

5. Relation to Local Land Use Planning

Integrated Regional Water Management (IRWM) plans are encouraged and intended to foster expanded communication between regional water management groups and land use planners to effectively integrate water management strategies with land use planning. To that end, this section examines the relationship of local land use planning to the management of water resources in the Upper Sacramento, McCloud, and Lower Pit IRWM Region (USR).

5.1 Local Land Use Authority

Four local agencies in the USR have land use authority directly relating to water management: County of Shasta, County of Siskiyou, City of Dunsmuir, and City of Mt. Shasta. Of the region's total land area (including state and federal lands), approximately 55% is located within Shasta County and the other 45% is located in Siskiyou County.

With limited exception, the land use authority of cities and counties does not extend to state and federal land. It is not uncommon, however, for local policies to address the need to coordinate with state and federal agencies regarding land use planning and resource management.

5.1.1 USR Communities

All communities in the Shasta County portion of the USR are unincorporated. As a result, these communities fall within the local land use and planning authority of Shasta County. The Shasta Local Agency Formation Commission (Shasta LAFCo) has established the following county service areas (CSAs) within the USR to provide residents with water service: CSA No. 2 – Sugarloaf Water System; CSA No. 3 – Castella Water System; and CSA No. 23 – Crag View Water System. These CSAs and associated water systems are managed by the Shasta County Department of Public Works.

In Siskiyou County, both Dunsmuir and Mt. Shasta are incorporated cities, and are therefore responsible for land use planning within their respective boundaries. Each city also has a “sphere of influence” that Siskiyou LAFCo established in conjunction with the cities to accommodate future growth and expansion of city services. Land within the sphere of influence continues to fall outside a city's jurisdiction until it is annexed. As a result, if a city (or special district) has concerns about planned development within its sphere of influence, it would look to address these concerns with the county in which the project is located. As an unincorporated community, McCloud is under the land use and planning authority of Siskiyou County, with sewer, water, and other services provided by the McCloud Community Services District (MCSD), a special district whose operations are overseen by an elected board of directors.

5.1.2 Local Land Use Plans

The principal planning document for every city and county in California concerning land use and resource management is the jurisdiction's general plan. The function of a general plan is to provide a policy framework that is then reflected in more detailed zoning codes and ordinances, specific plans, capital improvement plans, and other development guidelines. Under California Planning Law (codified in the California Government Code, primarily §65300 et seq.), the general plan must address eight planning areas, known as elements, with the land use and circulation elements having the broadest scope.

In addition to establishing the goals, policies, and programs for a community's development, the land use element establishes classifications for the type of land uses that are permitted (e.g., low density residential, commercial, industrial, etc.), along with the density and intensity of development that is permitted within those land use classifications. The land use element must also be closely correlated with the other elements of the general plan, such as the housing element. Together with the circulation

element, the land use element typically includes policies concerning water, wastewater, and storm water infrastructure needed to serve development.

The conservation element contains those goals, policies, and programs related to the protection of a jurisdiction's trees, water, soils, and wildlife, while the open space element (sometimes combined with the conservation element) addresses the set aside of land for protection of natural resources, cultural resources, parks, etc. The safety element addresses issues such as fire and flood protection and climate change adaptation.

Concerning the general plan conservation element, the State legislature has required that that element address provisions of bills SB 610 and SB 221 relative to water supply availability. These two bills were enacted in 2001 to require greater coordination and exchange of information between local land use agencies and water suppliers concerning large development projects and related plans. SB 610 requires that a water supply assessment be prepared for: proposed residential developments of 500 or more units; proposed industrial developments on at least 40 acres of land or having more than 650,000 square feet of floor area; planned development projects that increases demand on a public water system by at least 10%; and similar types of projects with potentially large water demands. SB 221 prohibits the approval of large subdivisions (i.e., at least 500 dwelling units) unless the city or county first provides written verification from the applicable public water system that a sufficient water supply is available.

Depending on the location and needs of development projects, community systems may have significant physical barriers to providing adequate water and/or wastewater services to accommodate development. Therefore, the need for coordination between land use planning and resource management, as addressed in general plan conservation elements, is critically important.

In addition to the general plan, cities and counties adopt local ordinances, regulations, and standards for land use development within their jurisdictions. These guidelines include standards for infrastructure and other improvements needed to support development, such as water and wastewater.

