

3.10 Land Use and Planning

This section of the Draft EIR evaluates potential impacts regarding land use and planning associated with implementation of the proposed Golden State Natural Resources Forest Resiliency Demonstration Project (proposed project). This section describes the existing land use conditions at feedstock source locations (Sustainable Forest Management Projects), proposed pellet processing facility sites in Northern California (Lassen Facility) and the Central Sierra Nevada foothills (Tuolumne Facility), and the export Port in Stockton, California (Port), and evaluates the potential for project-related land use and planning impacts, considering proposed project design features that could reduce or eliminate associated impacts. In response to the Notice of Preparation (NOP), Lassen County submitted a scoping comment letter that identified the zoning and general plan land use classifications of the Lassen Facility. Several comments were received regarding broader land use compatibility issues with regards to residential uses, and disadvantaged communities in particular. These issues are addressed in the appropriate environmental chapters (e.g. Air Quality, Noise, etc.).

3.10.1 Environmental Setting

3.10.1.1 Sustainable Forest Management Projects

Feedstock destined to the Lassen and Tuolumne facilities for manufacturing of wood pellets will be wood byproducts sourced from Sustainable Forest Management Projects such as hazardous fuel reduction projects, construction of shaded fuel breaks, and salvage harvests (see Chapter 2, Project Description, for a full description). The feedstock would originate from private, state, tribal, and federal timberlands located within the Working Area of the two wood pellet production facilities. In 2019, the Golden State Finance Authority (GSFA) and the U.S. Forest Service signed a master Stewardship Agreement (MSA) for the general purpose of achieving resilient forests within U.S. Forest Service Region 5, which includes all of the 18 national forests located in California. Feedstock for manufacturing of wood pellets will be wood byproducts sourced from Sustainable Forest Management Projects such as hazardous fuel reduction projects, construction of shaded fuel breaks, and salvage harvests (see Chapter 2, Project Description, for a full description). The feedstock would originate from California's private, state, tribal, and federal timberlands located within these areas.

3.10.1.2 Northern California (Lassen Facility) Site

The proposed Lassen Facility project site is located at 653-800 Washington Avenue, Nubieber, California. Access to the site is provided on the west side via Babcock Road, which connects to State Route 299. The site is adjacent to Burlington Northern Santa Fe Railroad to the east. The overall project site is comprised of four parcels: Lassen County Assessor Parcel Numbers (APNs) 001-270-086, 001-270-026, 001-270-029, and 013-040-13 (see Figure 2-4, Project Site (Lassen)). The pellet processing facility would be located on the northern parcel (-086), which is approximately 65 acres in size. Whereas, a portion of the southern parcels would serve as a log decking area. The Lassen Facility was formerly part of a wood processing sawmill, which utilized the adjacent railroad for shipping. The buildings from the prior sawmill operation are located north of the project site, and were separated from APN 001-270-086 through a lot line adjustment. A portion of APN 001-270-086 is currently licensed to Sierra Pacific Industries for loading wood products onto the railroad.

Project Site Land Uses

The proposed property is relatively flat. The southern portion of the site was historically used for grazing and the northern parcel was developed for lumber operations. Existing structures include a water tower and pump house on the northern portion of the site. A rail spur crosses the parcel on the southern portion of the site, providing rail access to property west of the project site. The site includes railroad siding, a gravel deck, as well as internal roadways. A portion of the site, including the gravel deck, is currently licensed to Sierra Pacific Industries for the loading of wood products onto the railroad. Additionally, there are mowed agricultural fields located in the northern and southern portion of the site. Most of the vegetation on the undeveloped portions of the site consists of non-native grassland with a mix of annual grasses and forbs.

Surrounding Land Uses

The project site is located in a predominantly rural and undeveloped portion of the County and is surrounded by widely scattered rural development. To the north of the project site are the structures associated with the prior mill operation, including a water tower and other buildings. The Burlington Northern Santa Fe (BNSF) Railroad forms the eastern boundary of the site. An agricultural chemical company (Helena Agri-Business) and scattered residences are located to the north and west of the site, and to the east of the woodyard property. Additional residential areas are located farther west of the project site, towards the center of the Town of Nubieber. Agricultural lands are located east, across the railroad, and to the south and southwest of the site. Most of the lands adjacent to the site are under Williamson Act contracts.

General Plan Designation and Zoning

The northern parcel (APN 001-270-086) of the project site is designated as Town Center by the County's General Plan and zoned A-1 (General Agriculture). The southern parcels of the project site (APNs 001-270-26, 001-270-29, and 013-040-13) are designated as Intensive Agriculture by the General Plan and zoned Exclusive Agricultural, Agricultural Preserve Combining District (E-A-A-P). None of these parcels is under a Williamson Act contract.

