

3.14 Land Use and Planning

This section discusses the environmental setting for land use and planning, as well as potential environmental impacts and associated mitigation measures for the Proposed Project. This section does not address the potential effects of removal of the three California Lower Klamath Project dams on property values or changes in property tax revenues. The State Water Board received several comments expressing concerns about economic and property value changes; these issues are further addressed in Section 5.4 *Social and Economic Factors Under CEQA*. CEQA Guidelines Section 15064 (e) states that *“Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project”*. Further summary of comments related to land use issues received during the NOP public scoping process, as well as the individual comments themselves, is included in Appendix A.

Section 3.15 *Agriculture and Forestry Resources* focuses on the potential direct changes to agricultural and forestry that would occur as a result of the removal of Copco No. 1 Dam, Copco No. 2 Dam, and Iron Gate Dam. Section 3.15 describes Siskiyou County's agricultural and forestry land uses, identifies the acreages of agricultural and forestry land in Siskiyou County, and describes the factors contributing to changes in irrigated agricultural land and to forestry resources in the County. Section 3.21 *Hazards and Hazardous Materials* describes the potential impacts to wildfire suppression associated with removal of the Lower Klamath Project facilities. Forest vegetation communities and the potential effects of the Proposed Project on wildlife associated with these communities are discussed in Section 3.5 *Terrestrial Resources*. Additionally, the removal of the dams may alter the flood regime for a portion of the river downstream from Iron Gate Dam. Potential changes in flood risk under the Proposed Project are described in Section 3.6 *Flood Hydrology*.

3.14.1 Area of Analysis

The Area of Analysis for land use and planning includes California lands within the Project Boundary (Figure 3.14-1). This area includes Parcel B lands within California, as well as California lands that are within the proposed Limits of Work but not within Parcel B lands (i.e., Fall Creek Hatchery area, small portions of the Iron Gate Reservoir footprint, Jenny Creek Bridge).

