This Partnership Agreement memorializes the efforts of the partnering agencies to prepare a project level National Environmental Policy Act document for a multi-modal transportation facility located in the Cajalco-Ramona corridor in Riverside County, California. This effort builds on a previous Partnership Action Plan and Memorandum of Understanding between the local, state and federal partners that resulted in identification of the Cajalco-Ramona corridor for project level review. As part of the Riverside County Integrated Project, this transportation facility is intended to improve the quality of life for all residents of Riverside County and protect regional environmental and aquatic resources. To meet the spirit of Executive Order 13274 for "Environmental Stewardship and Transportation Infrastructure Project Reviews" the partners agree to the following objectives and charter:

- Compliance with all Applicable Laws
- Successful Integration of Transportation Planning and Natural Resource Management
- Better Environmental Stewardship
- Accommodate Future Traffic Demands and Relieve Traffic Congestion
- Constructive Local, State and Federal Working Relationships
- Effective Use of Partner Agency Resources
- Responsiveness to the Public with On-going Public Involvement and Communication
- Streamlining:
  - Recognize and use appropriate and already available data
  - Timely reviews and actions
  - Implementing previously agreed upon dispute resolution process when appropriate
  - Seek and employ forward thinking, innovation, flexible and creative strategies for transportation, environmental resource planning, and problem-solving.

As partner agencies, we agree to work together in a spirit of cooperation, respect, and reasonableness to produce a high quality product that meets the needs and schedule of the project proponents as well as those of the other partner agencies. Through this process, we intend to enhance the certainty of achieving an approvable project that also ensures full environmental compliance.
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DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

January 29, 2004

REPLY TO
ATTENTION OF
Office of the Chief
Regulatory Branch

Mr. David A. Nicol
Acting Division Administrator
U.S. Department of Transportation
Federal Highway Administration
650 Capitol Mall, Suite 4-100
Sacramento, California 95814

Dear Mr. Nicol:

This letter responds to your January 13, 2004 request for the U.S. Army Corps of Engineers to provide our written concurrence on the Purpose and Need Statement for the Community and Environmental Transportation Acceptability Process (CETAP) Cajalco-Ramona Corridor (CRC) project located in western Riverside County, California. Our formal concurrence is being sought by the Federal Highway Administration (FHWA) and Caltrans pursuant to the 1994 California National Environmental Policy Act (NEPA)/Section 404 of the Clean Water Act (CWA) Integration Process Memorandum of Understanding (MOU). Once approved, the CRC purpose statement will also serve as the Corps’ “overall project purpose” and accordingly, will be used to help identify practicable alternatives for evaluation in the draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR). The purpose statement proposes the following language:

“The purpose of the proposed action is to provide a transportation facility that will effectively and efficiently accommodate regional east-west movement of people and goods between and through San Jacinto, Perris, and Corona. More specifically, the selected alternative will:

- Provide increased capacity to support the forecast travel demand for the 2030 design year;
- Provide limited access;
- Provide roadway geometrics to meet State highway design standards;
- Accommodate Surface Transportation Assistance Act (STAA) National Network for oversized trucks;
- Provide a facility that is compatible with a future multimodal transportation system.”

It is our determination that the concerns raised by the Corps during the CRC interagency Small Working Group meetings and in our written comments on earlier draft versions have been adequately
addressed in the final statement. Therefore, in accordance with the procedures set forth in the MOU, we offer our concurrence on the CRC Purpose and Need Statement. If you have any questions, please contact Ms. Susan A. DeSaddi of my staff at (213) 452-3412 or at susan.a.desaddi@usace.army.mil.

Sincerely,

[Signature]

Aaron O. Allen, Ph.D.
Acting Chief, Regulatory Branch

Copies Furnished:
U.S. Environmental Protection Agency (Mike Schulz, Steven John, Elizabeth Varnhagen)
U.S. Fish and Wildlife Service (Doreen Stadtlander)
Riverside County Transportation Commission (Cathy Bechtel)
County of Riverside Transportation & Land Management Agency (Richard Lashbrook)
Caltrans (William Mosby)
California Department of Fish & Game (Scott Dawson)
January 30, 2004

David Nicol
Acting Division Administrator
Federal Highway Administration
650 Capitol Mall, Suite 4-100
Sacramento, CA 95814

Subject: Concurrence on the Purpose and Need for the Cajalco Ramona Corridor Project,
Riverside County, California

Dear Mr. Nicol:

This responds to your letter of January 13, 2004, requesting concurrence from the Environmental Protection Agency (EPA) on the Purpose and Need for the Cajalco Ramona Corridor. This project is part of Riverside County’s Community and Environmental Transportation Acceptability Process (CETAP). The request is pursuant to Appendix A of the National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU).