3.10.1.3 Central Sierra Nevada (Tuolumne Facility) Site

The proposed Tuolumne Facility project site is located at 12001 La Grange Road in Jamestown, California (See Figure 2-7, Project Location (Tuolumne)). The site is comprised of a single parcel (APN 063-190-056) of 58.56 acres. The previously developed site was formerly a wood processing mill, used by the former owner, Sierra Pacific Industries, for finished bark and colored mulch processing. Prior to Sierra Pacific Industries ownership, the facility was an operational sawmill run by Louisiana Pacific. The bark and mulch operation ceased in 2020.

Project Site Land Uses

The site was previously developed with an existing bark and mulch processing facility on the east-central portion of the site equipped with buildings, stockpiling and staging areas, paved and gravel roadways, gravel lots, and other features associated with the historic use of the property as a wood processing facility. The project site also contains two aboveground storage tanks, a well within a pumphouse, a guard shack, a truck scale, and two ponds. The project site contains a variety of aquatic resources, including wetland and non-wetland waters (See Section 3.3, Biological Resources for additional information on aquatic resources). Most of the vegetation on the project site is comprised of annual grassland. The site is bordered by Sierra Northern Railroad to the west that travels along La Grange Road and intersects near the southwestern project site boundary.

Surrounding Land Uses

The project site is surrounded by widely scattered rural development and open space generally composed of scattered oak woodland and annual grassland. The site is bounded to the north by vacant partially wooded land. Wooded land is located to the east of the Site. Grass covered land is located to the south of the site. American Wood Fibers is located adjacent to the southwest of the facility. A wood shaving plant owned by American Wood Fibers is located adjacent to the west side of the site, and two residences are located adjacent to the northwest corner of the site (former caretaker residences for the previous mill operation). The majority of adjacent lands are under Williamson Act (California Land Conversation Act) contracts, restricting them to agricultural or related uses.

General Plan Designation and Zoning

The project site is designated Heavy Industrial by the Tuolumne County General Plan (County of Tuolumne 2018) and is zoned as M-2 (Heavy Industrial District). Surrounding uses include Agriculture lands, as designated by the General Plan, to the north, east, south, and west. Further southeast of the project site is land designated as Public by the General Plan and contains the CalFire Green Springs Station. Public land is also located across La Grange Road to the southwest of the project site. Rural Residential land uses exist to the southeast and west of the project site. Additional land designated as Estate Residential is located northwest of the site. The project site is not under a Williamson Act contract.

3.10.1.4 Port of Stockton

The proposed facility would be located at the Port of Stockton, within the City of Stockton (City), directly south of the San Joaquin River and west of Interstate 5 (I-5), as shown in Figure 2-10, Port Location. The proposed facility would be located at the Port's West Complex, also known as Rough and Ready Island (APN 162-030-07). Primary access to the Port is by Navy Drive Bridge, which connects the main Port ("East Complex") with the West Complex. Secondary access is provided by Daggett Road Bridge, on the southern side of the island. Rail access to the West Complex is provided by a railroad bridge north of the Navy Drive Bridge.

Project Site Land Uses

The project site is located in the West Complex, which was previously a natural wetland known as Rough and Ready Island. The Island was first filled in in the 1850s and was later, in the 1940s, transformed into a Naval base. However, in 1996 the majority of the Island was transferred to the Port of Stockton (Port of Stockton 2023a) for civilian maritime uses. The Port of Stockton West Complex consists of Berths 14 through 20 with 6,000 lineal feet of docks, 630,000 square feet of transit sheds, and is truck, rail, and crane accessible. Additionally, all berthing facilities at the port offer fresh water at the berths, bunkering, and dockside phone connections (Port of Stockton 2023b).

The proposed GSNR facility would be located in the northeastern quarter of the West Complex, on a relatively undeveloped site bordered by Davis Ave., Boone Dr., Edwards Ave., and Lipps Dr. The project site include a concrete parking lot in the southeast corner.

Surrounding Land Uses

There are a number of surrounding land uses within the project area. The West Complex Development Plan (WCDP), approved in 2004, identifies commercial and industrial parks, as well as other diversified land uses and

infrastructure to aid Port activities for the undeveloped areas of Rough and Ready Island. Approximately 75 facilities or businesses operate out of the West Complex as of 2020. The West Complex is characterized by maritime terminals, railroad facilities, large warehouse and storage buildings, and stockpiles of various commodities (Port of Stockton 2023b). All facilities are Port-dependent bulk, industrial, commercial, or warehousing operations, consistent with the WCDP. Immediately east of the site is additional land owned and operated by the Port of Stockton. To the south and west are farmlands. Immediately north is the San Joaquin River followed by residential areas.

