

4.9 Land Use and Planning

This section evaluates the potential impacts of the Moosa 100K Alternative on land use and planning. This evaluation includes an assessment of the direct, indirect, short-term, long-term, and cumulative effects of the Moosa 100K Alternative land use plans, policies, and regulations; residences and businesses; and educational, religious, and scientific land uses. Portions of this evaluation are based on the Community Impact Assessment (CIC Research, 2007), which is included as Appendix H to this EIR/EIS.

4.9.1 Affected Environment

4.9.1.1 Environmental Setting

This section describes the existing environmental setting within the Moosa 100K study area.

Existing Land Uses

Moosa Canyon is characterized by steep slopes, chaparral-dominated vegetation, and rock outcroppings. A waterfall is located in the lower canyon area. Agriculture is the predominant land use within the Moosa 100K study area, consisting primarily of citrus and avocado groves. Rural residential uses in the study area are characterized by low-density, single-family dwellings on large lots with residential accessory structures such as livestock stalls, barns, and storage/tack houses.

The majority of lands surrounding the Moosa 100K study area are characteristic of the existing rural residential and agricultural activities in the Valley Center area. The rural character of the surrounding lands results from the low population density and the prevalence of large areas of agricultural open space.

Valley Center Municipal Water District (VCMWD) facilities located within the Moosa 100K study area include the Turner Reservoir and the Turner and Betsworth pump stations. A segment of the Water Authority's First Aqueduct Pipeline and existing pipelines that provide service from the VCMWD pump stations to surrounding areas are also located within the study area.

The closed Valley Center Landfill is located adjacent to the northeast portion of the Moosa 100K study area. The Valley Center Landfill was established as an operating solid waste facility by the County of San Diego in 1958. The facility operated as a burn site from 1958 until 1969 and as a conventional municipal landfill between 1970 and 1978. The landfill has not been in operation since January 1, 1979. Part of the abandoned landfill property is currently used as an equestrian center (Aerie Park Equestrian Facility). No other recreational facilities or public parks exist within or near the study area.

4.9.1.2 Regulatory Setting

This section addresses local plans, policies, and programs relevant to land use and planning issues of the Moosa 100K Alternative.

The Moosa 100K Alternative and the Proposed Action both would be located in San Diego County in California. The Water Authority and San Diego County General Plan regulations and policies governing land use and planning for the Proposed Action would apply to the Moosa 100K Alternative. Please refer to Section 3.9.1.2 (Land Use and Planning for the Proposed Action) of this EIR/EIR for the regulatory setting for these aspects of the Moosa 100K Alternative.

Community plans that are relevant to the Moosa 100K study area are described below.

Valley Center Community Plan

The Moosa 100K study area is located within the Valley Center area of the County of San Diego. The Valley Center Community Plan was adopted on December 31, 1979, and amended on April 17, 2002. The Valley Center Community Plan Area comprises approximately 94 square miles in the unincorporated area of northern San Diego County, and is distinguished by its unique topographic features, agricultural activities, and large estate residential developments. The rural character of the community results from the low population density and the dominance of large areas of open space provided by agriculture. The Valley Center Community Plan contains the following elements: Community Character, Land Use, Housing, Circulation, Public Facilities and Services, Conservation, Open Space, Parks and Recreation, and Noise. According to the Water Service Goal of the Public Facilities and Services Element, "Ensure that enough water is available from both local and outside sources to adequately all users in the community plan area." In addition, Policy #1A from the water supply and conservation policies of this Element encourages "Support of cost effective storage facilities such as emergency storage facilities located near demand areas or away from earthquake faults."

North County Metropolitan Subregional Plan

The North County Subregional Plan was adopted on January 3, 1979, and amended on December 19, 1990. The North County Metropolitan Subregional Plan Area consists of many non-contiguous "island" areas spread among the cities of Escondido, San Diego, San Marcos, Vista and Oceanside with the most easterly portion adjacent to Valley Center. The North County Metropolitan Subregional Plan Area includes the communities of Hidden Meadows and Twin Oaks. The Plan is intended to promote organized development, protect environmental and man-made resources, and implement the County's objectives for growth management for the Subregion. The North County Subregional Plan supplements all existing Elements of the San Diego County General Plan with specific emphasis on the planning needs of the North County Metropolitan Subarea. There are no relevant policies from this Plan that support the provision of water infrastructure.