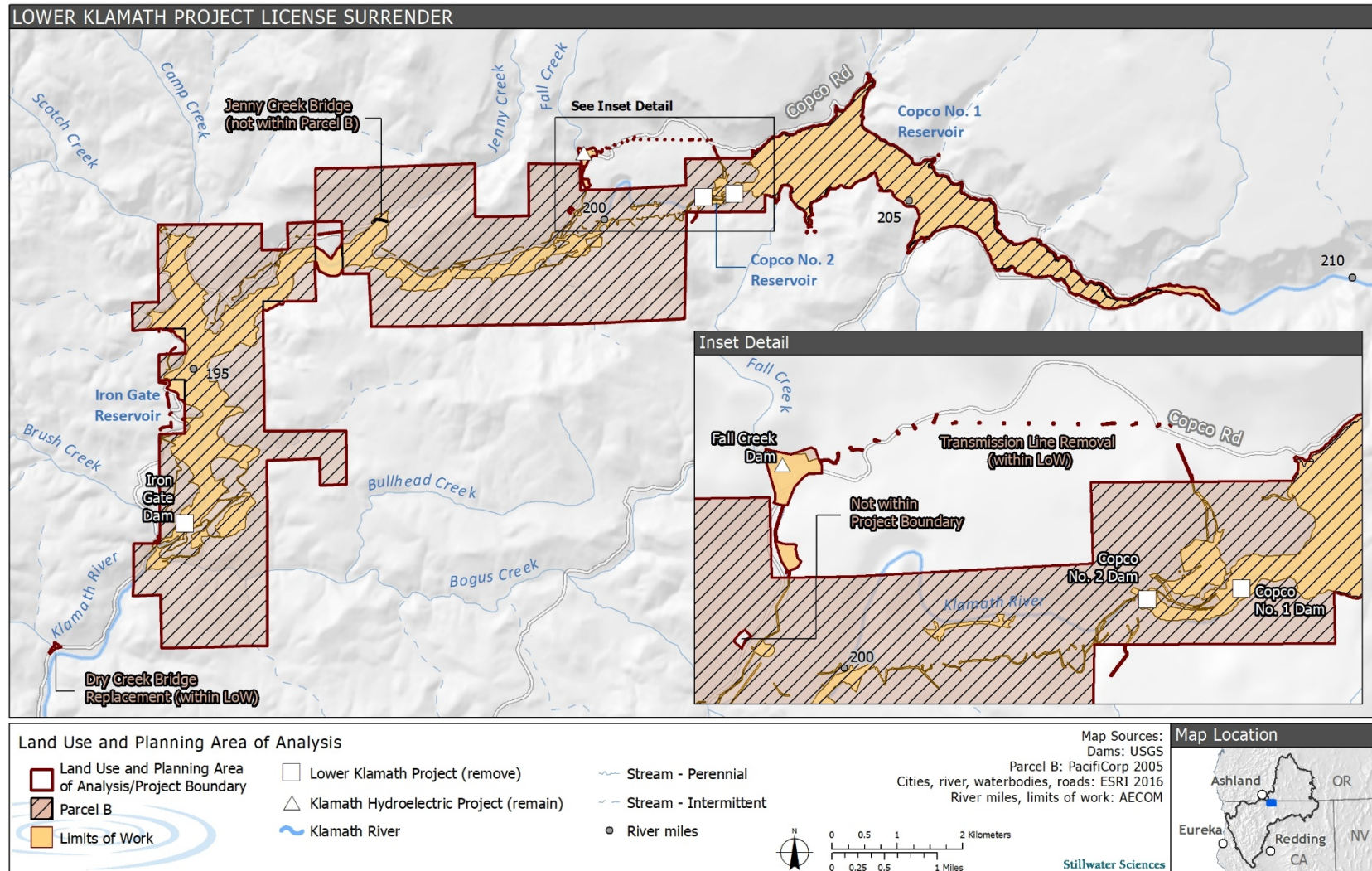


Figure 3.14-1. Land Use and Planning Area of Analysis.

3.14.2 Environmental Setting

3.14.2.1 Land Ownership

The Area of Analysis for land use and planning contains approximately 7,176.5 acres of submerged and non-submerged lands, which includes Parcel B lands owned by PacifiCorp that encompass most of the Copco No. 1, Copco No. 2, and Iron Gate reservoir footprints and adjacent areas of the dams, powerhouses, ancillary facilities, fish hatcheries, recreation areas, and certain transmission lines and access roads. Approximately 2,299 acres of the Area of Analysis (also the Project Boundary) are within the proposed Limits of Work (Figure 3.14-2), which include the areas identified as construction/demolition and staging areas in the immediate vicinity of Copco No. 1, Copco No. 2, and Iron Gate dams and reservoirs, and as well as other identified construction areas for the Iron Gate and Fall Creek hatchery modifications (see also Section 2.7.6 *Hatchery Operations*) and the City of Yreka water supply pipeline (see also Section 2.7.7 *City of Yreka Water Supply Pipeline Relocation*).

Table 3.14-1. Land Ownership in Acres within the Area of Analysis for Land Use and Planning.

Project Feature	BLM ¹	PacifiCorp Parcel A ¹	PacifiCorp Parcel B ¹	Other Private	Total (ac)
California portion of the Project Boundary (equivalent to the Area of Analysis)	59.3	21.8	7,013.1	82.3	7,176.5
California portion of the proposed Limits of Work	59.3	21.8	2,135.6	82.3	2,299.0

¹ Small adjustments were made to the boundaries of the BLM dataset to alleviate overlap with the PacifiCorp Parcel B dataset.

PacifiCorp Lands

PacifiCorp owns the majority of the land (7,034.9 acres) within the Area of Analysis for land use and planning (Table 3.14-1). Of this total, 2,157.4 acres are within the California portion of the proposed Limits of Work. Upon transfer of FERC License No. 14803 from PacifiCorp to the KRRC, the KRRC would take ownership of Parcel B lands. Per the KHSA Section 7.6.4, the KRRC will transfer ownership of Parcel B lands to the respective States or to a designated third-party entity following completion of the Proposed Project (Section 2.7.10 *Land Disposition and Transfer*).

U.S. Bureau of Land Management

The U.S. Bureau of Land Management (BLM) manages Mallard Cove Recreation Area at Copco No. 1 Reservoir, and several BLM parcels are crossed by transmission lines and Copco Road at Iron Gate Reservoir. In total, BLM manages 59.3 acres within the Area of Analysis for land use and planning.

Private Lands

Most of the land surrounding Copco No. 1 Reservoir is privately owned. Other smaller areas of privately-owned land are located adjacent to Iron Gate Dam and Fall Creek Dam. In total 82.3 acres of private lands are located within the Area of Analysis for land use and planning.

