLAN LAND USE DESIGNATIONS

The general designation for the project area in the *Placer County General Plan* (Placer County 1994) is Resource Protection. This designation encompasses areas identified as important open space lands within Placer County, such as national forest, U.S. Bureau of Land Management lands, or other public lands specifically reserved or proposed for watershed preservation, outdoor recreation, wilderness or wildlife/environmental preserves; areas of existing and potential mountain, water-oriented, public, and commercial recreational use; and areas suitable for the development and operation of water-oriented, public, and private recreational and commercial uses and facilities. Typical land uses allowed include low-intensity agricultural, public recreational uses with structural development restricted to accessory structures necessary to support the primary allowed uses, parks, camping facilities, ski and other resort facilities, launching areas, marinas, and supporting commercial uses. The *Placer County General Plan* defers specific land use designations in the project area and in its vicinity to the *Weimar-Applegate-Clipper Gap General Plan* (described below).

PLACER COUNTY ZONING

In the Placer County Zoning Ordinance the project area is zoned as Water Influence (W), Water Influence with a Mineral Reserve combining district (W-MR), and Farm with Building Site (20 acre minimum) and Mineral Reserve combining districts (F-BX-MR 20 acre minimum). The purpose of the Water Influence (W) district is to identify areas suitable for the development and operation of water-oriented, public and private recreational and commercial uses and facilities. Allowable land uses in the Water Influence District are mining, parks, playgrounds, golf courses, sports facilities, outdoor public assembly, harbor facilities, and marinas. The purpose of the Farm (F) district is to provide areas for commercial agricultural operations that can also accommodate necessary services to support agricultural uses, together with residential land uses at low population densities. Allowable land uses in the Farm district are agriculture, forestry, grazing, mining, community centers, libraries, museums, parks, playgrounds, golf courses, rural recreation, schools, and single-family dwellings.

The zoning and combining districts are used to address special needs or characteristics of the areas of Placer County to which they are applied, such as potential hazards and/or land use conflicts created by aircraft overflight,

flooding, unique community character, or visual quality. Combining districts applicable to the proposed trail alignment are Mineral Reserve (-MR) and Building Site (-B). Section 17.52.110 of the Placer County Zoning Ordinance describes the purpose of the -Mineral Reserve combining district as follows:

The purpose and intent of the Mineral Reserve (-MR) combining district is to identify lands that may contain valuable mineral resources, protect the opportunity for the extraction and use of such resources from other incompatible land uses, to provide for the extraction of mineral resources and the reclamation of lands subsequent to such extraction, so as to maintain the economic viability of mining while minimizing adverse impacts to the environment, public health, safety and welfare.

Section 17.52.040 of the Placer County Zoning Ordinance describes the purpose of the Building Site combining district as follows:

The purpose and intent of the Building Site (-B) combining district is to provide for different parcel sizes in new subdivisions than would otherwise be required by an applicable zone district, based upon special characteristics of the site or area to which the combining district is applied, including but not limited to sensitive environmental characteristics, limited resource capacities, and community character.

WEIMAR-APPLEGATE-CLIPPER GAP GENERAL PLAN LAND USE DESIGNATIONS

The area covered by the *Weimar-Applegate-Clipper Gap General Plan* (Placer County 1980), which was adopted by the County in 1981, includes 32 square miles in the foothills of the Sierra Nevada. The *Weimar-Applegate-Clipper Gap General Plan* provides goals and policies that guide future development patterns to focus on preserving and enhancing the rural character of the area. Limitations are placed on commercial and industrial growth, directing development to less environmentally sensitive areas (Reclamation 1992).

The land use designation for the project area in the *Weimar-Applegate-Clipper Gap General Plan* is Water (Placer County 1980). Property in this designation includes existing lakes and the proposed Auburn Dam area. Consistent with the plan's land use designations, the plan area is subject to the zoning designations of the Placer County Zoning Ordinance. Compatible zoning designations are Single Family Residential, Farm, Agricultural Residential, Industrial, Open Space, Forestry, and Water Influence (Placer County 1980).