City of Escondido General Plan

Land use and development policies for the City of Escondido are governed by the City of Escondido General Plan. Substantial growth within the City of Escondido has resulted in challenges concerning public facilities and services, traffic, air quality, water availability, environmental protection, and open space. The City's General Plan includes Quality of Life Standards and a Growth Management Element to assist in maintaining these standards. Quality of Life Standard 10: Water System, and Water Policy G1.1 in the Community Facilities and Services Element, address the City's requirement to provide for adequate water supply, pipeline capacity, and storage capacity to meet normal and emergency situations. Quality of Life Standard 10 identifies the goal to provide a minimum of 600 gallons per day per household.

The Land Use Element of the City's General Plan contains policies that promote Escondido's role as an urban center by emphasizing the revitalization of the downtown area and the promotion of economic development in the form of attractive, economically viable commercial and industrial projects while maintaining characteristics and elements of a "small town."

Water supply for the City comes from two sources: local water from precipitation stored in Lake Henshaw and Lake Wohlford, and imported water provided by the Water Authority.

North County Multiple Species Conservation Program (MSCP)

A portion of the Moosa 100K study area would occur within a proposed Pre-Approved Mitigation Area (PAMA) of the draft North County MSCP planning area. Figure 4.6-4 in Section 4.6 (Biological Resources for the Moosa 100K Alternative) shows the location of the draft North County MSCP PAMA and other conservation areas, along with land ownership, relative to the study area. The North County MSCP, a NCCP subregional plan, is currently in progress, but the Water Authority is not a participant in this MSCP. The study area does not occur within the boundaries of any adopted Natural Communities Conservation Plan (NCCP) or Habitat Conservation Plan (HCP).

Moosa Canyon is identified as an important wildlife linkage between coastal and inland habitats, connecting open space covered under the Multiple Habitat Conservation Program (MHCP) and planned open spaces for the North County and East County MSCP.

4.9.2 Project Design Features

There are no General Conditions, Standard Specifications, or project design features that would reduce land use and planning impacts associated with construction and operation of the Moosa 100K Alternative.

4.9.3 Direct and Indirect Effects

4.9.3.1 Thresholds of Significance

Thresholds used to evaluate potential land use impacts are based on applicable criteria in the State CEQA Guidelines (CCR §§15000-15387), Appendix G; and the ESP EIR/EIS. A significant land use impact would occur if the Moosa 100K Alternative would:

1. Physically divide an established community.
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect, unless exempted by state law.
3. Result in the displacement, relocation or permanent loss of any residence, business (commercial, industrial, extractive) or governmental or institutional uses (educational, religious, scientific).

4.9.3.2 Impact Analysis

Methodology

The methodology for determining land use impacts at the Moosa 100K footprint is described in Appendix H to this EIR/EIS, and involved a literature review and field investigation. The literature review included on-line property records, San Diego County Assessors maps, demographic forecasts, U.S. Census data, SANDAG's 2030 demographic projections, local economic publications, survey data and published mapping information. A field investigation for the Moosa 100K study area was conducted on September 8, 2006.

Analysis

Threshold 1: Physically divide an established community

The dam and reservoir footprint for the Moosa 100K Alternative would result in substantial disruption/division of the surrounding community. Existing access across the canyon would be removed; however, access around the reservoir would be provided by relocating existing roads outside the reservoir inundation area. For the Moosa Canyon community, the natural landscape and unique topographic features associated with the community setting and character would be disrupted by changing the existing valley and canyon terrain into a reservoir. The canyon, which is a defining attribute of the community, would be permanently lost with the Moosa Reservoir in its place. Therefore, impacts from the dam and reservoir footprint for the Moosa 100K Alternative related to physically dividing an established community would be significant.

While a permanent right-of-way would be required for the Moosa Pipeline, this is not expected to disrupt or divide the physical arrangement of an established community because the pipeline would be underground. Additionally, none of the other components (e.g., new and relocated pump stations, roads, utilities) would result in a disruption or division of established communities. Therefore, there would be no impacts from the Moosa Pipeline and other infrastructure components of the Moosa 100K Alternative related to physically dividing an established community.