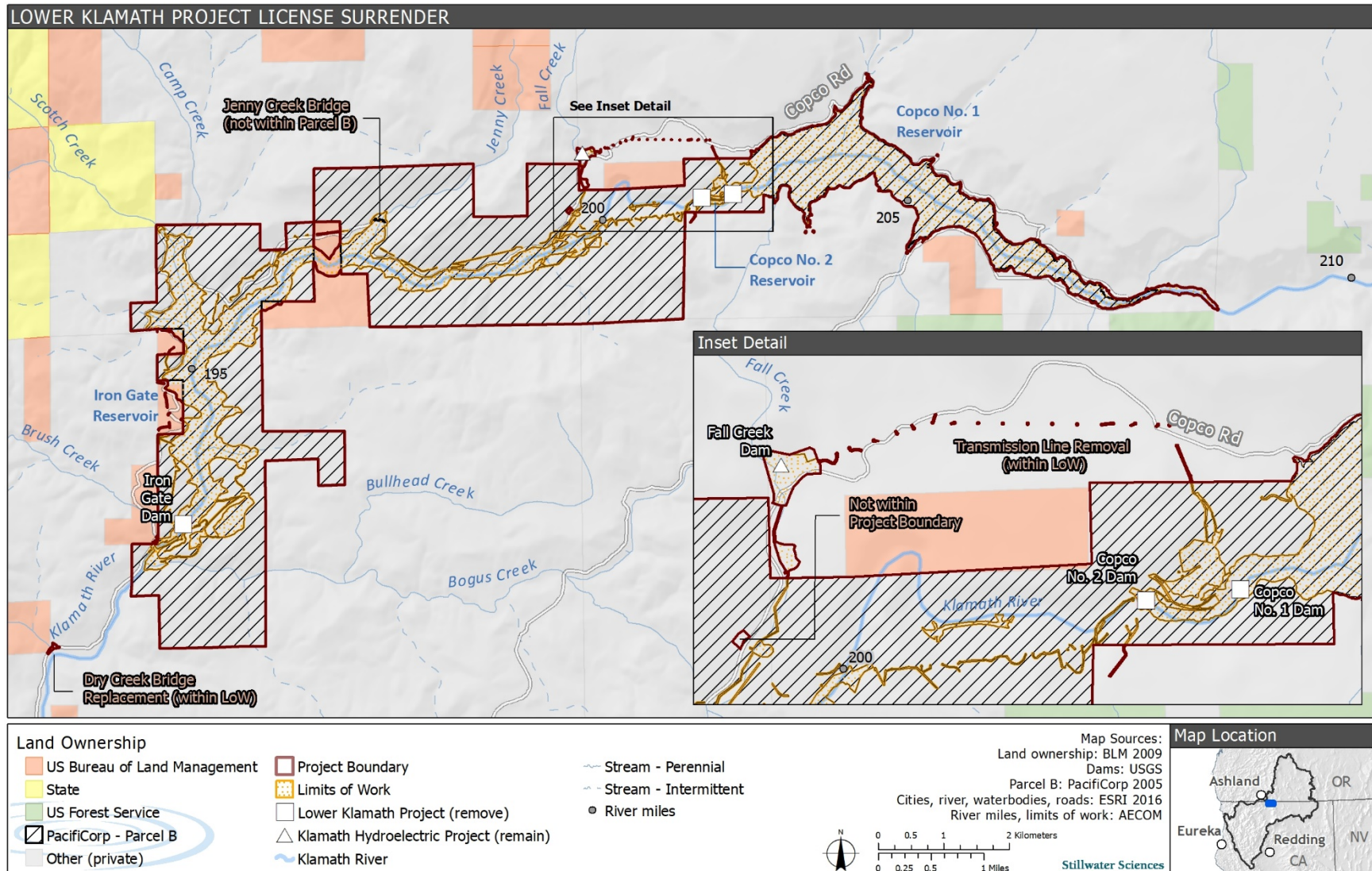


Figure 3.14-2. Surrounding Land Ownership.

3.14.2.2 Land Uses

The Area of Analysis for land use and planning is located within Siskiyou County. Figure 3.14-3 portrays the existing land uses by zoning classification within the Area of Analysis for land use and planning. Land uses within the Area of Analysis are designated by the county using the following generalized categories: Agriculture – Grazing, Forestry Resources, Open Space – Natural Resources, Rural Residential, and Commercial – Services, with many parcels currently vacant. The closest urban area is the City of Yreka, 20 miles to the southwest. Most of the land in the Area of Analysis is devoted either to agriculture/grazing or to open space and conservation of natural resources. A small portion is devoted to hydroelectric operations and recreation sites. There are residential developments on private parcels adjacent to Copco No. 1 Reservoir and the Klamath River throughout the Area of Analysis for land use and planning.