EPA concurs with the project Purpose and Need as presented in the document entitled, “Cajalco Ramona Corridor Statement of Purpose and Need,” dated January 9, 2004. We support the concise purpose statement presented below, which will be used to help develop and screen the alternatives for further evaluation in an environmental impact statement.

The purpose of the proposed action is to provide a transportation facility that will effectively and efficiently accommodate regional east-west movement of people and goods between and through San Jacinto, Perris, and Corona.

More specifically, the selected alternative will:
• Provide increased capacity to support the forecast travel demand for the 2030 design year.
• Provide limited access.
• Provide roadway geometrics to meet State highway design standards.
• Accommodate Surface Transportation Assistance Act (STAA) National Network for oversized trucks.
• Provide a facility that is compatible with a future multimodal transportation system.
According to Appendix A of the NEPA/404 MOU, the next step in the NEPA/404 Integration Process is to identify a set of criteria that will be used to select the alternatives to evaluate in the Environmental Impact Statement (EIS). It was decided at the Small Working Group meeting held on January 21, 2004, not to take this step at this time. Instead, a subcommittee has been formed that will develop evaluation criteria to compare alternatives in the EIS.

We appreciate the opportunity to participate in the NEPA/404 MOU process. If you have any questions, please contact Liz Varnhagen of my staff at (415) 972-3845, varnhagen.liz@epa.gov, or Steven John in our Water Division at (213) 452-3806, john.steven@epa.gov.

Sincerely,

Lisa B. Hanf, Manager
Federal Activities Office

cc: Susan DeSaddi, Corps of Engineers, Los Angeles
    Doreen Stadlander, U.S. Fish and Wildlife Service, Carlsbad
    Cathy Bechtel, Riverside County Transportation Commission, Riverside
    Marie Petry, Caltrans District 8, San Bernardino
Mr. Gene K. Fong  
Division Administrator  
U.S. Department of Transportation  
Federal Highway Administration, California Division  
650 Capitol Mall, Suite 4-100  
Sacramento, California 95814  

Dear Mr. Fong:

This letter is in response to your request for our preliminary agreement on the proposed alignment alternatives for the Mid-County Parkway (MCP)/Community and Environmental Transportation Acceptability Process (CETAP) project located in western Riverside County, California. Eight alignment alternatives, including the No Action/No Project, have been developed based on existing environmental and engineering constraints occurring within the study area. It is our understanding these alignment alternatives will be presented to the public during the upcoming environmental scoping process in support of the draft Environmental Impact Statement/Environmental Impact Report.

Based on the Alignment Alternatives Narrative, Summary Table, and maps enclosed in your September 20, 2004 request letter, we offer our preliminary agreement on the proposed alignment alternatives pursuant to the provisions of the 1994 National Environmental Policy Act-Clean Water Act Section 404 Integration Process Memorandum of Understanding.

I am forwarding copies of this letter to U.S. Environmental Protection Agency, Mike Schulz, Southern California Field Office, 600 Wilshire Boulevard, Suite 1460, Los Angeles, California 90017; U.S. Fish and Wildlife Service, Doreen Stadtlander, Ecological Services, 6010 Hidden Valley Road, Carlsbad, California 92009; Caltrans, District 8, Bill Mosby, 464 West Fourth Street, San Bernardino, California 92401; and Riverside County Transportation Commission, Cathy Bechtel, 4080 Lemon Street, Riverside, California, 92502-2208.
We look forward to our continued involvement with the MCP/CETAP project. If you have any questions, please contact me at (213) 452-3962 or your staff may contact Ms. Susan A. Meyer of my staff at (213) 452-3412. Please refer to this letter and 200100537-SAM in your reply.