*The dam and reservoir footprint for the Moosa 100K Alternative would permanently divide the established Moosa Canyon community, but the Moosa Pipeline and other components (e.g., new and relocated pump stations, roads, utilities) would not physically divide other established communities. Therefore, impacts of the Moosa 100K Alternative would be significant (**Impact M/LU 1**).*

Threshold 2: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect, unless exempted by state law

Land Use Plans, Policies or Regulations

Under Section 53091 of the California Government Code, zoning ordinances do not apply to the location or construction of facilities used for the production, generation, storage, or transmission of water. Specific objectives, policies and standards that support the implementation of water storage and transmission facilities and recreational opportunities in the vicinity of the Moosa 100K study area are listed in Section 4.9.1.2 above, and are derived from the County of San Diego General Plan Public Facility Element, Valley Center Community Plan, North County Metropolitan Subregional Plan, and City of Escondido General Plan. Other objectives, policies and standards from these plans do not apply to the Moosa 100K Alternative because it would involve construction of a water storage reservoir and appurtenances which are allowed under Section 53091 of the California Government Code. Therefore, there would be no impacts of the Moosa 100K Alternative with respect to potential conflicts with land use plans, policies or regulations.

NCCP Consistency/North County Segment-MSCP

The North County MSCP is currently in process, but the Water Authority is not a participant. Because the Moosa 100K study area does not occur within the boundaries of any adopted NCCP or HCP, the Moosa 100K Alternative would not conflict with any such plans. Construction of the southerly pump station relocation may require temporary vacation of a small portion of the Daley Ranch Open Space Preserve, but this would not be considered a significant impact relative to NCCP conflicts.

Proposed Land Uses

Proposed land uses in the vicinity of the Moosa 100K study area would include several small and large subdivisions, along with a few small commercial, institutional, and industrial developments, which would be consistent with applicable land use plans. Refer to Section 4.2 and Figure 4.2-1 (Cumulative Projects for the Moosa 100K Alternative) of this EIR/EIS for a description and locations of proposed developments in the vicinity of the study area. According to Figure 4.2-1, the Moosa 100K footprint would directly affect up to six proposed developments. Therefore, impacts from conflicts with proposed land uses within the Moosa 100K footprint would be significant.

Pursuant to Section 53091 of the California Government Code, the Moosa 100K Alternative is exempted from land use plans, policies or regulations identified in the County of San Diego General Plan Public Facility Element, the Valley Center Community Plan, the North County Metropolitan Subregional Plan, and the City of Escondido General Plan. In addition, this alternative would not conflict with a NCCP, MSCP or HCP. Therefore, there would be no impact from the Moosa 100K Alternative.

*The Moosa 100K Alternative would directly affect proposed land uses within the reservoir footprint. Therefore, impacts of the Moosa 100K Alternative would be significant (**Impact M/LU 2**).*

Threshold 3: Result in the displacement, relocation or permanent loss of any residence, business (commercial, industrial, extractive) or governmental or institutional uses (educational, religious, scientific)

Residences

Based on the Moosa Reservoir inundation limits (refer to Figure 2.3-3 in Chapter 2 [Alternatives Analyzed] of this EIR/EIS), up to 39 residences would be displaced. In addition, to comply with septic system setback requirements of the County of San Diego Department of Health Services, up to an additional 88 residential structures located within 1,000 feet of the inundation limits would potentially need to be relocated. If the Moosa 100K Alternative were selected, the Water Authority would conduct a detailed analysis of existing septic tanks, leach fields, and drainage patterns. For purposes of this analysis, it is assumed that all of these homes would be affected by this alternative. No other components of this alternative would result in physical displacement of residences. Using the Persons Per Household multiplier for the Valley Center Subregional Area (2.8 people per dwelling unit), the displacement of a total 127 residences would result in the relocation of approximately 356 people. Therefore, impacts of the Moosa 100K Alternative due to displacement, relocation, or permanent loss of up to 127 residences would be significant.