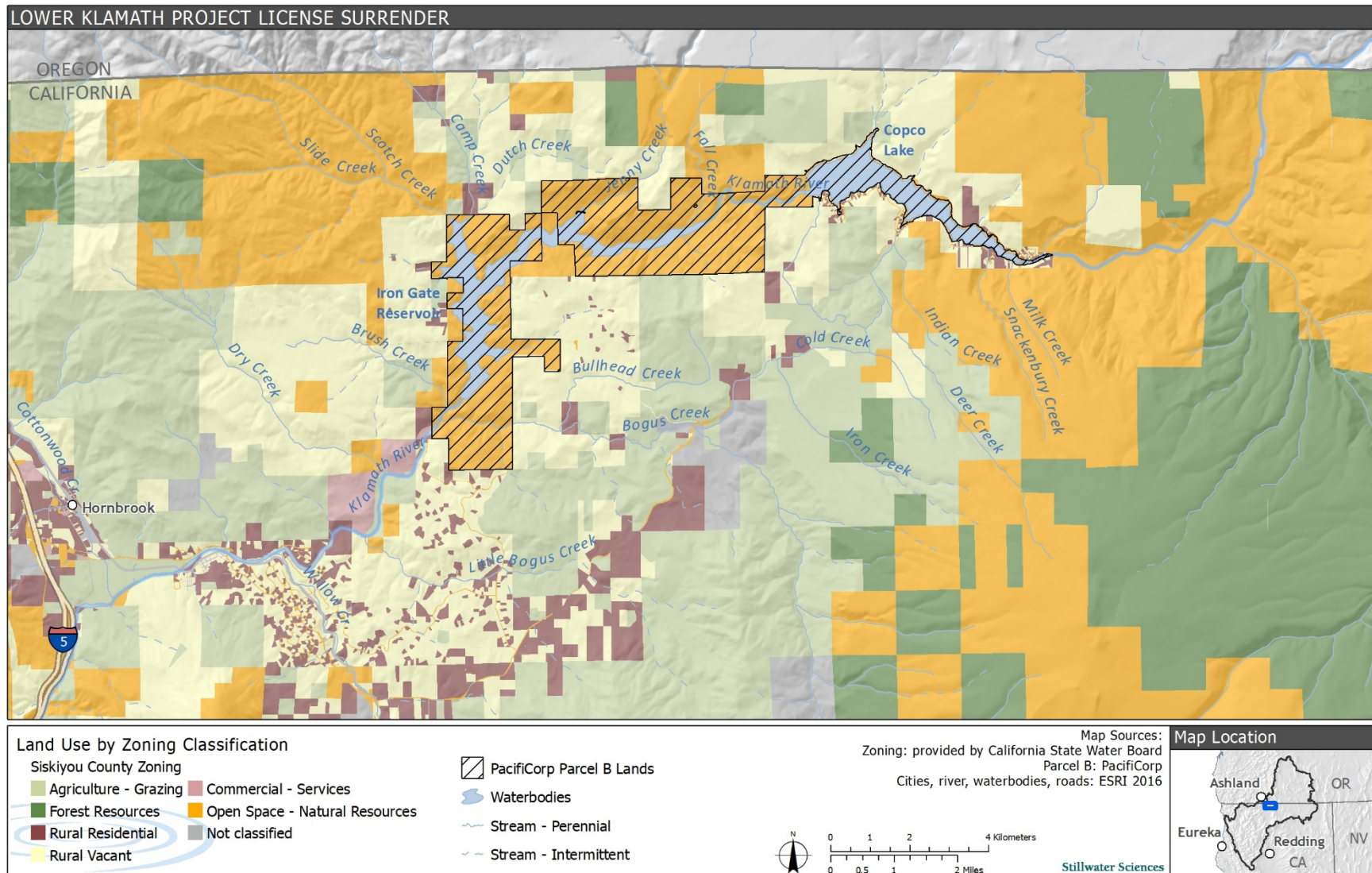


Figure 3.14-3. Siskiyou County Land Use by Zoning Classification.

Open Space/Recreation/Public Lands

Federal and state agencies own and/or manage public lands in the Area of Analysis for land use and planning. These include public lands primarily managed by BLM and USDA Forest Service. These areas are used for public recreation and open space, as well as forest and mineral resources. Other privately-owned recreation facilities (e.g., recreational vehicle parks) operate along the Klamath River downstream from Iron Gate Dam (see also Section 3.20 *Recreation*).

The majority of the Area of Analysis for land use and planning is categorized as Open Space – Natural Resources under the Siskiyou County Zoning Ordinance, which includes recreation and public lands. In general, these are undeveloped lands not in active use and include timber production, grazing land, and developed and dispersed recreational uses (see also Section 3.15 *Agriculture and Forestry Resources* and Section 3.20 *Recreation*).