FORESTHILL GENERAL PLAN LAND USE DESIGNATIONS

Approximately 1,000 feet of the east end of the proposed trail alignment at the Ponderosa Way Staging Terminus is within the *Foresthill General Plan* area. The *Foresthill General Plan* (Placer County 1981) encompasses approximately 56 square miles. The land use designation for the project area in the *Foresthill General Plan* is Water Influence (Placer County 1981). Similar to the *Weimar-Applegate-Clipper Gap General Plan*, land use designations of the *Foresthill General Plan* are subject to the zoning designations of the Placer County Zoning Ordinance. Compatible zoning designations are Single Family Residential, Farm, Agricultural Residential, Industrial, Open Space, and Forestry (Placer County 1980).

FORESTHILL DIVIDE COMMUNITY PLAN

In August 2003, the County prepared the draft *Foresthill Divide Community Plan* (Community Plan) and accompanying draft environmental impact report. The Community Plan area comprises approximately 109 square miles in the foothills of the western slope of the Sierra Nevada. The Community Plan area is generally bounded by the North Fork American River, Shirttail Canyon, the watershed of Sugar Pine Reservoir, and Elliott Ranch Road on the west and north; the west branch of El Dorado Canyon on the east; and the North Fork of the Middle

Fork American River and the Middle Fork American River on the south. No specific date has been set for adoption of the Community Plan.

AUBURN STATE RECREATION AREA INTERIM RESOURCE MANAGEMENT PLAN

A General Plan for the Auburn SRA was developed in 1978 and designed to manage the area after the completion of the Auburn Dam. A series of events have led to the indefinite postponement of construction of the Auburn Dam; therefore, the *Auburn State Recreation Area Interim Resource Management Plan* (Auburn SRA IRMP) (Reclamation 1992) was developed to guide the use, development, and management of the Auburn SRA during the interim management period. The Auburn SRA IRMP provides planning goals and an implementation plan with specific constraints and limitations (see Section 4.2.3, “Local Plans, Policies, Regulations, and Ordinances,” below). The Auburn SRA IRMP is currently under revision, and the revised Auburn SRA General Plan (GP)/IRMP will update the existing Auburn SRA IRMP when adopted.

Because the construction of the Auburn Dam Project was not completed within the time period originally anticipated, Reclamation continues to hold, protect, and preserve the project lands for authorized project purposes, including ecological, recreational, and cultural benefits in a manner compatible with Public Law 89-69, 79 State. 615. Development activities, such as trail construction, may be permitted with appropriate disclaimers that the project would only proceed in the recognition that the developed areas would be temporary features that may be removed or destroyed when construction of the Auburn Dam Project continues.

4.1.2 ADJACENT LAND USES

The land use designation and zoning (described in detail above) for adjacent land uses are as follows:

- ▶ The general designation in the *Placer County General Plan* for land adjacent to the project area is Resource Protection.
- ▶ In the Placer County Zoning Ordinance land adjacent to the project area is zoned as Water Influence (W), Water Influence with a Mineral Reserve combining district (W-MR), and Farm with Building Site (20 acre minimum) and Mineral Reserve combining districts (F-BX-MR 20 acre minimum).
- ▶ The land use designation in the *Weimar-Applegate-Clipper Gap General Plan* for areas adjacent to the project area is Water (Placer County 1980).
- ▶ The land use designation in the *Foresthill General Plan* for areas adjacent to the project area is Water Influence (Placer County 1981).

The project area is surrounded by the open space of the Auburn SRA in the Sierra Nevada foothills. Undeveloped land dominated with natural vegetation lies to the east, west, and south of the project area. Lake Clementine and Interstate 80 are to the north of the proposed trail alignment, and Foresthill Road is to the south.

4.2 REGULATORY SETTING

4.2.1 FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

AUBURN STATE RECREATION AREA INTERIM RESOURCE MANAGEMENT PLAN

The Auburn SRA IRMP contains the following broad management guideline relevant to land use in the project area.

