

APPENDIX 3.8-A: HYDROLOGY AND WATER RESOURCES LOCAL AND REGIONAL PLANS AND LAWS CONSISTENCY ANALYSIS

This appendix addresses California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements to describe a proposed project's inconsistencies or conflicts with applicable local and regional plans and laws. CEQA Guidelines require that an environmental impact report (EIR) discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans (Guidelines, § 15125(d)). NEPA regulations¹ require a discussion of conflicts between a proposed undertaking and the objectives of federal, regional, state, local and tribal² land use plans, policies, and laws, as well as a description of the extent to which the Authority and the Federal Railroad Administration (FRA) would reconcile the inconsistencies (Council on Environmental Quality Regulations, §§ 1502.16(c), 1506.2(d)).

Although the Volume 1, *Merced to Fresno Section: Central Valley Wye Draft Supplemental Environmental Impact Report/Supplemental Environmental Impact Statement* describes the Central Valley Wye alternatives' inconsistency with local and regional plans and laws in order to provide a context for the project, inconsistency with such plans and laws is not considered an environmental impact.

Table 1 of this appendix provides the following:

- A determination for each applicable local and regional plan or law that identifies whether the Central Valley Wye alternatives are consistent or inconsistent with the goals, objectives, policies, or ordinances that each applicable local and regional plan or law contains.
- In the event that an inconsistency has been identified the following information has been provided:
 - an explanation of why the Central Valley Wye alternatives are inconsistent;
 - A discussion of approaches the Authority has committed to take to reconcile any inconsistency. Such approaches consist of impact avoidance and minimization features (described in Volume 2, Technical Appendices, Appendix 2-B, California High-Speed Rail Authority Environmental Commitments: Impact Avoidance and Minimization Features); and activities described in Volume 2, Appendix 2-C, Applicable Design Standards.
 - The rationale for carrying forth the Central Valley Wye alternatives if it remains inconsistent with the local and regional plan or law despite these approaches.
- Where it has been determined that the Central Valley Wye alternatives are consistent with a local and regional goal, objective, policy, or law, neither reconciliation nor the rationale behind it are required and Table 1 shows this as "N/A".

¹ NEPA regulations refer to the regulations issued by the Council for Environmental Quality located at 40 CFR Part 1500.

² No designated tribal lands exist in the vicinity of the Central Valley Wye alternatives and no analysis of tribal land use policies is provided.

Table 1 Applicable Local and Regional Plan and Law Consistency or Inconsistency, Reconciliation, and Rationale