Residential/Developed

In the Area of Analysis for land use and planning, there are residential developments along portions of the Copco No. 1 Reservoir. These developments are mostly low-density rural residential (R-R). Zoning is one unit per acre per County Zoning Ordinance Table 10-6.5501. The residential properties within the Area of Analysis are located primarily along the southern and northeastern Klamath River shorelines, along Ager-Beswick Road and Copco Road, respectively. Many parcels are vacant and undeveloped. There are residential subdivided areas (mostly vacant) south and east of Iron Gate Dam and additional residential lands along the Klamath River downstream of Iron Gate Dam. Residents typically have the ability to access the Lower Klamath Project reservoirs for boat travel and recreational uses.

Inundated Lands

Lands currently inundated by the reservoirs in Siskiyou County have land use designations and zoning that correspond with the adjacent lands (generally Open Space – Natural Resources, Agriculture-Grazing, and Rural Vacant). The reservoirs are utilized for open space/recreational uses.

Commercial/Industrial

The three California Lower Klamath Project dam facilities, which are considered commercial-industrial from a land-use perspective, are summarized in Section 2.3.2 *Copco No. 1 Dam and Associated Facilities*, Section 2.3.3 *Copco No. 2 Dam and Associated Facilities*, and Section 2.3.4 *Iron Gate and Associated Facilities*. Additional details are included in Appendix B: *Definite Plan*.

Existing Infrastructure

Existing infrastructure potentially affected by the Proposed Project within the Area of Analysis includes the City of Yreka water supply pipeline, existing domestic wells, recreation sites and facilities, and roads. Details regarding the City of Yreka water supply are presented in Section 2.7.7 *City of Yreka Water Supply Pipeline Relocation* and Section 3.8 *Water Supply/Water Rights*. Additional information on private wells can be found in Section 3.7 *Groundwater*. Utilities are described in both Section 3.17 *Public Services* and Section 3.18 *Utilities and Service Systems*. Recreation facilities are described in Section 3.20 *Recreation*. The existing roads in the land use and planning Area of Analysis are owned by PacifiCorp, the Federal Government, Siskiyou County or private entities, details of which can be found in Section 3.22 *Traffic and Transportation*.

PacifiCorp is responsible for maintaining approximately 14.5 miles of roads within the Area of Analysis.

3.14.3 Significance Criteria

Criteria for determining significance on land use and planning are based on Appendix G of the CEQA Guidelines (California Code of Regulations title 14, section 15000 et seq.) and professional judgment. Effects on land use and planning are considered significant if the Proposed Project would result in one or more of the following conditions or situations:

- Physically divide an established community.
- Conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect in a manner that would prevent the avoidance or mitigation result sought to be achieved by the plan, policy, or regulation.

3.14.4 Impact Analysis Approach

The approach to the impact analysis for land use considers the baseline of existing uses of land and evaluates both the short-term Proposed Project construction-related activities as well as the potential long-term land-use conditions after the Proposed Project is completed. The analysis considers whether Proposed Project actions would create physical barriers that substantially change the connectivity between areas of a community or cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. In addition to the analysis provided in Potential Impact 3.14-2, each resource topic analyzes applicable land use plans, policies or regulations that pertain to that topic. Consideration of habitat conservation plans and natural community conservation plans, which typically falls under the “Land Use and Planning” section of Appendix G of the CEQA Guidelines, is discussed in Section 3.5.4 *Impact Analysis Approach* of this EIR.

3.14.5 Potential Impacts and Mitigation

Potential Impact 3.14-1 Removal of the reservoirs, construction-related traffic, and/or land transfer would not change connectivity between areas of a community. The Proposed Project includes the removal of the Lower Klamath Project reservoirs as well as restoration of the reservoir areas (Section 2 *Proposed Project*). The Proposed Project also includes the transfer of PacifiCorp lands immediately surrounding the Lower Klamath Project (i.e., Parcel B lands, see Figure 3.14-1) from PacifiCorp to the KRRC prior to dam removal, and then to California and Oregon, as applicable, or to a designated third-party transferee, following dam removal. The lands would thereafter be managed for public interest purposes (Section 2.7.10 *Land Disposition and Transfer*).

KRRC proposes to fence certain areas within the Area of Analysis for land use and planning. The Proposed Project would install cattle exclusion fencing around the reservoir restoration areas where they abut grazing land and where the existing topography does not already provide a barrier to cattle access (e.g., steep rocky terrain, residential areas, managed forests). The cattle exclusion fencing would be installed to protect revegetation efforts and to replace the function of the reservoirs as natural

barriers to cattle movement. The exclusion fencing would be placed in accordance with applicable Federal, State, and county regulations and guidance (Appendix B: *Definite Plan – Section 6.1.1*). The proposed fencing would not physically divide an existing ranching community since it would be placed in locations where the reservoirs currently serve as a physical barrier to keep livestock on their designated lands and thus there would be no impact on connectivity relative to existing conditions.

