

DP P2 – Respect Local Land Use When Siting Water or Flood Facilities or Restoring Habitats [DP P2 / 23 CCR SECTION 5011](#)

Is this covered action consistent with this regulatory policy?

(Select only one) ☒ Yes ☐ No ☐ N/A (Refer to online form for additional answers)

Answer Justification:

Delta Plan Policy DP P2 calls for water management facilities to be sited to avoid or reduce conflicts with existing uses, or those uses depicted in local general plans. This policy also calls for consideration of comments from local agencies and the Delta Protection Commission.

The Project components would be primarily located within the City of Antioch, while a small portion of a proposed pipeline would be located in the City of Pittsburg. Descriptions of the locations of the various Project elements are described below along with a context of the local land uses. All the elements of the Project are considered to be fully compatible with the existing land uses.

Water Treatment Plant Site

The proposed desalination facility would be located within the fenceline of the existing 25-acre Water Treatment Plant (WTP) at 401 Putnam Street. Land uses surrounding the WTP site include a public school (Park Middle School) to the northwest and undeveloped open space areas to the northwest and east. The nearest private residences are directly west along View Drive, south along Terranova Drive, and northeast along Elizabeth Lane. The WTP site is closed to the public and includes several structures and facilities associated with water treatment. Land cover is predominantly paved surfaces and structures.

Pipelines

The new raw water pipeline would be located in the City of Antioch and would head south along Lone Tree Way, and then west across the WTP's southern property line from the connection with the existing raw water pipeline. In the vicinity of the WTP, portions of the new RO concentrate disposal pipeline would be co-located with the new raw water pipeline. The proposed RO concentrate disposal pipeline route would head north across the WTP property and cross Putnam Street; the optional alignment would head east across the WTP's southern property line, north along Lone Tree Way, and then west along Putnam Street. Land uses adjacent to the raw water pipeline and RO concentrate disposal pipeline routes are generally residential and commercial.

To reach the connection with the DD WWTP in the City of Pittsburg, the majority of the new RO concentrate disposal pipeline would continue along rights-of-way through the City of Antioch, with a minor portion crossing into City of Pittsburg rights-of-way. Land uses adjacent to the pipeline would be residential, public/institutional, and commercial.

General Plan Designations

Pursuant to California Government Code Section 53091(d) and (e), facilities for the production, generation, storage, treatment, and transmission of water supplies are exempt from local land use policies and zoning ordinances. Therefore, in accordance with Sections 53091(d) and 53091(e) of the California Government Code, the proposed desalination facility, intake pump station, and pipelines are exempt from the provisions of the City of Antioch and City of Pittsburg

General Plan Land Use Plans and Zoning Ordinances. Nevertheless, the Project must consider compatibility with uses described in local general plans as required by Delta Plan Policy DP P2 to those local land use policies and zoning ordinances – new river intake pump station would be located in a parking lot designated as public/institutional. The proposed Project is sponsored by the City of Antioch, and would provide a public water source; therefore, the intake and pump station would be consistent with this designation. The lands surrounding the WTP site are designated as open space, commercial, and residential. Since the proposed desalination facilities would be located within the fence line of the existing WTP, the proposed desalination facilities would not conflict with this policy. The pipelines would be installed in road rights-of-way and would not conflict with this policy.

Local Agency Comments

In response to the CEQA document, the City received comment letters from CCWD and from DD. CCWD comments related to contractual agreements with the City, and clarification of technical information referenced in the EIR. DD requested additional information and technical coordination with the City regarding facility operations. The City and DD have since entered into a cooperative agreement for implementation of the Project.

In addition, as previously described for the response to ER P3, DWR had expressed initial concern that the RO concentrate discharge could affect its planned tidal marsh restoration projects near the DD outfall. ESA's senior aquatic biologists had a series of meetings and phone conversations with key staff with DWR's Fish Restoration Program, which is responsible for implementing DWR's tidal marsh restoration work in Suisun Marsh and the Delta. These discussions involved explaining the RO concentrate plume modeling results, and how the project is expected to have minimal water quality effects.

Overall, given the Project would be consistent with land use designations and considered the comments of local agencies through the CEQA process, the Project is considered by the City to be full consistent with Delta Plan Policy DP P2.