Forestland and Agriculture

Extensive areas of the Upper Sacramento, McCloud, and Lower Pit IRWM region are designated in the general plans of Shasta and Siskiyou counties for forest management and natural resource production. Land use issues in these areas typically include consideration for the protection of watersheds and the condition of streams in areas that may be affected by resource extraction. While counties provide land use designations in their general plans to support timber production on private lands, actual timber management land use and practices are regulated by the California Department of Forestry and Fire Protection (CalFire) pursuant to the California Forest Practices Act. CalFire is the regulatory agency responsible for issuing Timberland Conversion Permits when forestland owners seek a new land use designation or to otherwise convert forestland.

Use of surface or ground water for agriculture in this mountainous region is minimal, primarily occurring in the watersheds of Wagon Creek near the City of Mt. Shasta and Squaw Valley Creek near the community of McCloud.

Community Services

Within and near established communities, land use planning related to water resources becomes more focused on community services and the need to protect, maintain and, in many cases, expand infrastructure to adequately provide services relative to land uses. Small cities and community systems struggle to maintain their water systems and improve those systems to accommodate planned growth with water for domestic use, including the provision of adequate storage and flow capacity for fire protection.

These jurisdictions must also maintain and, in some cases, improve and expand their wastewater systems to protect surrounding groundwater and streams and to comply with related water quality standards and regulations administered by the Central Valley Regional Water Quality Control Board.

Another important planning issue for some of the communities in the region involves the establishment of land uses near or upgradient of significant water resources. Potential contamination of springs and wells by septic systems and/or industrial uses has been a concern in the past for the communities of Dunsmuir, McCloud, and Mt. Shasta. Proposals and practices related to commercial water bottling, rail operations, timber production, and other industries in the region have also come under scrutiny.

5.1.3 Local Agency Formation Commissions

As mentioned above, both Siskiyou LAFCo and Shasta LAFCo have potentially important roles regarding land use planning and opportunities for collaboration with water managers. As a regulatory agency, LAFCo is charged with discouraging urban sprawl and encouraging the orderly formation and development of local agencies based on local circumstances and conditions, including the availability of water and other infrastructure. LAFCo's regulatory responsibilities include reviewing, approving or denying proposals to annex land to cities or special districts. As a planning agency, LAFCo is tasked with determining and updating, at least every five years, the sphere of influence of each city and special district. In updating spheres of influence, LAFCo must prepare Municipal Services Reviews for the relevant local agencies and service districts. As part of its review, LAFCo is required to prepare a written statement of its determination with respect to a list of specific issues, including water, wastewater, and storm water infrastructure needs and deficiencies.

Note: The following cites some of the primary local land use planning documents and development regulations related to water resources that were current and considered at the time of development of the 2013 IRWM Plan. The 2018 IRWM Plan update team confirmed the relevance of the information during the IRWM Plan update, while also attempting to further encourage information sharing between land-use planning agencies and the USR Regional Watershed Action Group (RWAG). Relevant information gained during the 2018 update effort has been included in the sections below.

5.2 Shasta County

Shasta County's principal land use policy document is the Land Use Element of its General Plan. The core of Shasta County's General Plan was last updated in 2004. Shasta County applies land use controls through its General Plan, along with the Zoning Plan and Subdivision Ordinance. The General Plan is a generalized, long-term statement relating to land use and associated topics. The function of a General Plan is to provide a policy framework that must be reflected in the zoning ordinance, specific plans, and other development guidelines. The General Plan and Zoning Plan establish the amount and distribution of land allocated for different uses. The Subdivision Ordinance governs the process of creating new parcels and converting undeveloped land to building sites.

While the General Plan land use element contains most of the policies applicable to land use, other elements of the General Plan include policies that directly pertain to the relationship between land use and water resource management. For example, Shasta County's General Plan Section 6.6, Water Resources, contains the following policy:

W-c. All proposed land divisions and developments in Shasta County shall have an adequate water supply of a quantity and a quality for the planned uses. Project proponents shall submit sufficient data and reports, when requested, which demonstrate that potential adverse impacts on the existing water users will not be significant. The reports for land divisions shall be submitted

to the County for review and acceptance prior to a completeness determination of a tentative map. This policy will not apply to developments in special districts that have committed and documented, in writing, the ability to provide the needed water supply. (Shasta County 2004)

In Shasta County, the Environmental Health Division of the Department of Resource Management is responsible for ensuring that each new subdivision and residential permit application verifies an adequate supply of potable water and a sewage disposal site capable of handling and processing effluent generated from development projects. These standards are consistent with uniform state standards adopted by the Regional Water Quality Control Board and the State Integrated Waste Management Board as specified by the State Health and Safety Code. In a majority of residential permit applications, these standards govern the location and development of individual on-site wells, septic tanks and drain fields.