General Plan Designation and Zoning

The project site is designated as Institutional in the City's General Plan and is zoned as Port (PT). Land uses adjacent to the project site are also designated Institutional in the General Plan. However, farther east of the project site, there is land designated as Industrial. The land uses immediately to the east, south, and west are also zoned as PT. Across the San Joaquin River to the north there is land zoned for Public Facilities and Low Density Residential. Additional land zoned for Public Facilities is located southeast of the site. Farther west of the project site is agricultural land. The General Plan shows the project site is located within the Port and Mount Diablo Waterfront neighborhood (City of Stockton 2018).

3.10.2 Regulatory Setting

3.10.2.1 Federal

U.S. Forest Service

In 2019, the lead agency and the U.S. Forest Service signed a Master Stewardship Agreement (MSA) for the general purpose of achieving resilient forests within U.S. Forest Service Region 5, which includes all of the 18 national forests located in California. Individual Sustainable Forest Management Projects to reduce fuel loads and increase resiliency will be implemented through Supplemental Project Agreements and similar stewardship contracting mechanisms (SPAs). (While the MSA applies to the entirety of Region 5, only Sustainable Forest Management Projects within the Working Area described in Section 3.10.1.1 are contemplated under the proposed project.) The Forest Service's strategic plan (USDA 2015) includes four outcome-oriented goals:

1. Sustain Our Nation's Forests and Grasslands.
2. Deliver Benefits to the Public.
3. Apply Knowledge Globally.
4. Excel as a High-Performing Agency

The plan further identifies three strategic objectives for the first goal:

- Foster resilient, adaptive, ecosystems to mitigate climate change.
- Mitigate wildfire risk.
- Conserve open space.

3.10.2.2 State

The State of California may have jurisdiction over two aspects of the feedstock operations: (1) Activities within state forests, or (2) activities on private timberlands that are subject to the following forestry regulations.

Z'berg-Nejedly Forest Practice Act (FPA)

The 1973 California Forest Practice Act is designed to protect, enhance, and restore California's timberlands. The purpose of this law is "to achieve maximum sustained production of high-quality timber products while giving consideration to values relating to recreation, watershed, wildlife, range and forage, fisheries, regional economic vitality, employment and aesthetic enjoyment" (Public Resources Code § 4513b). The regulations authorized by this law define the size and location of harvest areas, as well as matters such as protection of riparian corridors and archaeological sites, timing of harvest during wildlife nesting periods, locations of roads, and operations during certain seasons to protect wet soils.

California Forest Practice Rules (CFPR)

The FPA is implemented through a series of regulations called the California Forest Practice Rules (CFPR). These are lengthy in scope and detail and provide explicit instructions for permissible and prohibited actions that govern the conduct of timber operations in the field. For example, the FPRs define the contents of a timber harvesting plan (THP). A THP is the formal environmental review document that must be prepared by an RPF and approved by the California Department of Forestry and Fire Protection (CAL FIRE) prior to any commercial harvesting of timber in the state.

3.10.2.3 Local

Lassen County

Lassen County General Plan

The Lassen County General Plan (Lassen County 1999) contains an Energy Element (1993), Land Use Element (1999), Natural Resources Element (1999), Agriculture Element (1999), Wildlife Element (1999), Open Space Element (1999), Circulation Element (1999), Housing Element (2019) and Safety Element (2023).

The Land Use Element of the General Plan designates the proposed general distribution and intensity of uses of the land for housing, business, industry, open space, natural resources, public facilities, waste disposal sites, and other categories of public and private uses. The Land Use Element is intended to serve as the central framework for the entire General Plan, and to correlate all land use issues into a set of coherent development policies. The following goals, policies, and implementation measures are applicable to the proposed project.

Goal A-4. Compatibility between land use types by providing for complementary mixtures and patterns of land uses.

Policy LU-6. The County recognizes general plan land use designations and consistent zoning as the appropriate and primary tools for attempting to achieve and maintain compatibility of land uses within the context of the County's land use authority and local control.

Goal L-4. Compatibility between land use types by providing for complementary mixtures and patterns of land uses.

Policy LU-6. The County recognizes general plan land use designations and consistent zoning as the appropriate and primary tools for attempting to achieve and maintain compatibility of land uses within the context of the County's land use authority and local control.

Goal L-13. Improvement, expansion and diversification of the County's industrial base and generation of related employment opportunities.

Policy LU32. The County encourages and will facilitate the development of new, environmentally responsible industrial projects for the economic benefit of the County.