PacifiCorp currently owns most of the land inundated by the reservoirs (Figure 3.14-2). Removing the reservoirs would remove lake water access for those in the community who use boats to travel between one reservoir recreational area to another (recreational impacts are discussed in Section 3.20 *Recreation*), or between residences. However, no roadways are proposed to be removed as part of the Proposed Project and although boating transport between reservoir shorelines would no longer be possible once the reservoirs are removed, there would be no change to road access as a result of reservoir removal. Since boating between reservoir shorelines as a means of travel is not the only available option for the community, reservoir removal would not create a physical barrier to travel for the community and there would not be a significant impact to connectivity due to the Proposed Project.

During construction activities, short-term, construction-related traffic could result in physical barriers to residents and local ranchers if road access were to be discontinued or substantially interrupted within the Area of Analysis. This would be a significant impact. Section 3.22 *Transportation and Traffic* analyzes the proposed Traffic Management Plan (Traffic Management Plan) included in Appendix B: *Definite Plan – Appendix O2*. Implementation of the proposed Traffic Management Plan would avoid the creation of a physical barrier to the community through construction strategies, such as scheduling, detour plans, signage and traffic control such that the potential impact would be less than significant.

The roads within the Area of Analysis, if not owned by Siskiyou County, are generally owned or managed by PacifiCorp (Figure 3.14-4). In the short term, between the time of license transfer and decommissioning of the dams, PacifiCorp would continue to maintain these roads (approximately 14.5 miles) as part of normal Lower Klamath Project operations and maintenance (KRRC and PacifiCorp 2017). After completion of the Proposed Project, these roads, which are primarily located on the south side of the California Lower Klamath Project reservoirs and were constructed for dam facility maintenance, may no longer be needed. While portions of these roads may currently be utilized by local residents, there are alternative access routes that connect to county roads, and so even if these roads are not maintained in the future, there would be no long-term physical barrier to road access under the Proposed Project and the impact would not be significant.