Sincerely,

[Signature]

John V. Guenther
Lieutenant Colonel, US Army
Acting District Engineer
November 4, 2004

Gene Fong
Division Administrator
Federal Highway Administration
650 Capitol Mall, Suite 4-100
Sacramento, CA 95814

Subject: Preliminary Agreement on the Range of Alignment Alternatives for the Mid-County Parkway, Riverside County, California

Dear Mr. Fong:

This responds to your letter of September 20, 2004, requesting preliminary agreement from the Environmental Protection Agency (EPA) on the Range of Alignment Alternatives for the Mid-County Parkway. This project is part of Riverside County’s Community and Environmental Transportation Acceptability Process (CETAP) and was formerly referred to as the Cajalco Ramona Corridor. The request is pursuant to Appendix A of the National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU).

EPA offers our preliminary agreement on the range of alternatives as they are presented in the document entitled, "Mid County Parkway (MCP) Draft Alignment Alternatives," dated (September 15, 2004). The document describes eight alternatives as follows:

Four alternatives would construct a new six to ten-lane limited-access facility extending from Interstate 15 in the city of Corona in the west, to State Route 79 in the city of San Jacinto in the east.

Alternative 1 - North Lake Mathews/North Perris Alternative
Alternative 2 - North Lake Mathews/South Perris Alternative
Alternative 3 - South Lake Mathews/North Perris Alternative
Alternative 4 - South Lake Mathews/South Perris Alternative

If Alternative 1 or 2 were built, in an alignment north of Lake Mathews, Cajalco Road is not planned to be improved as part of this project. Similarly, if Alternatives 3 and 4 were built, in an alignment south of Lake Mathews, El Sobrante Road would also not be part of this project.
Two additional alternatives, 5 and 6, would construct a new six- to ten-lane limited-access facility similar to Alternatives 1 through 4 (above) in the eastern half of the corridor; and in the western half, would construct arterial roads consistent with the design concept and scope represented in the Riverside County General Plan Circulation Element (2003). Thus, there would be a six-lane arterial road north of Lake Mathews and a four-lane arterial road south of Lake Mathews. Both alternatives include upgrading and realigning the existing roads north and south of Lake Mathews.

Alternative 5 - General Plan/North Perris Alternative
Alternative 6 - General Plan/South Perris Alternative

Two alternatives will be evaluated in which the proposed six- to ten-lane facility is not constructed at all. Alternative 7, the Existing Conditions alternative, represents Ramona Expressway, Cajalco Road, and El Sobrante Road as they exist today, but assuming other arterial roads in the area are upgraded to what is represented in the Circulation Element. Alternative 8, the General Plan Circulation Element Conditions alternative, is similar to Alternative 7, but includes arterial improvements along the Ramona Expressway, Cajalco Road, and El Sobrante Road that are identified in the Circulation Element.

Alternative 7 - No Project/No Action – Existing Conditions Alternative
Alternative 8 - No Project/No Action – General Plan Circulation Element Conditions Alternative

Furthermore, EPA agrees that the study should move forward to evaluate the proposed interchange locations, as presented in “Mid County Parkway (MCP) Draft Alignment Alternatives,” which includes connecting with Interstates 15, 215, and State Route 79 as well as major arterials in the study area. We intend to examine the locations and impacts of the proposed interchanges for our final concurrence on project alternatives, subsequent to publication of the Notice of Intent and during formal development of the Draft Environmental Impact Statement as described in Appendix A of the NEPA/404 MOU.

As a next step in the process, EPA looks forward to continued participation in the development of criteria for evaluating alternatives in the Draft Environmental Impact Statement for the selection of the least environmentally damaging practicable alternative (LEDPA). As of the subcommittee meeting that took place on October 20, 2004, this process is already underway.
Thank you for requesting our preliminary agreement on the range of alignment alternatives, under the NEPA/404 MOU. If you have any questions or comments, please feel free to contact Matthew Lakin of my staff at (415) 972-3851 or at Lakin.Matthew@epa.gov.