Policy LU33. In considering proposals for new industrial sites, including amendments of the County General Plan and related rezoning, the County will address the compatibility of the site with established land use patterns, the adequacy of infrastructure and services, and the consistency of new sites with policies related to the protection of natural resources as addressed in relevant sections of the General Plan.

Implementation Measure:

Policy LU-S. The County shall continue to utilize the CEQA process, when applicable, to evaluate the potential impacts and land use issues related to proposed industrial development, and shall require appropriate mitigation measures when needed.

Policy LU34. The County supports the development of industrial land uses primarily in or adjacent to areas which have been designated and developed for such uses and which have or can develop the necessary infrastructure to serve such uses, while recognizing that some types of resource-related industrial uses and processing plants may require or otherwise warrant relatively remote sites which are removed from standard industrial areas.

Policy LU35. Subject to case-by-case review (including review for compatibility with surrounding agricultural uses), and in compliance with relevant area plan, zoning, permitting and environmental review requirements, the development and operation of the following land uses will typically be deemed to be consistent with the Extensive and Intensive Agriculture land use designations and will not require zoning to an "Industrial" zoning district, nor will they be interpreted by the County to constitute an "agricultural conversion" pursuant to this General Plan:

- A. processing plants for the production of agricultural products
- B. processing plants for the production of natural resource products where the location of the resource is fundamental to the location of processing and packaging facilities (e.g., water bottled at the source, etc.);
- C. mines, the extraction of minerals, and the ancillary processing of mineral materials generated on-site, including the production of asphalt, ready-mix concrete and similar products;
- D. saw mills and related timber processing operations;
- E. geothermal and natural gas wells, hydroelectric projects, and ancillary facilities for the production of energy; and
- F. uses of similar character as may be determined by the Board of Supervisors.

Goal L-16. Conservation of productive agricultural lands and lands having substantial physical potential for productive agricultural use, and the protection of such lands from unwarranted intrusion of incompatible land uses and conversion to uses which may significantly obstruct or constrain agricultural use and-value.

Policy LU40. The County recognizes and has generally assigned General Plan land use designations for lands having high agricultural resource value as "Intensive Agriculture" or "Crop Land and Prime Grazing Land". It also recognizes the potentially important agricultural values of some of the areas designated "Extensive Agriculture" or "Grazing and Sagebrush Environment" for rangeland grazing and other agricultural purposes.

Implementation Measure:

Policy LU-X. Land designated "Intensive Agriculture" in the Land Use Element shall be zoned "E-A" Exclusive Agriculture District, "A-3" Agricultural District, "U-C". Upland Conservation District, or "U-C-2" Upland Conservation/Resource Management District.

Policy LU-Y. Land designated "Extensive Agriculture" in the Land Use Element shall be zoned "U-C", Upland Conservation District, "U-C-2", Upland Conservation/Resource Management District" or "A-3", Agricultural District.

Goal L-18. Healthy forest environments which will continue to provide resources for multiple uses and timber production in sustainable quantities which will benefit the local economy.

Policy LU-42. The County supports the conservation and management of timber production areas for the production of timber and other multiple uses compatible with timber production and shall, within the County's authority, protect these areas from land uses (e.g., residential development) and factors which would significantly restrict their capacity for production.

Goal O-1. To establish balanced policies to recognize, manage and, where warranted, preserve Lassen County's open space resources.

Policy OS-2. The County recognizes the following General Plan and area plan land use designations as predominately natural resource management designations having "open space" values which need to be considered in regard to land use and resource management decisions:

- General Forest Environment
- Grazing and Sagebrush Environment
- Rangeland
- Crop Land and Prime Grazing
- Extensive Agriculture
- Intensive Agriculture
- Lassen Volcanic National Park
- Open Space
- Wilderness Area

Note: The recognition and consideration of the open space character and values of these areas shall not be construed to be contrary to allowing limited levels of appropriate development (including the issuance of individual building permits), and resource production and management practices (including agriculture, livestock grazing, and timber management) which may be allowed by the County subject to the adopted zoning of those areas and the lawful exercise of the County's land use authority.

Policy OS-3. The County shall consider the open space values of an area when considering proposed changes in general plan land use designations, zoning, minimum parcel sizes, and development standards, and shall weigh the need to protect those open space values with the need or desire for development which would diminish those values.

Lassen County Code

Chapter 18.16 A-1 General Agricultural District

The intent of the A-1 district is to include all the unincorporated territory of the county not indicated specifically to be used for precise districts of agriculture, residential, commercial, manufacturing, open space, institutional, conservation, timber production, floodplain or airport.