- ▶ Any land use proposal made prior to the completion of the Auburn Dam shall meet one of the following four criteria:
 - It is directly associated with the authorized construction of the Auburn Dam or the California State Parks Auburn Reservoir Project General Plan.
 - It is for the purpose of fish and wildlife mitigation or enhancement.
 - It provides for cultural or historic preservation or mitigation.
 - It provides for safe public use and recreational opportunities associated with the resource.

The Auburn SRA IRMP also contains the following specific management guidelines relevant to land use in the project area.

- ▶ Facilities planned for the Auburn SRA must not be permanent, due to the fact that construction of the Auburn Dam would cause inundation of any facilities built below the reservoir level.
- ▶ Trails within the Auburn SRA are not limited to those shown on the trails map. New trails may be permitted with approval of the administrative agency. New and existing trails should conform to other IRMP and the Auburn SRA guidelines.

4.2.2 STATE PLANS, POLICIES, REGULATIONS, AND LAWS

California Government Code Section 65300 et seq. establishes the obligation of cities and counties to adopt and implement general plans. The general plan is a comprehensive, long-term, and general document that describes plans for the physical development of a city or county and of any land outside its boundaries that, in the city's or county's judgment, bears relation to its planning. The general plan addresses a broad range of topics, including, at a minimum, land use, circulation, housing, conservation, open space, noise, and safety. In addressing these topics, the general plan identifies the goals, objectives, policies, principles, standards, and plan proposals that support the city's or county's vision for the area. The general plan is a long-range document that typically addresses the physical character of an area over a 20-year period. Finally, although the general plan serves as a blueprint for future development and identifies the overall vision for the planning area, it remains general enough to allow for flexibility in the approach taken to achieve the plan's goals.

The State Zoning Law (Government Code Section 65800 et seq.) establishes that zoning ordinances, which are laws that define allowable land uses within a specific district, are required to be consistent with the general plan and any applicable specific plans. When amendments to the general plan are made, corresponding changes in the zoning ordinance may be required within a reasonable time to ensure that the land uses designated in the general plan would also be allowable by the zoning ordinance (Government Code Section 65860[c]).

4.2.3 LOCAL PLANS, POLICIES, REGULATIONS, AND ORDINANCES

PLACER COUNTY GENERAL PLAN

The *Placer County General Plan* (1994) describes assumptions, goals, and planning principles that provide a framework for land use decisions throughout the county. It is based on the belief that Placer County will experience continued growth and economic development because of its desirable climate, physical setting, plentiful resources, and proximity to the Sacramento metropolitan area.

The land use designations of the *Placer County General Plan* for the project area are described in Section 4.1.1, above. The following are the relevant goals and policies identified by the *Placer County General Plan* for land use:

- ▶ **GOAL 1.G:** To designate land for and promote the development and expansion of public and private recreational facilities to serve the needs of residents and visitors.
- ▶ **Policy 1.G.2.** The County shall strive to have new recreation areas located and designed to encourage and accommodate non-automobile access.
- ▶ **Policy 1.G.3.** The County shall continue to require the development of new recreational facilities as new residential development occurs.

PLACER COUNTY ZONING ORDINANCE

The Placer County Zoning Ordinance, Chapter 17 of the Placer County Code, was adopted by the County Board of Supervisors in July 1995 (Edition No. 1). The Zoning Ordinance, Eighth Edition, was revised in July 2001. The Placer County Zoning Ordinance, which is consistent with the *Placer County General Plan*, regulates the use of land, buildings, and structures, and establishes minimum regulations and standards for the development of land within Placer County. Zoning for the project area is described in Section 4.1.1 above.

WEIMAR-APPLEGATE-CLIPPER GAP GENERAL PLAN

The *Weimar-Applegate-Clipper Gap General Plan* contains the following goal and policy relevant to land use in the project area.

- ▶ **GOAL:** To preserve valuable open space lands in order to maintain the natural features of the area.
- ▶ **Policy 1.** Preserve all natural areas along creeks and canals.

FORESTHILL GENERAL PLAN

The *Foresthill General Plan* contains the following goal relevant to land use in the project area:

- ▶ **GOAL:** To preserve and enhance the rural character of the Foresthill area.