Businesses/Agriculture

No commercial/office structures would be displaced by the Moosa 100K Alternative; however, approximately 208 acres of farmland soils usable for agricultural production, including orchards (e.g., avocados), intensive agriculture, and field crops would be affected. Also, there are multiple structures related to agricultural activities that would be affected by the inundation area. Approximately 27 acres of agricultural lands would be affected by the Moosa Pipeline corridor, the First Aqueduct relocation pipeline, the interconnection and staging area, and an electrical line north of Moosa Reservoir. Therefore, impacts on agricultural lands and related business displacement due to the Moosa 100K Alternative would be significant.

Governmental or Institutional Uses

No churches, schools, scientific institutions, or research areas are located in the Moosa 100K study area. Therefore, there would be no impacts of the Proposed Action relative to the displacement of government or institutional uses (churches, schools, or scientific institutions).

The Moosa 100K Alternative would result in the displacement and relocation of residences. Therefore, impacts of the Moosa 100K Alternative would be significant (Impact M/LU 3).

The Moosa 100K Alternative would permanently disrupt commercial agricultural production. Therefore, impacts of the Moosa 100K Alternative would be significant (Impact M/LU 4).

The Moosa 100K Alternative would not displace churches, schools, scientific institutions, or research areas. Therefore, there would be no impact from the Moosa 100K Alternative.

4.9.3.3 Mitigation Measures

No mitigation would be available to reduce the physical community disruption (**Impact M/LU 1**); the impacts on proposed land uses within the Moosa 100K footprint (**Impact M/LU 2**); or the loss of agricultural lands and related impacts on commercial agricultural production (**Impact M/LU 4**) to below a level of significance; therefore, these impacts would remain significant and unmitigable.

The Water Authority will implement the following mitigation measures to reduce impacts associated with displacement of residences (**Impact M/LU 3**); however, due to the magnitude of the residential displacements, this impact would not be reduced to below a level of significance.

M/LU 3-1 The Water Authority will conduct a site-specific septic/leach field system analysis and coordinate with property owners within the setback area of Moosa Reservoir to ensure compliance with County of San Diego Department of Health Services Policies and Regulations for Protection of a Domestic Water Reservoir as planned.

M/LU 3-2 Relocation assistance for residential displacement impacts will be carried out pursuant to applicable sections of the Water Authority's Administrative Code and existing state and federal laws, such as the federal Uniform Relocation Assistance Act (as amended). Federal law requires that all services and/or benefits will be administered to the general public without regard to race, color, national origin, or sex.

M/LU 3-3 In areas requiring right-of-way acquisition or relocation assistance, the Water Authority will use certified independent fee appraisers to determine fair market value for all parcels required for the project. Landowners will be offered fair market value, based on the approved appraisal.

4.9.3.4 Residual Impacts after Mitigation

Impacts from the Moosa 100K Alternative related to dividing an established community (*Impact M/LU 1*); displacement of proposed land uses (*Impact M/LU 2*) and residences (*Impact M/LU 3*); and permanent loss of agricultural land uses (*Impact M/LU 4*) would be significant and unmitigable. A Statement of Overriding Considerations would be required for approval of the Moosa 100K Alternative.

4.9.4 Cumulative Effects

4.9.4.1 Other CIP Projects

As described in Section 4.2 (Cumulative Projects for the Moosa 100K Alternative) of this EIR/EIS, it was determined that Hubbard Hill Flow Regulatory Structure, North County Distribution Pipeline Flow Regulatory Structure, and Second Crossover Pipeline are the only CIP projects with the potential for cumulative impacts when combined with the Moosa 100K Alternative. The PEIR for the Regional Water Facilities Master Plan concluded that the cumulatively significant land use impacts associated with potential non-conformance with adopted land use plans, zoning requirements, Habitat Conservation Plans, MSCPs, and environmentally sensitive land regulations for CIP projects, such as Hubbard Hill Flow Regulatory Structure, North County Distribution Pipeline Flow Regulatory Structure, and Second Crossover Pipeline (Projects 1, 3, 6 in Table 1.2-1 [Chapter 1.0, Introduction] of this EIR/EIS), when combined with other reasonably foreseeable future projects, could be reduced to below a level of significance or avoided by implementing program-level mitigation measures identified in the PEIR, along with mitigation measures outlined during subsequent environmental analysis of these projects. This conclusion is incorporated into the cumulative land use analyses in Section 4.9.4.3 below.