In Shasta County, as it is with other cities and counties, the Zoning Plan is the primary tool for implementing the General Plan. The Zoning Plan specifies development standards for development projects such as setbacks, parking requirements, height limits, and lot coverage for individual zoning districts. The Zoning Plan is periodically reviewed to ensure consistency with the policies of the General Plan as required by Government Code Section 65860. Amendments are considered when needed to enhance the value of the Zoning Plan to accommodate new development.

The County's Subdivision Ordinance includes the County's official requirements governing the division of land into separate parcels for future development. The Subdivision Ordinance adheres to the requirements of the California Subdivision Map Act. The requirement for adequate roads, lot size dimensions, provisions for water supply and sewage disposal and drainage improvements are among the key factors addressed in the Subdivision Ordinance.

5.3 Siskiyou County

Siskiyou County also maintains a general plan as required by state planning law, and the Land Use Element of Siskiyou County's General Plan contains policies pertaining to land development. The main body of the Land Use and Circulation Element was adopted in 1980, and other general plan elements were adopted at various times (e.g., the Conservation Element was adopted in 1973).

The current Land Use Element does not establish specific land use designations (e.g., rural residential, resource management, etc.). Instead, the approach taken by the County has been to adopt series of overlay maps that identify development constraint areas. The introduction to the County's Land Use Element states: "By identifying an absence of physical constraints, it also indicates where urban development may proceed without encountering known physical problems." The Land Use Element also contains various goals, objectives and policies pertaining to the development of land uses in the context of recognized development constraints.

In Siskiyou County, almost all private land in the USR is shown in the Land Use Element (Map 11) as being suitable for "Woodland Productivity." Some areas are indicated as having "High Suitability" for woodland productivity (site classes I and II) and some areas are indicated as "Moderate Suitability" (site classes III and IV). Siskiyou County approves residential and other non-forestry-related development in areas designated with woodland productivity constraints, indicating that such areas may accommodate development. Depending on the proposed density of development, Siskiyou County applies various local development standards to determine required water and wastewater improvements.

As in Shasta County, Siskiyou County's General Plan and related development policies are implemented by various zoning codes and development regulations. Siskiyou County's Zoning Ordinance is codified as County Code Title 10, Chapter 6. The county's Subdivision Ordinance is under County Code Title 10, Chapter 4.

As noted, the core of Siskiyou County's General Plan Land Use Element dates back to 1980. The County has expressed the intent to update its General Plan, including the land use element, when it has the resources to initiate such an update. It is expected that issues concerning water resources will be an important consideration when the update is undertaken.

Representatives of the County of Siskiyou were involved with the development of the 2013 USR IRWM Plan, but the Board of Supervisors decided not to sign on to the plan or join the IRWM Group. As of the drafting of this update, it is uncertain whether or to what extent the County might wish to consult or collaborate with the RWAG in the future concerning the relationship between land use planning and the IRWM Plan. The RWAG has attempted to work with the County to address concerns relative to its participation. According to County Planning staff, current obstacles are primarily related to a lack of capacity associated with staff turnover in the Planning Department. Should this issue be resolved, the two Supervisors representing USR communities have both expressed interest in promoting mutually agreeable goals between the Siskiyou County Board of Supervisors and the USR RWAG. Siskiyou County is signatory to the North Coast IRWM and participates in North Coast Resource Partnership (NRCP) proceedings.

Unincorporated communities, such as McCloud, can address planning deficiencies through the formation of area plans. However, such communities may be hampered by lack of staff. Area plans are sometimes adopted by counties as components of their general plans to help focus policies and land use designations on communities and geographical subareas that might not otherwise receive detailed consideration in countywide general plan elements. When completed by the committee, the recommendations for the area plan must be presented to the Siskiyou County Board of Supervisors for consideration. Before an area plan, and related general plan amendments, can be considered for adoption by the Board of Supervisors, a proposed action requires public hearings and further processing by the County, including review by the County planning commission and evaluation under the California Environmental Quality Act.

The McCloud Community Services District (MCSD) joined as an original member of the RWAG in 2013 and has been an active member of the RWAG since its inception.

5.4 City of Dunsmuir

The City of Dunsmuir General Plan Open Space and Conservation Element notes:

Dunsmuir's watershed is a valuable asset in that it provides an important economic resource (tourism) as well as the City's drinking water. Dunsmuir's drinking water is so pure that it does not require treatment, and it is a valued resource in the community. Protection and conservation of watershed resources, both groundwater and surface water, are essential. (Page 39)

As noted in the City's General Plan, development in the City of Dunsmuir is significantly constrained by topography. Being located in a river canyon with steep forested walls, opportunities for further development and city expansion are limited. Little undeveloped land remains in the City with slopes of less than 30%. Lack of water pressure in some areas (another consequence of steep topography) is a significant development constraint. The City's General Plan clearly states concern for its water resources. It notes:

GOAL OC-3: Protection of the City's water resources.