4.3 IMPACTS

4.3.1 ANALYSIS METHODOLOGY

The focus of this analysis is on land use impacts that would result from project implementation. Evaluation of potential land use impacts of the proposed project was based on a review of the planning documents pertaining to the project area (the *Placer County General Plan*, *Placer County Zoning Ordinance*, *Placer County Trails Master Plan*, *Weimar-Applegate-Clipper Gap General Plan*, *Foresthill General Plan*, and *Auburn SRA IRMP*); consultation with appropriate agencies; and field review of the project area and surroundings.

Specific impacts and project consistency issues associated with biological resources; cultural resources; visual resources; transportation and circulation; air quality; noise; soils, geology, and seismicity; hydrology and water quality; public services; and recreation are addressed in each technical chapter of this DEIR as appropriate.

4.3.2 THRESHOLDS OF SIGNIFICANCE

Based on the Placer County California Environmental Quality Act (CEQA) Checklist and the State CEQA Guidelines, the proposed project would result in a potentially significant impact on land use if it would:

- ▶ conflict with general plan/community plan/specific plan designations or zoning, or policies contained within such plans;
- ▶ conflict with applicable environmental plans or policies adopted by responsible agencies with jurisdiction over the project;
- ▶ be incompatible with existing land uses in the vicinity;
- ▶ affect agricultural and timber resources or operations (e.g., impacts on soils or farmlands and timber harvest plans, or impacts from incompatible land uses);
- ▶ disrupt or divide the physical arrangement of an established community (including a low-income or minority community); or
- ▶ result in a substantial alteration of the present or planned land use of an area.

As mentioned in Section 1.2.2, the proposed project would have no effect on agricultural resources. Furthermore, none of the land in the project area is in agricultural production or in timber resource operations; therefore, the proposed project would not conflict with existing agricultural or timber operations. No habitat conservation plan or natural community conservation plan is currently in effect for the project area. The proposed project would therefore not conflict with any such plan. A portion of the North Fork American River is classified “wild” under the National Wild and Scenic Rivers System (National System); however, the designated reach ends 1,000 feet upstream of the Colfax–Iowa Hill Bridge, which is not within the project area (Friends of the River 2004). In addition, there are no residences located along the proposed trail alignment, and the proposed project would not physically divide an established community. Because the proposed project would have no impact on these thresholds, they are not discussed further in this chapter.

4.3.3 IMPACT ANALYSIS

IMPACT **Land Use – Potential for Conflicts with Land Use Plans, Policies, or Regulations.** *Implementation of*
4-1 *the proposed project would be consistent with relevant policies in the adopted planning documents*
 pertinent to the project area.

Significance *Less Than Significant*

Mitigation *None Warranted*
Proposed

Residual *Less Than Significant*
Significance

As stated in the thresholds listed above in Section 4.3.2, “Thresholds of Significance” (derived from the Placer County CEQA Checklist and Appendix G of the State CEQA Guidelines), the proposed trail alignment would result in a significant impact on the environment if it would conflict with general plan/community plan/specific plan designations or zoning, or policies contained within such plans; or if it would conflict with applicable environmental plans or policies adopted by responsible agencies with jurisdiction over the project. Therefore, this

analysis focuses on the relationship between the proposed project and existing plans and policies and the relationship with proposed on-site land uses.

The proposed project is consistent with the general land use designation in the *Placer County General Plan of Resource Protection*. Allowable land uses under this designation include public recreational uses, with structural development restricted to accessory structures necessary to support the primary allowed uses. Specific land use designations are deferred by the *Placer County General Plan* to the *Weimar-Applegate-Clipper Gap General Plan*.

The land use designation for the project area in the *Weimar-Applegate-Clipper Gap General Plan* is Water. Property in this designation includes existing lakes and the proposed Auburn Dam area. Compatible designations in the Placer County Zoning Ordinance are Single Family Residential, Farm, Agricultural Residential, Industrial, Open Space, Forestry, and Water Influence. The proposed trail is consistent with the policies and land use designations of the *Weimar-Applegate-Clipper Gap General Plan* because Water Influence is a designation in the project area which allows for construction of water-oriented, public and private recreational and commercial uses and facilities. Because the proposed project would be a recreational facility it would be compatible with the allowed uses within the Water Influence designation.