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
2030 Merced County General Plan (2013)			
Goal PFS-3: Ensure the management of stormwater in a safe and environmentally sensitive manner through the provision of adequate storm drainage facilities that protect people, property, and the environment.	Consistent	N/A	N/A
Policy PFS-3.1: Require stormwater management plans for all Urban Communities to reduce flood risk, protect soils from erosion, control stormwater runoff, and minimize impacts on existing drainage facilities.	Consistent	N/A	N/A
Policy PFS-3.2: Require that new development in unincorporated communities includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater	Consistent	N/A	N/A
Policy PFS-3.3: Encourage development of community drainage systems rather than individual project level systems, in order to use land more efficiently and protect people, property and the environment in a more comprehensive manner.	Consistent	N/A	N/A
Policy PFS-3.4: Coordinate with the U.S. Army Corps of Engineers and other appropriate agencies to develop stormwater detention/retention facilities and recharge facilities that enhance flood protection and improve groundwater recharge	Consistent	N/A	N/A
Policy PFS-3.5: Require on-site detention/retention facilities and velocity reducers when necessary to maintain pre-development storm flows and velocities in natural drainage systems.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy PFS-3.6: Encourage stormwater detention/retention project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, are visually unobtrusive and, where feasible, provide a natural watercourse appearance and a secondary use, such as recreation.	Consistent	N/A	N/A
Policy NR-1.1: Identify areas that have significant long-term habitat and wetland values including riparian corridors, wetlands, grasslands, rivers and waterways, oak woodlands, vernal pools, and wildlife movement and migration corridors, and provide information to landowners.	Consistent	N/A	N/A
Policy NR-1.2: Identify and support methods to increase the acreage of protected natural lands and special habitats, including but not limited to wetlands, grasslands, vernal pools, and wildlife movement and migration corridors, potentially through the use of conservation easements.	Consistent	N/A	N/A
Policy NR-1.4: Minimize the removal of vegetative resources which stabilize slopes, reduce surface water runoff, erosion, and sedimentation.	Consistent	N/A	N/A
Policy NR-1.5: Identify wetlands and riparian habitat areas and designate a buffer zone around each area sufficient to protect them from degradation, encroachment, or loss.	Consistent	N/A	N/A
Policy NR-1.10: Cooperate with local, State, and Federal water agencies in their efforts to protect significant aquatic and waterfowl habitats against excessive water withdrawals or other activities that would endanger or interrupt normal migratory patterns or aquatic habitats.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy NR-1.11: Cooperate with local, State, and Federal agencies to ensure that adequate on-going protection and monitoring occurs adjacent to rare and endangered species habitats or within identified significant wetlands.	Consistent	N/A	N/A
Policy NR-1.12: Avoid or minimize loss of existing wetland resources by careful placement and construction of any necessary new public utilities and facilities, including roads, railroads, high speed rail, sewage disposal ponds, gas lines, electrical lines, and water/wastewater systems.	Consistent	N/A	N/A
Policy NR-1.13: Require an appropriate setback, to be determined during the development review process, for development and agricultural uses from the delineated edges of wetlands	Consistent	N/A	N/A
Policy NR-1.14: Ensure that buildings and structures approved for temporary residential use in significant wetland areas are not converted to permanent residential uses.	Consistent	N/A	N/A
Policy NR-1.16: Require new hazardous waste residual repositories (e.g., contaminated soil facilities) to be located at least a mile from significant wetlands, designated sensitive species habitat, and State and Federal wildlife refuges and management areas.	Consistent	N/A	N/A
Policy NR-1.17: Consult with private, local, State, and Federal agencies to assist in the protection of biological resources and prevention of degradation, encroachment, or loss of resources managed by these agencies.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy NR-1.18: Monitor the San Joaquin River Restoration Program efforts to ensure protection of landowners, local water agencies, and other third parties.	Consistent	N/A	N/A
Policy NR-1.19: Support the restoration efforts for the Merced River consistent with the Merced River Corridor Restoration Plan.	Consistent	N/A	N/A
Policy HS-2.1: Prepare and adopt a floodplain management program in flood hazard areas that gives priority to regulation of land uses over development of structural controls as a method of reducing flood damage.	Consistent	N/A	N/A
Policy HS-2.2: Coordinate with the cities in Merced County to develop a Countywide flood emergency plan that is consistent with city general plans.	Consistent	N/A	N/A
Policy HS-2.3: Work with the cities in Merced County to establish a Countywide flood control authority to coordinate efforts and develop opportunities for expanded Federal funding.	Consistent	N/A	N/A
Policy HS-2.4: Coordinate with State and local flood management agencies to develop funding mechanisms to finance the design and construction of flood facilities.	Consistent	N/A	N/A
Policy HS-2.5: Support the efforts of local districts and communities in obtaining funding for local flood control projects.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
<p>Policy HS-2.6: Prohibit new development in existing undeveloped areas (i.e., area devoted to agriculture or open space that is not designated for development) protected by a State flood control project without appropriately considering significant known flooding risks and taking reasonable and feasible action to mitigate the potential property damage to the new development resulting from a flood.</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>
<p>Policy HS-2.7: The County shall not enter into a development agreement, approve any building permit or entitlement, or approve a tentative or parcel map, unless it finds one of the following: a) The flood control facilities provide 200-year level of protection in urban and non-urban areas consistent with the current Central Valley Flood Protection Plan; b) Conditions imposed on the development will protect the property at a 200-year level of protection in urban and non-urban areas consistent with the current Central Valley Flood Protection Plan; or c) The local flood management agency has made “adequate progress” on the construction of a flood protection system which will result in protection equal or greater than the 200-year flood event in urban and non-urban areas consistent with the current Central Valley Flood Protection Plan.</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>
<p>Policy HS-2.8: Require new flood control projects or developments within areas subject to 100- and 200-year frequency floods are done in a manner that will not cause floodwaters to be diverted onto adjacent property or increase flood hazards to property located elsewhere.</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy HS-2.9: Encourage all agencies that operate public facilities, such as roads, structures, wastewater treatment plants, gas, electrical, and water systems within areas subject to 100- and 200-year frequency floods to locate and construct facilities to minimize or eliminate potential flood damage.	Consistent	N/A	N/A
Policy HS-2.10: Prohibit the construction of essential facilities (including hospitals, healthcare facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities) in the 100- and 200-year floodplain, unless it can be demonstrated that the structural and operational integrity of the facility can be maintained during flood events.	Consistent	N/A	N/A
Policy HS-2.11: Continue to participate in the National Flood Insurance Program	Consistent	N/A	N/A
Policy HS-2.12: Support State and local flood management agencies to provide relocation assistance or other cost-effective strategies for reducing flood risk to existing economically disadvantaged communities located in non-urbanized areas.	Consistent	N/A	N/A
Policy HS-2.13: Encourage open space uses in flood hazard areas.	Consistent	N/A	N/A
Policy HS-2.14: Encourage multi-purpose flood control projects that incorporate recreation, resource conservation, preservation of natural riparian habitat, and scenic values of the County's streams, creeks, and lakes.	Consistent	N/A	N/A
Policy HS-2.15: Encourage flood control designs that respect the natural topography and vegetation of waterways while retaining dynamic flow and functional integrity.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy HS-2.16: Encourage increased stormwater and flood protection infrastructure capacity in order to accommodate changes in precipitation and extreme weather events.	Consistent	N/A	N/A
Policy HS-2.17: Permit the construction of County flood control facilities in existing developments located within flood hazard areas to proceed only after a complete review of the environmental effect and project costs and benefits	Consistent	N/A	N/A
Policy HS-2.18: Prepare public awareness programs to inform the general public and potentially affected property owners of flood hazards, potential dam failure inundation, and evacuation plans.	Consistent	N/A	N/A
Policy HS-2.19: Coordinate and use mutual aid resources to augment local resources in order to perform rescue operations, secure utilities and inundated areas, and control traffic in event of dam failure.	Consistent	N/A	N/A
Merced County Code of Ordinances			
Title 16 Building and Construction, Chapter 16.16 Building Code, Section 16.16.010 International Building Code	Consistent	N/A	N/A
Title 18 Zoning, Chapter 18.41 Performance Standards, Section 18.41.030 Dust	Consistent	N/A	N/A
Merced Vision 2030 General Plan (2012)			
Open Space, Conservation, and Recreation Element, Goal Area OS-1: Open space for the preservation of natural resources.	Consistent	N/A	N/A
Policy OS-1.2: Preserve and enhance creeks in their natural state throughout the planning area.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy OS-1.5: Preserve and enhance water quality.	Consistent	N/A	N/A
Policy P-4.2: Consider the use of reclaimed water to reduce non-potable water demands whenever practical.	Consistent	N/A	N/A
Madera County General Plan (1995)			
Policy 1.H.2: New development will incorporate soil conservation practices	Consistent	N/A	N/A
Policy 1.H.3.c: Development in hillside areas will employ erosion and sediment control measures.	Consistent	N/A	N/A
Policy 3.C.3: Limit development in areas identified as having severe water table depression to uses that do not have high water usage or to uses served by a surface water supply.	Consistent	N/A	N/A
Policy 3.C.5: New development adjacent to bodies of water used as domestic water sources will adequately mitigate potential water quality impacts on these water bodies.	Consistent	N/A	N/A
Policy 3.E.2: New development will provide protection from the 100-year flood as a minimum.	Consistent	N/A	N/A
Policy 3.E.5: Projects will maintain, to the extent feasible, natural site drainage conditions.	Consistent	N/A	N/A
Policy 3.E.6: Future drainage system discharges shall comply with applicable state and federal pollutant discharge requirements.	Consistent	N/A	N/A
Policy 3.E.7: Encourages the use of natural stormwater drainage systems.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy 5.C.1: Protect preserve areas with prime percolation rates and minimize placement of potential pollutant sources in such areas.	Consistent	N/A	N/A
Policy 5.C.2: Establishes minimizing sedimentation and erosion through control of grading, cutting trees, removal of vegetation, and placement of roads and bridges. Unless properly mitigated, discourages grading activities during the rainy season.	Consistent	N/A	N/A
Policy 5.C.3: Requires new development near water resources to mitigate any potential impacts of release of pollutants in floodwaters, flowing rivers, streams, creeks, or reservoir waters.	Consistent	N/A	N/A
Policy 5.C.4: Requires the use of BMPs to protect streams from the negative effects of construction activities and encourages urban storm drainage systems to use BMPs.	Consistent	N/A	N/A
Policy 5.C.6: Requires that natural watercourses are integrated into new development in such a way that they are accessible to the public and provide a positive visual element.	Consistent	N/A	N/A
Policy 5.C.8: Support the policies of the-San Joaquin River Parkway Plan to protect the San Joaquin River as an aquatic habitat and a water source.	Consistent	N/A	N/A
Policy 5.H.1: Support the preservation and enhancement of natural land forms, natural vegetation, and natural resources as open space. To the extent feasible, the County shall permanently protect as open space areas of natural resource value, including wetlands preserves, riparian corridors, woodlands, and floodplains.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy 5.H.2: Require that new development be designed and constructed to preserve the following types of areas and features as open space to the maximum extent feasible	Consistent	N/A	N/A
Policy 6.B.1: Requires flood-proofing of structures in areas subject to flooding.	Consistent	N/A	N/A
Policy 6.B.3: Restricts uses in designated floodways to those that are tolerant of occasional flooding and do not restrict or alter flow of flood waters. Such uses may include agriculture, outdoor recreation, mineral extraction, and natural resource areas.	Consistent	N/A	N/A
Policy 6.B.4: Requires that all development within areas subject to 100-year floods be designed and constructed in a manner that will not cause floodwaters to be diverted onto adjacent property or increase flood hazards to other areas.	Consistent	N/A	N/A
Madera County Code of Ordinances, Title 14			
Buildings and Construction, Chapter 14.50 Grading and Erosion Control. 14.50.030 Requirements 14.50.050 Permit Applications 14.50.080 Drainage and erosion control requirements	Inconsistent The Central Valley Wye alternatives would be consistent with sections 14.50.030 and 14.50.080 of this policy. However, the Central Valley Wye alternatives would be inconsistent with section 14.50.050, because the Authority and FRA are not required to obtain local grading permits for earthmoving activities.	Through HYD-IAMF#3, Prepare and Implement a Construction Stormwater Pollution Prevention Plan, the Authority and the contractor will prepare and implement a construction Stormwater Pollution Prevention Plan (SWPPP) that will provide best management practices (BMP) to minimize potential short-term increases in sediment transport caused by construction; such BMPs will include erosion control requirements and stormwater management. Nevertheless, the Central Valley Wye alternatives would remain inconsistent because the Authority and FRA do not propose to obtain local permits for earthmoving activity.	The Authority is mandated to construct and operate the HSR project, including the Central Valley Wye alternatives. This is a state-level project that would have benefits across multiple resource areas. The HSR project design includes measures to minimize effects on hydrology and water resources.