Objective: The City's water supply and the Sacramento River running through the City are vital to the community. The City must protect the watershed in order to maintain the quality and quantity of the municipal water supply, as well as sustain fishing, recreation and scenic benefits related to water resources.

The City of Dunsmuir is concerned about land uses and potential development above its springs that could result in contamination of the City's water supply, including development on lands outside city limits. When projects are proposed outside the city limits that could potentially affect the City water supply, the General Plan cites the need for the City to advocate its concerns and needs to Siskiyou County, which it has done in the past.

The City of Dunsmuir joined as an original member of the IRWM Group in 2013, has been an active member of the RWAG since its inception, and has benefitted from IRWM funding of infrastructure improvements. It is possible that the City may request RWAG assistance in addressing the relationship of local land use planning to protection of water resources.

5.5 City of Mt. Shasta

The City of Mt. Shasta's adopted General Plan outlines the City's land use designations and the standards for building intensity and population density that are associated with each designation. The land use element also addresses related water supply issues.

Goal LU-18: Maintain a water supply and distribution system that meets drinking water standards and that serves the domestic and fire protection needs of the community.

Policy LU-18.1: Ensure that the growth of the community does not outstrip the water supply and distribution system of the City.

Concerning protection of its spring-fed water sources, especially since they are located in areas outside city limits, the City's general plan includes related implementation measures:

LU-18.2(a): The City shall encourage the enforcement of all federal, state, regional and county regulations and shall enforce local regulations regarding the preservation and enhancement of water quality as it relates to the City's water sources.

LU-18.2(b): The City shall strive to protect its spring water sources by means such as preventing development (especially the use of septic tanks) within adequate buffer areas in the vicinity of its spring water sources, and/or facilitating the purchase or dedication of land or development rights in those areas.

The City of Mt. Shasta joined as an original member of the IRWM Group in 2013 and has been an active member of RWAG since its inception. The City has received more IRWM funding than any other RWAG member and has accomplished substantial water infrastructure improvements as a result. It is possible that the City may request RWAG assistance in addressing the relationship of local land use planning to protection of water resources.

At an RWAG meeting in February 2018, the Mt. Shasta City Planner reported that the City is undertaking a comprehensive update of the General Plan (anticipated completion in 2020) that will entail a reassessment of the current General Plan through the lens of climate resilience. Further, because of the significance of the region's waters, an optional Water Resource Element will be incorporated into the City's General Plan. The scope of the Water Resource Element will be to identify the impacts of existing and future development on water resources. The element will also identify historic and cultural aspects of water, green infrastructure opportunities, and water resource policies to address the impact of climate change.

5.6 Shasta-Trinity National Forest

While land and resource management plans for national forests might not typically be referred to as local plans, in rural areas such as this IRWM region, land use planning practices for public lands are important and influential factors related to regional water management. The planning conducted by the Shasta-Trinity National Forest (STNF) is applicable to the subject of local land use planning in the USR. The STNF Land and Resource Management Plan (adopted in 1995) was prepared to guide the planning and management of land use and resources on the STNF. The primary goals of that plan are to integrate a mix of management activities that allow use and protection of forest resources, meet the needs of guiding legislation, and address local, regional, and national issues. This federal land and resource planning program is described in more detail in the Land Use section of the Region Description.

The STNF has not been an active participant in the RWAG during the 2013-2018 period. In the USR, a significant portion of the land is managed by the U.S. Forest Service. This majority representation points to the desirability of stronger collaborative relationships between the RWAG and the STNF, particularly on subjects related to U.S. Forest Service land management.

5.7 Collaboration between Land Use Planners and Water Managers

5.7.4 Current Relationships and Overlap

The original IRWM Guidelines called for each IRWM plan to document future plans to further a collaborative, proactive relationship between land use planners and water managers. As noted above, the jurisdictions that provide water service and/or wastewater management in the USR are typically the same jurisdictions that have land use authority. Therefore, the participation of those jurisdictions with RWAG facilitates direct collaboration. The cities of Dunsmuir and Mt. Shasta provide water services to development within their service areas, and those cities are also responsible for land use planning and development approval within their jurisdictions. The MCSD, which provides water to the unincorporated community of McCloud, operates within the land use planning jurisdiction of Siskiyou County. Siskiyou County also manages the Flood Control and Water Management District around Lake Siskiyou, which includes land in the Upper Sacramento watershed. These county agencies are included in RWAG correspondence and would be welcome signatories to the USR IRWM Plan.