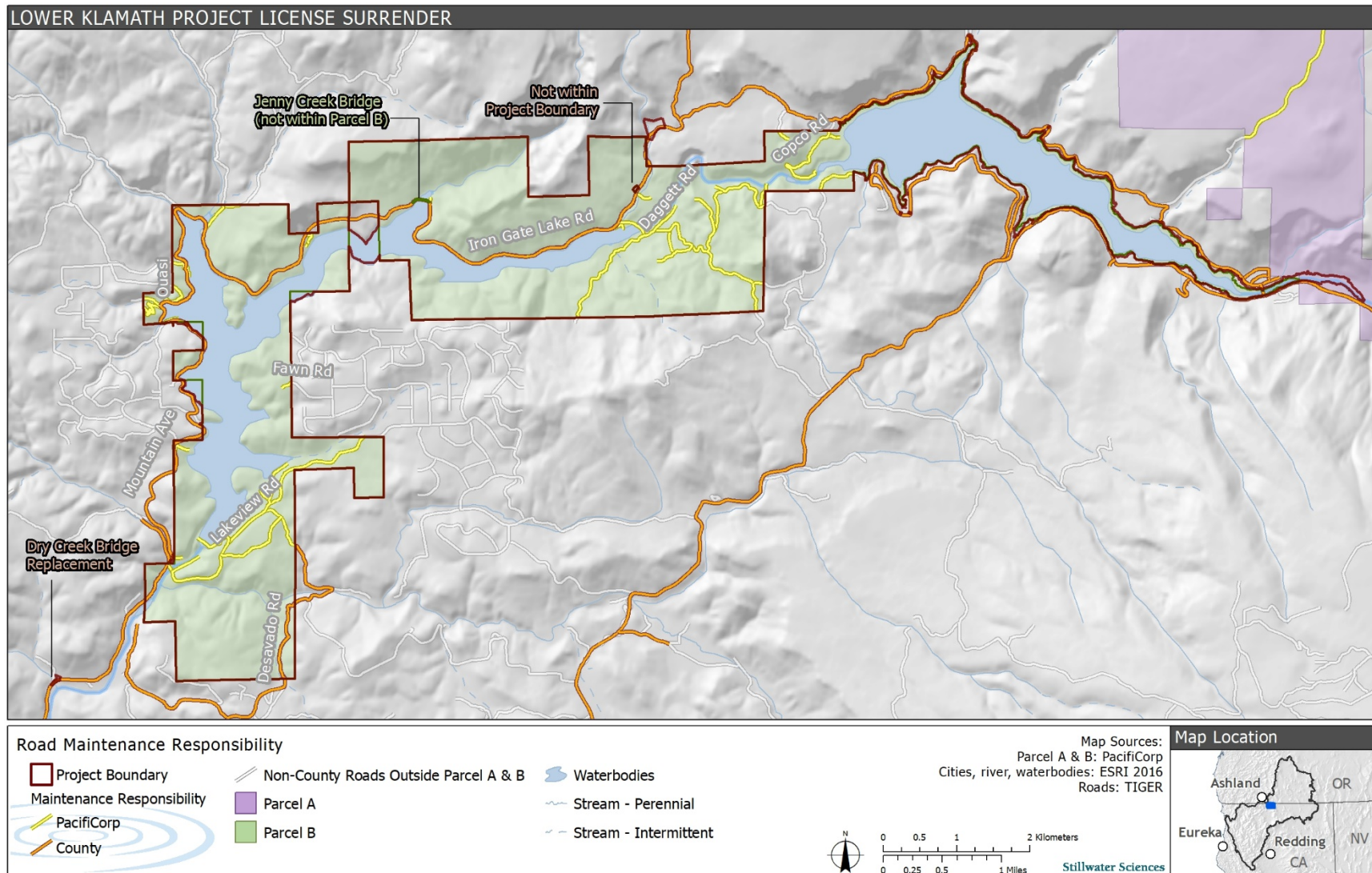


Figure 3.14-4. Road Maintenance Responsibility within the Land Use and Planning Area of Analysis.

Significance

No significant impact in the short term or long term

Potential Impact 3.14-2 The Proposed Project would not conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect in a manner that would prevent the avoidance or mitigation result sought to be achieved by the plan, policy, or regulation.

The Proposed Project includes the removal of the Lower Klamath Project dams and reservoirs and includes other items such as restoration of the reservoir footprints (see also Section 2.7.4 *Restoration Within the Reservoir Footprint*). Given the number of public agencies owning or regulating land use within the Area of Analysis for land use and planning, there are several relevant land use or land management plans to consider in association with the Proposed Project.

Siskiyou County

For the most part, the Area of Analysis is classified as Open Space – Natural Resources. All areas within the Area of Analysis for land use and planning are currently designated and zoned by the county’s General Plan and Zoning maps (see Figure 3.14-3) and would continue to be classified as such after the Proposed Project is completed, resulting in no change from existing conditions. In addition, implementation of the Proposed Project itself would not change the county’s General Plan designations or Zoning map.

General Plan of Siskiyou County

Non-federal lands within the land use and planning Area of Analysis are under the jurisdiction of the Siskiyou County General Plan (General Plan) (Siskiyou County 2017a). The General Plan applies to the unincorporated area of Siskiyou County, California, and includes separate elements that were adopted over the course of several years, primarily in the 1970–80s. Elements of the General Plan include land use, noise, conservation, energy, seismic safety, geothermal energy, and housing. The General Plan guides land use policy within the Area of Analysis, including Copco No. 1, Copco No. 2, and Iron Gate reservoirs and the surrounding recreational lands (FERC 2007).

Land use within the Area of Analysis would remain consistent with the Siskiyou County General Plan elements. For instance, removal of Lower Klamath Project facilities would be aligned with the objectives of the existing Siskiyou County Open Space element (which is to preserve 15 percent of the gross land area of a proposed development as open space, under either private or public ownership) and the Conservation element (which is to “conserve and protect the land resources” of the county, to “protect and conserve the lakes, streams and reservoirs of the county...for recreation areas but more important as wildlife habitat,” and to “conserve and maintain habitat for wildlife species [including fish] and plant life.”). The Proposed Project would replace certain lakes in Siskiyou County (i.e., the reservoirs) with a more natural river system (potentially including developed river recreational use areas) and habitat restoration, and other lakes in Siskiyou County would be preserved. Because the overall effect of the Proposed Project will be to preserve the water resources of Siskiyou County, the Proposed Project will not prevent the results that the Open Space and Conservation elements of the County’s general plan are intended to achieve. Additionally, non-federal lands previously inundated by the Lower Klamath Project reservoirs, and surrounding Parcel B lands would be managed in the public interest and consistent with the Siskiyou County General Plan. Accordingly, the Proposed Project would be consistent, and not conflict,

with county land use plans in a manner that would prevent the results sought to be achieved by those plans.