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
City of Chowchilla 2040 General Plan (2011)			
Objective OS-11: Ensure adequate groundwater reserves are maintained for present and future domestic, commercial, and industrial uses.	Consistent	N/A	N/A
Objective OS-12: Ensure groundwater quality is maintained at a satisfactory level for domestic water consumption.	Consistent	N/A	N/A
Policy PF-1.3: Develop and maintain Master Plans for water, wastewater collection and treatment, and storm water collection and disposal which address future growth demands and address public facilities and services including schools in a coordinated and comprehensive manner.	Consistent	N/A	N/A
Policy PF-6.1: The City shall condition approval of development projects on the provision of adequate storm drainage improvements.	<p>Inconsistent</p> <p>The Central Valley Wye alternatives would be in compliance with state and federal stormwater regulations, while some local stormwater policies and requirements that require the development of stormwater plans and approvals would not be required.</p>	<p>Through HYD-IAMF#1, Stormwater Management, the Authority will evaluate each receiving stormwater system's capacity during the detailed design phase, to accommodate runoff from the HSR system for the design storm event. In addition, the Authority will incorporate into the design and implement several stormwater management measures during construction.</p> <p>In addition to HYD-IAMF#1, the Authority has also committed to implementing HYD-IAMF#3, and will encourage on-site retention of stormwater runoff using measures such as flow dispersion, infiltration, and evaporation, supplemented by detention, where required.</p> <p>Nevertheless, the Central Valley Wye alternatives would remain inconsistent because the Authority and FRA do not propose to develop local stormwater plans.</p>	<p>The Authority is mandated to construct and operate the HSR project, including the Central Valley Wye alternatives. This is a state-level project that would have benefits across multiple resource areas. The HSR project design includes measures to minimize effects on hydrology and water resources.</p>