Chapter 18.66 E-A Exclusive Agricultural District

This district classification is intended to be applied to land areas which are used or are suitable for use for intensive agricultural production purposes and are designated in the general plan as land areas of fertile soils or other favorable agricultural production characteristics within which agricultural preserves may properly be created for purposes of utilizing provisions of law relating to agricultural zoning and agricultural preserves, and to preserve such areas and protect them from the encroachment of incompatible uses.

Chapter 18.82 A-P Agricultural Preserve Combining District

This district classification is intended to be applied in combination with other appropriate districts to establish the precise boundaries of agricultural preserves and to provide such additional restrictions upon the use of land as are necessary to comply with provisions of law which are applicable to agricultural preserves.

Tuolumne County

Tuolumne County General Plan Update

The Tuolumne County General Plan was adopted in 1996 and updated in 2019. The General Plan Update establishes the community's vision for the development of Tuolumne County through the year 2040 and serves as the fundamental land use policy document for the County. The Update consists of three components: the Countywide General Plan, Community Plans, and the Technical Background Report. The General Plan Elements and Community Plans contain statements of goals, policies, and implementation programs. The General Plan Update is intended to function as a policy document to guide land use decisions within Tuolumne County's planning area through the year 2040. County decision-makers will use the General Plan Update as a road map for: choices about the use of land, protection of environmental resources, conservation of existing, and development of new housing, provision of supporting infrastructure and public and human services, and protection of people and property from natural and human-made hazards. The General Plan is made up of 18 chapters: Community Development and Design, Housing Element, Utilities Element, Transportation Element, Noise Element, Economic Development

Element, Managed Resources Element, Agricultural Element, Public Safety Element, Healthy Communities Element, Parks and Recreation Element, Education and Libraries Element, Cultural Resources Element, Water Supply Element, Air Quality Element, Natural Resources Element, Natural Hazards Element, Climate Change Element.

Goal 1B. Minimize conflicts between incompatible land uses.

Policy 1.B.1. Protect existing land uses from the infringement of and impacts associated with incompatible land uses.

Policy 1.B.5. Preserve the existing nighttime environment by limiting the illumination of areas surrounding new development. New lighting that is part of residential, commercial, industrial, or recreational development shall be oriented away from off-site sensitive uses, and shall be hooded, shielded, and located to direct light downward and prevent glare.

Goal 1G. Promote the development of industrial uses to meet the present and future needs of Tuolumne County's residents and to provide jobs and promote economic vitality.

Policy 1.G.1. Designate adequate amounts of land in appropriate areas for industrial development that are suitable for accommodating a variety of industrial uses and uses to support industry.

Policy 1.G.2. Require industrial development to meet performance standards based on factors of noise, odor, traffic, air and water pollution, and underground resources in order to minimize its impacts on surrounding land uses.

Policy 1.G.3. Encourage industrial businesses which utilize the output of lumber and natural resource processors and other industries that can provide a broad economic base for Tuolumne County.

Goal 4D. Support and encourage the revitalization of the Sierra Railroad.

Policy 4.D.3. Encourage industrial and recreation land uses along the Sierra Railroad that may increase rail operations and which will not detract from use of the Railroad by the filming industry.

Goal 6D. Minimize conflicts between incompatible land uses.

Policy 1.D.1. Protect existing land uses from the infringement of and impacts associated with incompatible land uses.

Goal 6E. Encourage the retention and expansion of existing businesses, attraction of new business and industry and assist in entrepreneurial programs to generate local employment opportunities, reduce retail leakage out of the county trade area and diversify the local economy, while maintaining its environmental and cultural integrity.

Policy 6.E.6. Encourage the building of the local economy and its associated new commercial and industrial development in a manner which recognizes the importance to wisely conserve, utilize and promote the County's scenic beauty, natural and cultural resources, environmental setting and educational assets.

Goal 7A. Promote the stability and productivity of the County's timberlands and timber related industries.

Policy 7.A.1. Encourage the conservation and management of timberlands through incentive programs while conforming with California forest practice law.

Policy 7.A.2. Minimize the potential for conflicts between timberland and non-timber related uses.

Policy 7.A.3. Encourage well planned timber related uses in commercial timberland areas.

Goal 16A. Balance property rights with the conservation of the environment and rural character of the County, which contributes to the quality of life of residents, encourages tourism and supports economic development.

Policy 16.A.1. Recognize that agricultural and timberlands have historically defined the rural character and scenic beauty of Tuolumne County.

Policy 16.A.5. Conserve scenic resources, landmarks and the natural landscape.

Policy 16.A.6. Encourage the protection of clusters of native trees and vegetation and outstanding individual native and non-native trees which help define the character of Tuolumne County.