4.9.4.2 Other Planned Projects with CIP Projects

This section evaluates the cumulative land use and planning impacts of the Moosa 100K Alternative when considered in conjunction with the other planned projects listed in Table 4.2-1

(Section 4.2 [Cumulative Projects] of this EIR/EIS), and incorporates the cumulative land use and planning impacts associated with the CIP projects described in Section 4.9.4.1 above. The following cumulative analysis addresses each of the three significance thresholds listed in Section 4.9.3 above.

Cumulative Threshold 1: Physically divide an established community

Implementation of the Moosa 100K Alternative would permanently divide the established Moosa Canyon community, and cause substantial physical disruption to the natural landscape and topographic setting and character. The cumulative projects in the vicinity of the Moosa 100K Alternative listed in Table 4.2-1 (assumed to be under construction and/or operation concurrent with the Moosa 100K Alternative), would convert a large portion of existing open space and/or agricultural land into residential or other developed land, converting the area from rural to more urban land uses. Therefore, cumulative community division impacts due to the Moosa 100K Alternative, when combined with the community division impacts associated with other planned projects in the area, would be significant (***Impact M/LU 1C***).

Cumulative Threshold 2: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect, unless exempted by state law

The Moosa 100K Alternative would directly affect up to six of the cumulative projects in the listed in Table 4.2-1 (assumed to be under construction and/or operation concurrent with the Moosa 100K Alternative). Therefore, the cumulative impacts on proposed land uses due to the Moosa 100K Alternative would be significant (***Impact M/LU 2C***).

Cumulative Threshold 3: Result in the displacement, relocation or permanent loss of any residence, business (commercial, industrial, extractive) or governmental or institutional uses (educational, religious, scientific)

The Moosa 100K Alternative could displace residences, which would be a significant impact. The cumulative projects in the vicinity of the Moosa 100K Alternative listed in Table 4.2-1 (assumed to be under construction and/or operation concurrent with the Moosa 100K Alternative), could cause the displacement, relocation or permanent loss of residences, businesses, or governmental or institutional uses. The Moosa 100K Alternative and the cumulative projects listed above would be required to comply with the procedures of the Federal Uniform Relocation Assistance Act to ensure that the displacement of any residents would not result in substantial disruption to the community. However, displacement of even one residence is considered significant. Therefore, the cumulative impacts from displacement of residents from the Moosa 100K Alternative would be significant (***Impact M/LU 3C***).

Implementation of the Moosa 100K Alternative would cause the displacement of farmland soils usable for agricultural production, including orchards (e.g., avocados), intensive agriculture, and field crops. The cumulative projects in the vicinity of the Moosa 100K Alternative listed in

Table 4.2-1 (assumed to be under construction and/or operation concurrent with the Moosa 100K Alternative), would convert a large portion of existing open space and/or agricultural land into residential or other developed land. Therefore, cumulative farmland impacts due to the Moosa 100K Alternative, when combined with the assumed farmland impacts associated with the CIP projects in Section 4.9.4.1 above and other planned cumulative projects listed in Table 4.2-1, would be significant (**Impact M/LU 4C**).

*When combined with potential cumulative land use impacts from the other CIP projects and other planned cumulative projects listed in Table 4.2-1, the Moosa 100K Alternative's contribution to cumulative impacts with respect to potential disruption of an established community, displacement of proposed land uses, residences and farmland would be considerable (**Impact M/LU 1C, M/LU 2C, M/LU 3C, M/LU 4C**). Implementation of **Mitigation Measures M/LU 3-1, M/LU 3-2 and M/LU 3-3** would reduce the cumulative land use impacts of the Moosa 100K Alternative, however impacts would still be significant due to the large amount of residences to be relocated. Therefore, cumulative land use impacts due to the Moosa 100K Alternative, when combined with land use impacts associated with the CIP projects listed above and planned cumulative projects listed in Table 4.2-1, would be significant and unmitigable. A Statement of Overriding Considerations would be necessary for approval of the Moosa 100K Alternative.*