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
<p>Policy PF-6.2: The City shall require the extension of storm drains to new areas in accordance with the phasing of a storm drainage master plan.</p>	<p>Inconsistent The Central Valley Wye alternatives would be in compliance with state and federal stormwater regulations, while some local stormwater policies and requirements that require the development of stormwater plans and approvals would not be required.</p>	<p>Through HYD-IAMF#1, the Authority will evaluate each receiving stormwater system’s capacity during the detailed design phase, to accommodate runoff from the HSR system for the design storm event. In addition, the Authority will incorporate into the design and implement several stormwater management measures during construction. Nevertheless, the Central Valley Wye alternatives would remain inconsistent because the Authority and FRA do not propose to develop local stormwater plans.</p>	<p>The Authority is mandated to construct and operate the HSR project, including the Central Valley Wye alternatives. This is a state-level project that would have benefits across multiple resource areas. The HSR project design includes measures to minimize effects on hydrology and water resources.</p>
<p>Policy PF-7.1: Natural and manmade channels, detention basins, and other drainage facilities shall be maintained to ensure that their full use and carrying capacity is not impaired.</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>
<p>Policy PF-7.2: Continue to require new development to discharge storm water runoff at volumes no greater than the capacity of any portion of the existing downstream system by utilizing detention or retention or other approved methods, unless the project is providing drainage pursuant to an adopted drainage plan.</p>	<p>Inconsistent The Central Valley Wye alternatives would be in compliance with state and federal stormwater regulations, while some local stormwater policies and requirements that require the development of stormwater plans and approvals would not be required.</p>	<p>Through HYD-IAMF#1, the Authority will evaluate each receiving stormwater system’s capacity during the detailed design phase, to accommodate runoff from the HSR system for the design storm event. In addition to HYD-IAMF#1, the Authority has also committed to implementing HYD-IAMF#3, and will encourage on-site retention of stormwater runoff using measures such as flow dispersion, infiltration, and evaporation, supplemented by detention, where required. Additional flow control measures could be implemented where local regulations or drainage requirements dictate. Nevertheless, the Central Valley Wye alternatives would remain inconsistent because the Authority and FRA do not propose to develop local stormwater plans.</p>	<p>The Authority is mandated to construct and operate the HSR project, including the Central Valley Wye alternatives. This is a state-level project that would have benefits across multiple resource areas. The HSR project design includes measures to minimize effects on hydrology and water resources.</p>