Goal 16B. Support the diversity and quality of biological resources while balancing the needs of public use and private property rights.

Policy 16.B.8. Balance the conservation of biological resources with the need to reduce wildland fire hazards.

Tuolumne County Code

Chapter 17.40 – Heavy Industrial District, or (M-2) District

Section 17.40.010 – Purpose: The purpose of the heavy industrial (M-2) district is to provide an area for heavy industry. Permitted uses in the M-2 district include processing agricultural products, sawmills, and general manufacturing, processing and refining.

City of Stockton

City of Stockton General Plan

Adopted in December 2018, the City’s 2040 General Plan provides a comprehensive plan for the growth and development of the City. The General Plan is built around a series of goals, policies, and actions that describe the community’s vision for its future. The General Plan promotes topics of particular concern throughout the document, including Downtown, Public Health, Environmental Justice, Air Quality, and Climate Change. The plan is comprised of four (4) separate Elements: Land Use, Transportation, Safety, and Community Health. Goals and policies applicable to the proposed project are described below.

Land Use

The Land Use chapter encourages land use planning efforts to enhance and build upon neighborhood assets, address current challenges, and generally improve the quality of life in the City. The proposed project is located on

land designated by the General Plan as institutional; this land use designation and its associated goals and policies are summarized below (City of Stockton 2018):

Institutional: This land use designation allows for public and quasi-public land uses such as seaports, schools, colleges, water treatment facilities, airports, some governmental offices, federal installations, and other similar and compatible uses.

The following goals and policies of the Land Use Element of the General Plan area applicable to the project.

Goal LU-4. High-Quality Jobs. Attract and retain companies that offer high-quality jobs and wages that are competitive with the region and state.

Policy LU-4.1. Encourage large-scale development proposals in appropriate locations that include significant numbers of higher-wage jobs and local revenue generation. Such development may utilize the Economic and Education Enterprise land use designation if the proposal meets all of the criteria listed under the definition of the designation.

Policy LU-4.2. Attract employment- and tax-generating businesses that support the economic diversity of the City.

Goal LU-6 Effective Planning. Provide for orderly, well-planned, and balanced development.

Policy LU-6.1. Carefully plan for future development and proactively mitigate potential impacts.

Policy LU-6.2. Prioritize development of vacant, underutilized, and blighted infill areas.

Policy LU-6.3. Ensure that all neighborhoods have access to well-maintained public facilities and utilities that meet community service needs.

Policy LU-6.4. Ensure that land use decision balance travel origins and destination in as close proximity as possible, and reduce vehicle miles traveled (VMT).

Policy LU-6.6. Coordinate land use planning efforts among City departments and with regional agencies.

Transportation

The Transportation Element is intended to strengthen physical transportation connections within the City and greater region, including road, bicycle, and trail networks. The following goals and policies are applicable to the proposed project.

Goal TR-2. Active Community. Offer active transportation opportunities for the entire community.

Policy TR-1.3. Facilitate expanded port and airport operations, service, and development as travel and goods movement assets to the community and sources of employment.

Community Health

The Community Health chapter is focused on promoting personal health and enhancing the overall health and livability for the City. The following goals and policies are applicable to the proposed project.

Goal CH-2. Restored Communities. Restore disadvantaged communities to help them become more vibrant and cohesive neighborhoods with high-quality affordable housing, a range of employment options, enhanced social and health services, and active public spaces.

Policy CH-2.2. Stimulate investment through partnerships with private property owners, neighborhood groups, health and housing advocates, nongovernmental organizations, and other community supporters.

Goal CH-3. Skilled Workforce. Expand opportunities for local enterprise, entrepreneurship, and gainful employment.

Policy LU-3.3. Ensure that Stockton youth and adults have access to the services and resources they need to enhance their vocational and professional skills for job readiness and retention.

City of Stockton Municipal Code

The Stockton Municipal Code contains all ordinances for the City, identifies land use categories, provides site development regulations, and other general provisions to ensure consistency between the General Plan and proposed development projects.

Title 16. Development Code

Title 16 of the Stockton Municipal Code is the City's primary tool to regulate physical development within City boundaries. The Development Code classifies and regulates allowed land uses and physical development within the city. According to Section 16.04.020 of the Municipal Code, the purpose of the Development Code is to:

- Provide standards for orderly growth and development of the city;
- Implement the land uses of the General Plan;
- Maintain and protect the value of property;
- Conserve and protect the natural resources of the city, including its surrounding agricultural lands;
- Protect the character and social and economic stability of residential, commercial, and industrial areas;
- Assist in maintaining a high quality of life without causing unduly high public or private costs for development or unduly restricting private enterprise, initiative, or innovation in design; and
- Provide regulations for the subdivision of land in compliance with the Subdivision Map.