The land use designation for the project area in the *Foresthill General Plan* is Water Influence. Compatible land uses for this designation and zoning are Single Family Residential, Farm, Agricultural Residential, Industrial, Open Space, and Forestry. The proposed trail alignment would be considered a consistent land use because Water Influence is a designation in the project area which allows for construction of water-oriented, public and private recreational and commercial uses and facilities. Because the proposed project would be a recreational facility it would be compatible with the allowed uses within the Water Influence designation.

Land use designations in the *Weimar-Applegate-Clipper Gap General Plan* and *Foresthill General Plan* are subject to the zoning designations of the Placer County Zoning Ordinance. The proposed trail alignment and its use for hiking, biking, and equestrian activities would be consistent with the land use types allowed by the current zoning designations and districts (Water Influence [W], Water Influence with a Mineral Reserve combining district [W-MR], and Farm with Building Site [20 acre minimum] and Mineral Reserve combining districts [F-BX-MR 20 acre minimum]) for the reasons discussed above.

A trail alignment similar to the proposed trail alignment is identified in the Auburn SRA IRMP as a hiking only trail; however, the Auburn SRA IRMP states that the trails within the Auburn SRA are not necessarily limited to those proposed in the IRMP (Reclamation 1992). In addition, the proposed trail alignment would be recognized as a temporary feature that may be removed or destroyed if construction of the Auburn Dam continues. The proposed trail alignment is located at elevations of approximately 800–1,200 feet above mean sea level (msl). The level of inundation, if any, would depend on the spillway elevation of a constructed dam. The *Auburn Dam EIS* identified a dam with a spillway elevation of 985 feet above msl, and the *American River Watershed Project, California, Supplemental Information Report, Detention Dam* identified a dam with a spillway elevation of 942 feet above msl. Portions of the proposed trail alignment would be inundated under both of these alternative dam elevations; however, there is currently no approved plan for the Auburn Dam.

Implementation of the proposed project would be consistent with adopted planning documents pertinent to the project site: the *Placer County General Plan*, the Placer County Zoning Ordinance, the Auburn SRA IRMP, and the *Weimar-Applegate-Clipper Gap General Plan*. Therefore, this impact is considered less than significant.

IMPACT **Land Use – Alteration of Land Use and Potential Conflicts with Existing or Future Land Uses**
4-2 **Adjacent to the Project Area.** *The proposed project would increase the use of the project area by the public. However, this increase in use would not cause a conflict with existing or future land uses in areas adjacent to the project area. The proposed land uses would be compatible with neighboring land uses.*

Significance *Less Than Significant*

Mitigation *None Warranted*
Proposed

Residual *Less Than Significant*
Significance

The project area is surrounded by the open space of the Auburn SRA in the Sierra Nevada foothills. Undeveloped land dominated by natural vegetation lies to the east, west, and south of the project area. Because the project area is currently surrounded by open space and undeveloped land, the proposed trail alignment would not conflict with existing adjacent land uses.

Land uses adjacent to the project area are designated as Resource Protection by the *Placer County General Plan*; zoned as Water Influence (W), Water Influence with a Mineral Reserve combining district (W-MR), and Farm with Building Site (20 acre minimum) and Mineral Reserve combining districts (F-BX-MR 20 acre minimum) by the Placer County Zoning Ordinance; designated as Water by the *Weimar-Applegate-Clipper Gap General Plan*; and designated as Water Influence by the *Foresthill General Plan*. Compatible land uses for these designations and zoning are discussed above in Impact 4-1. The land uses adjacent to the project area would be consistent with these planning documents and the proposed trail would avoid crossing private property.

No conflicts with adjacent land uses would result from implementation of the proposed project. Therefore, this impact is considered less than significant.

4.4 MITIGATION MEASURES

No mitigation measures are necessary.