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
<p>Policy PF-7.3: When necessary, require new development to prepare hydrologic studies to assess storm runoff effects on the local drainage system and, if warranted, require new development to provide adequate drainage facilities and to mitigate increases in storm water flows and/or volume to avoid cumulative increases in downstream flows.</p>	<p>Inconsistent The Central Valley Wye alternatives would be in compliance with state and federal stormwater regulations, while some local stormwater policies and requirements that require the development of stormwater plans and approvals would not be required.</p>	<p>Through HYD-IAMF#1, the Authority will evaluate each receiving stormwater system’s capacity during the detailed design phase, to accommodate runoff from the HSR system for the design storm event. In addition, the Authority will incorporate into the design and implement several stormwater management measures during construction. Nevertheless, the Central Valley Wye alternatives would remain inconsistent because the Authority and FRA do not propose to develop local stormwater plans.</p>	<p>The Authority is mandated to construct and operate the HSR project, including the Central Valley Wye alternatives. This is a state-level project that would have benefits across multiple resource areas. The HSR project design includes measures to minimize effects on hydrology and water resources.</p>
<p>Policy PF-7.4: New and redevelopment projects shall prepare and provide to the City appropriate drainage studies that assess project storm runoff effects on the City storm drain system, as well as provide appropriate storm drainage facilities to ensure an increased risk of on- or off-site flooding does not result from project implementation.</p>	<p>Inconsistent The Central Valley Wye alternatives would be in compliance with state and federal stormwater regulations, while some local stormwater policies and requirements that require the development of stormwater plans and approvals would not be required.</p>	<p>Through HYD-IAMF#1, the Authority will evaluate each receiving stormwater system’s capacity during the detailed design phase, to accommodate runoff from the HSR system for the design storm event. In addition, the Authority will incorporate into the design and implement several stormwater management measures during construction. Nevertheless, the Central Valley Wye alternatives would remain inconsistent because the Authority and FRA do not propose to develop local stormwater plans.</p>	<p>The Authority is mandated to construct and operate the HSR project, including the Central Valley Wye alternatives. This is a state-level project that would have benefits across multiple resource areas. The HSR project design includes measures to minimize effects on hydrology and water resources.</p>