Siskiyou County Zoning Ordinance

Non-federal lands within the land use and planning Area of Analysis are under the jurisdiction of the Siskiyou County Zoning Ordinance (Siskiyou County 2017b). The Siskiyou County Zoning Ordinance guides land development in unincorporated portions of Siskiyou County by regulating allowable uses and structures in various zones. Uses within the Area of Analysis are generally residential, commercial, industrial, agricultural, timberland, and open space. Hydroelectric facilities, including changes to them, are subject to local review in part through the zoning code. The Area of Analysis for land use and planning is located on land zoned Open Space surrounded by: AG-1, prime agricultural; AG-2, non-prime agricultural; and R-R, rural residential agriculture. Most rural residential agriculture lands remain vacant. Since the uses on these lands would not change (i.e., agricultural lands would remain as agricultural, rural residential lands would remain as rural residential, and open space would remain as open space), the Proposed Project would not result in a conflict with the County's Zoning Ordinance that would prevent achievement of the objectives of the Zoning Ordinance.

The Wild and Scenic Rivers Act

The Wild and Scenic Rivers Act (P.L. 90-542) is discussed and analyzed in detail in Section 3.20 *Recreation*. Two portions of the Klamath River are currently designated under the Wild and Scenic Rivers Act. The first one is the 11-mile "scenic" segment from the California/Oregon state line to the J.C. Boyle powerhouse. The second "recreational" section for the Middle and Lower Klamath River begins 3,600 feet downstream of Iron Gate Dam and extends to the Pacific Ocean. Both of these segments are located outside of the Land Use Area of Analysis and, as described in Potential Impact 3.20-7, the Proposed Project would be beneficial to the long-term scenic quality, recreational quality, fisheries, and wildlife of the California Klamath River wild and scenic river segment, and it would be beneficial to the long-term resource values of the eligible and suitable wild and scenic river segment. Thus, the Proposed Project would not result in a conflict with the Wild and Scenic Rivers Act.

BLM Redding Resource Management Plan (RMP) (BLM 1993)

The Redding RMP is a 15-year strategy addressing where and how the BLM will administer public lands under its jurisdiction within the Redding Resource Area, which includes Butte and Tehama counties and the majority of Shasta, Siskiyou, and Trinity counties. As such, it governs management of BLM's Mallard Cove Recreation Area at Copco No. 1 Reservoir and several BLM parcels are crossed by transmission lines and Copco Road at Iron Gate Reservoir (FERC 2007). Recreational sites managed by BLM are discussed in Section 3.20 *Recreation*. The RMP objectives for the Klamath River include: maintaining water-oriented recreation opportunities along the river, improving the condition of the riparian zone to Class II on anadromous fish streams, and maintaining the scenic quality in the river condition upstream of Copco No. 1 Reservoir. Although the Proposed Project would result in the loss of one of BLM's reservoir accesses (i.e., the Mallard Cove Recreation Area), the Proposed Project would nevertheless be consistent with the objectives of the Redding RMP and would not prevent the result the RMP seeks to achieve. As discussed in more detail in Potential Impact 3.20-2, removal of this site would not result in a significant adverse impact on reservoir-based recreation because there are a number of similar opportunities in the vicinity of the Lower Klamath Project and, as described in Section 3.20 *Recreation*, the

Proposed Project will include a Recreation Plan which is expected to be finalized in June 2019. The Draft Recreation Plan includes potential recreation opportunities identified in the Detailed Plan (USBR 2012) as well as those identified through recent stakeholder outreach efforts. Thus, removal of the Mallard Cove Recreation site would not result in a substantial adverse land use impact.

USDA Forest Service Klamath National Forest Land and Resource Management Plan (USDA 2010)

The purpose of this plan is to coordinate and disclose programmatic management direction for the Klamath National Forest. The plan establishes the management direction and associated long-range goals and objectives for the forest; specifies the standards, timing, and vicinity of the practices necessary to achieve that direction; and establishes the monitoring and evaluation requirements needed to ensure that the direction is carried out. There are no lands of the Klamath National Forest within the Project Boundary, although there are some parcels near the east end of Copco No. 1 Reservoir. The plan designates those lands as late-successional reserve, and are managed to enhance habitat for late-successional and old growth-related species (FERC 2007). Additional analysis of Forest Lands is found in Section 3.15 *Agriculture and Forestry Resources*. That analysis concludes that the Proposed Project will not result in a conflict with the Klamath National Forest Land and Resource Management Plan in a manner that will cause a substantial adverse impact to the physical environment. See Section 3.15 *Agriculture and Forestry Resources* for more information on forest resources.

Significance

No significant impact

3.14.6 References

BLM (Bureau of Land Management). 1993. BLM Redding Resource Management Plan (RMP). Available at: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=112832>. [Accessed November 15, 2018]

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