Division 2. Zoning Districts, Allowable Land Uses, and Zone-Specific Standards

This section of the Development Code establishes zoning districts within the City that regulate land use in accordance with the General Plan. Division 2 establishes a Zoning Map which is used to specify allowable uses on a parcel-by-parcel level. This section also outlines the City's permit requirements for land uses and defines physical development standards for each of the City's zoning districts.

Zoning Map

The Zoning Map, which is established in Division 2 of the Development Code, identifies zoning districts within the City at the parcel level. As mentioned above, the project site has a zoning designation of PT; this zoning district is further described below:

Port District (PT): The PT zoning district is applied to areas of the City that are operated by “port districts” as formed under the Harbors and Navigation Code Section 6210 et seq., for the operation of port facilities, including wharves, dockage, warehousing, and related port facilities. The PT zoning district is consistent with the Industrial and Institutional land use designations of the General Plan and the Rough and Ready Island Development Plan for the Port of Stockton (as applicable).

Port of Stockton

West Complex Development Plan

As part of long-term planning for the West Complex, the Port identified and considered the types of development and operations that could occur based on existing infrastructure, approved land uses, and future regional consumer demand. The West Complex Development Plan (WCDP) was approved in 2004, along with certification of WCDP EIR.

3.10.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to land use and planning are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to land use and planning would occur if the project would:

- Physically divide an established community?
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The three proposed facility sites (Lassen, Tuolumne, and Port of Stockton) are appropriately zoned sites, with a history of similar prior use. The facilities would not have the potential to divide an established community. Similarly, the feedstock operations would be temporary operations within forested lands. Feedstock operations would not have the potential to result in physical dividing an established community. Therefore, the impact analysis below focuses on the potential to conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect

3.10.4 Impact Analysis

3.10.4.1 Methodology

The proposed project would consist of three primary phases: feedstock acquisition, wood pellet production, and transport to market. The impact analyses below evaluate each of these primary phases as related to land use and planning.

Section 15125(d) of the CEQA Guidelines, requires that an EIR shall discuss any inconsistencies with applicable general plans, specific plans, and regional plans as part of the environmental setting. Applicable land use plans and policies considered in this analysis is the Lassen County 2000 General Plan, Tuolumne County 2018 General Plan, and the Envision Stockton 2040 General Plan. The discussion in this chapter differs from the impact discussions of the other technical sections in Chapter 3 in that only general land use plan or policy consistency issues are discussed, as opposed to a discussion of the physical impacts on the environment that could occur with implementation of the proposed project. If an inconsistency is noted, the analysis then evaluates whether the inconsistency could result in an environmental effect that the policy or regulation is intended to avoid or mitigate. Ultimately, it is within the Counties' decision makers' purview to decide if the proposed project is consistent with the General Plan.

3.10.4.2 Project Impacts

Impact LU-1 The project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Feedstock Acquisition

Sustainable Forest Management Projects

Sustainable Forest Management Projects providing feedstock from the proposed project will occur either on public forest lands (federal, state, and tribal), or private lands zoned for timber production. In both cases, such projects are fully consistent with the uses to which those properties are dedicated, and do not conflict with any applicable land use plan, policy, or regulation. Similarly, vegetation management projects, such as creating defensible space or mitigating risks to public infrastructure, are ancillary to and support the principal land uses, and do not conflict with any applicable land use plan, policy, or regulation. Further, as provided in the Project Design Features set forth in Section 2.4, each individual Sustainable Forest Management Project will be required to demonstrate compliance with all applicable all applicable land use plans, policies and regulations, including those identified in Section 3.10.2. Land use conflicts related to feedstock acquisition would be **less than significant**.

Wood Pellet Production

Lassen Facility

The proposed project would result in the construction of a wood pellet production facility on a previously partially developed site. As described in the environmental setting above, the proposed project site is located on a portion of a larger property that included a mill site (which is not part of the proposed project site) and an area used by the mill operators to load rail cars.

The northern parcel of the project site is designated as Town Center by the County General Plan. Town Center designations are applied to central areas of small unincorporated areas in the County and generally serve as the commercial and social centers of the surrounding communities, containing a mixture of commercial and residential uses. The corresponding zoning of the northern parcel is A-1, General Agriculture. According to the County Municipal Code Chapter 18.16, the intent of A-1 is to be applied to unincorporated territory of the County where precise zoning is not required. The County determined that the general character of the county is agriculture, thus, A-1 is applied to areas not indicated specifically to be used for precise districts of agriculture, residential, commercial,

manufacturing, open space, institutional, conservation, timber production, floodplain, or airport. The zoning allows for a variety of agricultural industrial uses, with approval of a conditional use permit, including sawmills.