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
<p>Policy PF-7.5: All drainage improvements shall comply with the City of Chowchilla Public Works Construction Standards.</p>	<p>Inconsistent.</p> <p>The Central Valley Wye alternatives would be in compliance with state and federal stormwater regulations, while some local stormwater policies and requirements that require the development of stormwater plans and approvals would not be required.</p>	<p>Through HYD-IAMF#1, the Authority will evaluate each receiving stormwater system's capacity during the detailed design phase, to accommodate runoff from the HSR system for the design storm event. In addition, the Authority will incorporate into the design and implement several stormwater management measures during construction.</p> <p>In addition to HYD-IAMF#1, the Authority has also committed to implementing HYD-IAMF#3, and will encourage on-site retention of stormwater runoff using measures such as flow dispersion, infiltration, and evaporation, supplemented by detention, where required. Additional flow control measures could be implemented where local regulations or drainage requirements dictate.</p> <p>Nevertheless, the Central Valley Wye alternatives would remain inconsistent because the Authority and FRA do not propose to develop local stormwater plans.</p>	<p>The Authority is mandated to construct and operate the HSR project, including the Central Valley Wye alternatives. This is a state-level project that would have benefits across multiple resource areas. The HSR project design includes measures to minimize effects on hydrology and water resources.</p>
<p>Policy PS 2.2: Development of urban uses, with the exception of passive recreation use areas and pedestrian/bicycle trails within a floodway or floodplain subject to a 100-year flood event shall be prohibited.</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>
<p>Policy PS 2.3: Preserve floodways and floodplains for non-urban uses with the exception of passive or active recreational development may be allowed in a floodplain with appropriate measures that avoid or minimize damage to recreation or structural improvements</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>
<p>Policy PS 2.4: Ensure that potential flooding impacts, including on-site flood damage, and potential inundation, are adequately addressed through the environmental review process and appropriate mitigation is imposed.</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
City of Chowchilla Code of Ordinances, Title 17			
Title 17 Subdivisions, Chapter 17.32 Design and Improvement Standards, Section 17.32.060 Grading Plan	<p>Inconsistent</p> <p>The Central Valley Wye alternatives would be inconsistent with chapter 17.32.060 of this policy. However, the Authority and FRA are not required to obtain local grading permits for earthmoving activities.</p>	<p>Through HYD-IAMF#3, the Authority and the contractor will prepare and implement a construction SWPPP that will provide BMPs to minimize potential short-term increases in sediment transport caused by construction; these BMPs will include erosion control requirements and stormwater management.</p> <p>Nevertheless, the Central Valley Wye alternatives would remain inconsistent because the Authority and FRA do not propose to obtain local permits for earthmoving activities.</p>	<p>The Authority is mandated to construct and operate the HSR project, including the Central Valley Wye alternatives. This is a state-level project that would have benefits across multiple resource areas. The HSR project design includes measures to minimize effects on hydrology and water resources.</p>
Fresno County General Plan (2003)			
<p>Policy LU-C.8: Fresno County shall take into consideration the presence of the regulatory floodway or other designated floodway, the FEMA-designated 100-year floodplain, estimated 250-year floodplain, the Standard Project Flood, and the FMFCD Riverine Floodplain Policy in determining the location of future development within the San Joaquin River Parkway area. Any development sited in a designated 100-year floodplain shall comply with regulatory requirements at a minimum and with the FMFCD Riverine Floodplain Policy criteria, or requirements of other agencies having jurisdiction, where applicable.</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>
<p>Policy PF-C.3: To reduce demand on the County's groundwater resources, the County shall encourage the use of surface water to the maximum extent feasible.</p>	<p>Consistent</p>	<p>N/A</p>	<p>N/A</p>