As noted above, there are three CSAs in the USR operating under the jurisdiction of Shasta County (Sugarloaf, Castella, and Crag View). Since the CSAs are managed by the County, there is close coordination with related land use planning. There are no groundwater management or irrigation districts in the USR. Compared to regions having more intricate patterns of water districts and other local jurisdictions, the patterns of jurisdictional boundaries are fairly straightforward in the USR.

As part of the 2018 plan update to comply with 2016 IRWM standards, flood control districts and planning agencies were contacted regarding any storm water resource plans (SWRP) that have been adopted or are in the process of being completed. Of the three municipal signatories, only the City of Mt. Shasta had made an attempt at development of a SWRP. In 2017, the City submitted a grant application to the State to develop a SWRP, however, that application was denied. Because all communities experience significant infiltration and inflow during the wet months, which diminishes wastewater conveyance and treatment system capacity, the development of SWRPs would likely benefit the region.

One important area of overlap between land use planning agencies is in fire mitigation plans. Mt. Shasta, Dunsmuir and McCloud all have active Fire Safe Councils that interact with Siskiyou County's overarching Fire Safe Council, as well as with city and service district jurisdictions. Mt. Shasta's Community Wildfire Protection Plan was adopted in 2006, McCloud's was adopted in 2012; and Dunsmuir completed an update of its Community Wild Fire Protection Plan in 2016.

5.7.5 Future Opportunities

Opportunities for expanded collaboration may be presented by coordination of these agencies with or through the RWAG, but that particular function for the RWAG has not emerged in the IRWM Plan process as a high priority. The reason for that is that there are other forums and systems for these agencies to dialog and work together to address planning-related issues, such as LAFCo. Given that Shasta LAFCo and Siskiyou LAFCo may have important roles relative to local land use planning and water and wastewater services needed to accommodate expansion of communities and development, the functions of these agencies should be noted and regarded by RWAG. Therefore, this 2018 IRWM Plan considers the objective of RWAG coordination and collaboration with the Shasta County LAFCo and the Siskiyou County LAFCo as potentially beneficial when land use planning matters involve water management issues of mutual concern.

According to a recently published report entitled “A Risk Assessment of California’s Key Source Watershed Infrastructure,” 220,000 acres of forests in the McCloud basin warrant restoration, and the acreage warranting restoration in the Upper Sacramento and Lower Pit is similar (Pacific Forest Trust 2017). Coordinating land-use policies and practices across agencies and sectors to accommodate watershed-scale restoration will become increasingly important.

If RWAG is to encourage and assist local communities to be more resilient in the face of climate change, increased interaction with large-scale land managers will be necessary. However, the STNF and large industrial forest owners who control most of the forests and watersheds within the USR have not demonstrated interest in operations of the RWAG during the 2013-2018 period, and to date, IRWM funding facilitated by the RWAG has been applied to only one project related to forest management. The connection between forest management, risk of catastrophic wildfire, and watershed health is a critical issue, and represents a key opportunity for the RWAG.

An example of a nearby community actively addressing climate change adaptation and mitigation is Ashland, Oregon. In partnership with local non-governmental organizations, U.S. Forest Service, and other state and federal agencies, the City of Ashland developed and has been implementing a Forest Resiliency Plan. The intent of the plan is to demonstrate model forest practices, largely consisting of fuels reduction (e.g., selective harvest and prescribed fire) in the forests surrounding the City’s water supply with the goals of securing water quality and decreasing fire danger. Ashland also adopted a Climate & Energy Action Plan (CEAP) in 2017. The CEAP identified a target of reducing greenhouse gas emissions within the city 8% by 2030. Considering the USR’s proximity and relatively similar conditions to the Rogue Valley in which Ashland is located, RWAG might consider successful aspects of Ashland’s climate adaptation and mitigation efforts.

The RWAG, in considering water resource issues and related proposed projects, will continue to collaborate with land use planning jurisdictions by virtue of the organizational structure of and entities participating in the RWAG. In this way, the RWAG can have a better understanding of the interrelationships and implications of water resource proposals concerning the local land use planning framework. It is also expected that the RWAG should be prepared to serve as a forum to help address planning issues related to regional water management when any of its participating agencies or organizations call attention to particular land use planning concerns.