A portion of the southern parcels designated as Intensive Agriculture by the General Plan would be used for log decking. Intensive Agriculture identifies lands devoted to or having a high suitability potential for crop growing and/or the raising of livestock on improved or natural pastureland. The southerly “wood yard” parcels are zoned Exclusive Agricultural, Agricultural Preserve Combining District (E-A-A-P), consistent with the Intensive Agriculture planning designation. The E-A-A-P allows for storage of agricultural products, including timber. As the production facilities would not be located on this parcel, the “wood yard” log decking would be allowed under the zoning designation.

The proposed project would be consistent with several goals and policies of the County General Plan, including improvement of the industrial base (Goal L-13), development within areas designated and developed for such uses (Policy LU34), uses compatible with the Extensive Agriculture District (Policy LU35), and healthy forest environments which provide resources for multiple uses while benefiting the local economy (Goal L-18). The proposed facility is consistent with the applicable zoning districts, as discussed above.

Land use conflicts related to the Lassen facility would be **less than significant**.

Tuolumne Facility

The proposed project would result in the construction of a wood pellet production facility on a previously developed site. As described in the environmental setting above, the proposed project site is located on property previously used as wood processing facility. The project site is designated as Heavy Industrial uses by the County General Plan. This designation allows for several uses including all types of manufacturing and processing activities. The proposed facility would not exceed a floor area ratio of 1.0 for the site, consistent with the General Plan land use designations.

The project site is also zoned as M-2, or Heavy Industrial by the County. According to Chapter 17.16.030 of the Tuolumne County Ordinance Code, this zoning allows for several uses including biomass, sawmills, general manufacturing, processing and refining as a permitted land use. As a biomass facility, the proposed facility is allowed under the existing zoning, and would require only a Site Development Permit approval, in accordance with Chapter 17.100.030 of the Tuolumne County Ordinance Code. Additionally, the proposed support tower for the conveyor system would be 112 feet tall, which is within the height regulation limit of 115 feet for biomass facilities as specified in Chapter 17.22.020 of the Tuolumne County Ordinance Code. The proposed facility is consistent with General Plan goals, including compatible development (Goal 1B) and development of industrial uses to promote economic vitality (Goal 1G). Furthermore, the proposed project is consistent with the existing M-2 zoning designation.

Land use conflicts related to the Tuolumne facility would be **less than significant**.

Transport to Market

Port of Stockton

The proposed project would result in the construction of project specific features and the use of an existing Port of Stockton Berth. The project site is located in the Port of Stockton West Complex, which has historically been used for port related activities, including warehousing. The project site is designated as Institutional use by the City's General Plan and zoned as Port district. The proposed project would implement Policy TR-1.3: Facilitate expanded

port and airport operations, service, and development as travel and goods movement assets to the community and sources of employment. The proposed project would be consistent with the General Plan's maximum FAR of 0.5 for institutional uses.

The project site is zoned as a Port, which allows for the operation of port facilities including dockage, wharves, and warehousing. According to City Municipal Code Section 16.24.150, land uses within the port zoning district must be in compliance with the Rough and Ready Island development plan. The proposed project is also consistent with the WCDP and would further the redevelopment of the West Complex. The proposed storage domes would be located within an area designated for intermodal transfer (rail to ship).

Land use conflicts related to port operations would be **less than significant**.

3.10.4.3 Cumulative Impacts

The consistency analysis of applicable land use goals and policies, and compatibility with existing adjacent uses is not an additive effect. Therefore, cumulative impacts to land use policies are generally not a potential issue unless one or more cumulative projects would change applicable land use plans, which is not the case with the proposed project. Feedstock operations would rely on previously approved projects (such as removing forest slash from approved vegetation management or timber harvests) or would require subsequent approvals that must demonstrate consistency with applicable plans, policies and regulations. All three proposed project sites (Lassen Facility, Tuolumne Facility, and the Port of Stockton) have land use designations that would be consistent with the proposed use, and would not conflict with applicable land use policies. As described in Chapter 3.0, the identified cumulative projects would not require changes to land use plans, or introduce inconsistencies with policies and regulations. Therefore, there are no significant land use consistency impacts where the project, in combination with impacts from other projects, could contribute to a cumulative land use impact. Potential cumulative issues related to the proposed uses, industrial facilities, such as those related to noise, traffic, or air quality are addressed within the appropriate resource sections of this EIR.

3.10.5 References

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