

## 3.10 Land Use and Planning

Table 3.10-1 Land Use and Planning Checklist

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

### 3.10.1 Setting

The Palermo–East Nicolaus 115-kV Transmission Line Reconstruction Project runs approximately 40 miles from the Palermo Substation at the eastern edge of the town of Palermo in southern Butte County southwards to the East Nicolaus Substation in the town of East Nicolaus in Sutter County. Line modifications would take place entirely within the boundaries of the applicant’s easement. Most of the route passes through unincorporated portions of Sutter, Yuba, and Butte Counties in the northern Sacramento Valley and the City of Oroville.

Terrain in the project area is generally flat and consists primarily of grazing lands, agricultural fields, and orchards. The Sierra Nevada Mountains to the east and the Sutter Buttes to the west can be seen from many locations along the route. The project route crosses both rural and urbanized areas such as Marysville, Linda, Olivehurst, and Palermo. The route also passes alongside the edge of the Yuba Community College property.

#### Butte County

Butte County is divided into two topographical sections: a valley area in the northeast portion of the Sacramento Valley and a foothill/mountain region east of the valley. Topography includes the relatively flat Sacramento Valley Floor and associated alluvial fans, with elevations from 60 to 200 feet generally, extensive rolling foothills with an elevation range from 200 to 2,100 feet and the Cascade and Sierra Nevada Mountain ranges, with elevations from 6,000 to 14,000 plus feet above sea level. The primary land use in Butte County is agricultural.

#### Yuba County

Yuba County is located north of Sacramento, along the Feather River, in the Sacramento Valley. The County lies along the western slope of the Sierra Nevada, the steep slopes making it prime territory for the siting of hydroelectric power plants. Most of the population is located in or near Marysville (the county seat), which is west of the Sierra Nevada on the valley floor. The County’s primary land use is agriculture, especially fruit orchards, rice fields, and cattle grazing. Yuba County also has two planned communities, East Linda and Plumas Lake, and development of these areas is regulated by specific plans. East Linda is a residential community consisting of single-family and multifamily residences,

neighborhood-servicing commercial uses, schools, and parks. Plumas Lake consists of 5,000 acres of land in the southerly portion of the County.

### **Sutter County**

Sutter County is located north of Sacramento along the Sacramento River in the Sacramento Valley. Sutter County includes a small volcanic formation called the Sutter Buttes. The County's primary land use is agricultural.

### **City of Oroville**

The City of Oroville is situated on the banks of the Feather River in Butte County. Oroville is situated on the eastern rim of the Sacramento Valley and is defined by the floodplains of the Sacramento River and its tributaries.

### **Railroad Crossings**

The project route would parallel and cross over the Southern Pacific Railroad and Union Pacific Railroad lines. The lines are used to transport agricultural goods and other materials. Passenger service is available from Oroville on Amtrak.

### **Airports**

There are four existing airport facilities in the project vicinity. In Butte County, the Oroville Municipal Airport is located approximately 4.5 miles northwest from the project route in Palermo (Butte County 2008). In Sutter County, the Sutter County Airport is located approximately 2.35 miles east of the Town of Linda (Sutter County 2008). In Yuba County, the Yuba County Airport is located approximately 0.75 miles west of the project route in the Town of Olivehurst, and the Beale Air Force Base is located approximately 5.5 miles east of the project route in Linda (Yuba County 2008).

## **3.10.2 Environmental Impacts and Mitigation Measures**

### ***a. Would the project physically divide an established community?***

**LESS THAN SIGNIFICANT.** The project area is currently occupied by similar electrical transmission facilities located within an existing 40-mile long and 500-foot wide right-of-way (easement). The project makes efficient use of current alignments and easements. It would not result in a new barrier to an existing community. Therefore, the construction and operation of the project would result in a less than significant impact under this criterion.

### ***b. Would the project 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 conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project is a pre-existing use (the existing towers were originally constructed in the early 1900s), and the route would traverse the same parcels in the applicant's existing easement. This existing use has been contemplated in the general plans for Butte, Yuba, and Sutter counties and the City of Oroville.

## **Butte County**

Within Butte County, the project would cross or be adjacent to land designated by the Butte County General Plan as Agricultural, Agricultural Residential, Light Commercial, and Light Industrial. The Butte County General Plan states as an objective that it seeks to “encourage expansion of private utility systems consistent with County plans and policies” (Butte County 1979). The Agricultural, Agricultural Residential, Industrial, and Commercial designations all allow utilities as a secondary use. Therefore, the project route would be consistent with the Butte County General Plan and zoning designations for the areas through which it would traverse.

## **Yuba County**

Within Yuba County, the project would cross or be adjacent to properties designated Agricultural, Residential, Public, Business, and Industrial. In several areas that would be crossed by the project route, utility uses are listed as not permitted. In other areas, utility uses require a conditional use permit (Yuba County 1990; Yuba County 1993; Yuba County 1996). Nonetheless, the existing easement would permit the project to proceed in these areas. With the acquisition of required use permits, the project route would be consistent with the Yuba County General Plan and zoning designations for the areas through which it would traverse.

## **Sutter County**

Within Sutter County, the project route would cross or be adjacent to properties designated Agriculture. The Sutter County General Plan indicates that lands designated Agriculture are used for crop production; orchards; grazing; pasture; rangeland; resource extraction activities; facilities that directly support agricultural operations such as agricultural products processing; and necessary public utility and safety facilities (Sutter County 1996). The zoning ordinance states that communication or utility substations, gas storage, and transmission lines require a use permit. With the acquisition of a use permit, the project route would be consistent with the Sutter County General Plan and zoning designations (Sutter County 1996; Sutter County 2008).

## **City of Oroville**

Within the City of Oroville, the project would cross or be adjacent to properties designated Industrial by the City of Oroville General Plan. In addition, the energy element of the Oroville General Plan states as an objective that they wish to “encourage utility agencies to use existing transmission corridors for future power transmission line development” (City of Oroville 1995). Therefore, the project route would be consistent with the City of Oroville General Plan and zoning designations for the areas through which it would traverse.

## **CPUC General Order**

Projects that maintain electrical facilities are generally exempt from local land use and zoning regulations. However, CPUC General Order No. 131-D, Section III C (CPUC 1995) requires “the utility to communicate with, and obtain the input of, local authorities regarding land use matters and obtain any non-discretionary local permits.”

Although the project would not be consistent with all of the general plan and zoning designations listed above, the applicant’s existing easement is already addressed in relevant land use plans. In addition, the CPUC has jurisdiction over the siting and design of the project. Therefore, no significant conflicts to land use planning have been identified and construction and operation of the project would result in a less than significant impact under this criterion.

*c. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?*

*NO IMPACT.* A Yuba-Sutter Habitat Conservation Plan/ Natural Communities Conservation Plan (HCP/NCCP) area is currently in the planning stage (Sutter County Public Works 2009). The boundaries have not been determined. Though the project route would cross the proposed HCP/NCCP area (DFG 2001), the route is within an existing easement, and the HCP/NCCP area has not been adopted by local jurisdictions and wildlife agencies (i.e., the U.S. Fish and Wildlife Service and Department of Fish and Game). Therefore, the project would result in no impact under this criterion.

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