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Policy PF-E.16: The County shall minimize sedimentation and erosion through control of grading, cutting of trees, removal of vegetation, placement of roads and bridges, and use of off-road vehicles. The County shall discourage grading activities during the rainy season, unless adequately mitigated, to avoid sedimentation of creeks and damage to riparian habitat.	Consistent	N/A	N/A
Policy PF-E.21: The County shall require the use of feasible and practical best management practices (BMPs) to protect streams from the adverse effects of construction activities, and shall encourage the urban storm drainage systems and agricultural activities to use BMPs.	Consistent	N/A	N/A
Stanislaus County General Plan (2016)			
Conservation/Open Space Element, Goal Two: Conserve water resources and protect water quality in the County.	Consistent	N/A	N/A
Policy 5: Protect groundwater aquifers and recharge areas, particularly those critical for the replenishment of reservoirs and aquifers.	Consistent	N/A	N/A
Policy 6: Preserve vegetation to protect waterways from bank erosion and siltation.	Consistent	N/A	N/A
Stanislaus County Code			
14.14.050 Discharge of nonstormwater [sic] prohibited.	Consistent	N/A	N/A
A. Except as provided in Section 14.14.060, it is unlawful for any person to make or cause to be made any nonstormwater [sic] discharge.	Consistent	N/A	N/A

Applicable Local and Regional Plan / Law	Inconsistency	Reconciliation	Rationale
Waterford Vision 2025 General Plan (2006)			
Open Space and Conservation Element, Goal Area A: Open space for the preservation of natural resources.	Consistent	N/A	N/A
Policy OS-A-2: Preserve and enhance Tuolumne River and Dry Creek in their natural state throughout the planning area.	Consistent	N/A	N/A
Policy OS-A-5: Preserve and enhance water quality.	Consistent	N/A	N/A

Sources: City of Merced, 2012; City of Chowchilla, 2011; Fresno County, 2003; Madera County, 1995; Merced County, 2013; Stanislaus County, 2016; City of Waterford, 2006

HSR = high-speed rail

IAMF = impact avoidance and minimization feature

Authority = California High-Speed Rail Authority

FRA = Federal Railroad Administration

N/A = not applicable. Reconciliation nor the rationale behind it are provided as it has been determined that the Central Valley Wye alternatives are consistent with requirements and reconciliation will therefore not be required.

References

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