Sincerely,

Lisa B. Hanf, Manager
Federal Activities Office
Cross Media Division

Cc: Cathy Bechtel, Riverside County Transportation Commission, Riverside
Susan Meyer, Corps of Engineers, Los Angeles
Doreen Stadlander, U.S. Fish and Wildlife Service, Carlsbad
Marie Petry, Caltrans District 8, San Bernardino
Tay Dam, Federal Highway Administration, Los Angeles
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May 13, 2005

Mr. Charles Landrey
Project Manager
Jacobs Civil, Inc
3850 Vine Street, Suite 120
Riverside, CA 92507

Dear Mr. Landrey:

Mid-County Parkway Alignment Conlicts with MWD Facilities

This letter is regarding the proposed Mid-County Parkway project alignment alternatives located in Riverside County generally between Interstate 15 and the city of San Jacinto, north and south of Lake Mathews and south of Lake Perris.

The following comments provide a detailed explanation of potential conflicts between the proposed project alignments and Metropolitan's various facilities. The subject locations are referenced accordingly on the enclosed aerial photo map that delineates the project's alternative alignments, which your company submitted to Metropolitan.

I. Colorado River Aqueduct/Casa Loma Siphon-1st Barrel - at Sanderson Avenue

Just south of the Ramona Expressway, Metropolitan’s 148-inch-inside-diameter Casa Loma Siphon crosses Sanderson Avenue (MWD Station 10933+40). There is an existing protective concrete slab in place at Sanderson Avenue and our pipeline is between 4 and 10 feet below grade at this location. This protective slab may need to be upgraded or extended depending on the limits of the corridor construction in this area. Enclosed are prints of our Casa Loma Siphon Drawings B-363-10, B-363-11, H-1224 and H-1300, and Drawing B-25759 for the protective slab.
II. Colorado River Aqueduct, Inland Feeder and Lakeview Pipeline – between Bridge Street and Princess Ann Road

Just south of the Ramona Expressway at Princess Ann Road, Metropolitan’s 185-inch-inside-diameter Colorado River Aqueduct monolithic concrete pipeline, 145-inch-inside-diameter Inland Feeder welded steel pipeline, and 133-inch-inside-diameter welded steel Lakeview Pipeline are all in close proximity to the proposed corridor alignment. Please submit detailed plans of your corridor project in this area for our review and written approval when available. Enclosed are prints of our Drawings B-363-9, B-60591, B-88361, B-88362 and B-88381 for our facilities in this area.

III. Inland Feeder  Davis Road/Hansen Avenue

Metropolitan’s 145-inch-inside-diameter Inland Feeder welded steel pipeline is located at the intersection of Ramona Expressway and Davis Road and runs parallel to Ramona Expressway for approximately 800 feet. The pipeline is located approximately 15 feet below grade in this area and may need to be protected within the limits of your corridor improvements. Enclosed for your information are prints of our Drawings B-92103 and B-92104.

IV. Lake Perris Facilities

Metropolitan has a number of facilities and properties along the south side of Lake Perris that may be impacted by the proposed corridor. In addition, appropriate protection of our various pipelines and tunnels in this area may need to be undertaken. Enclosed are prints of our Drawings B-363, B-363-6, B-60445 through B-60447, B-60561, B-60562, B-60563, B-60564, B-65646 and B-65656 through B-65661 for your information and use.

a. Lake Perris Bypass Pipeline

The proposed corridor alignment must be kept outside the limits of this right-of-way except where it must cross the pipeline.
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Mr. Charles Landrey
Page 3
May 13, 2005

b. Perris Power Plant

The proposed corridor alignment must be kept outside the limits of our power plant and pressure control facility right-of-way.

c. Bernasconi Tunnels No. 1 and No. 2 – West and East Portals

Appropriate access will need to be provided to Metropolitan to these portal sites for routine maintenance and repairs.

V. SR-215 – Chemical Unloading Facilities

a. Metropolitan owns and operates a chemical unloading facility just west of the proposed SR-215 interchange. The proposed alignment should not encroach into any area of this property. Please note that Metropolitan may be performing major upgrades to this facility in the near future. We will keep you informed of changes to this facility as they occur. Enclosed are prints of our Drawings B-26979 and B-26980 for your information and use.

b. In addition, just cast of the chlorine facility extending approximately to the Cajalco Dam, Metropolitan’s 183-inch-inside-diameter Colorado River Aqueduct Valverde Tunnel is longitudinally in close proximity to the proposed alignment with an average depth of 150 to 200 feet. Your proposed corridor must have no impact on this tunnel.

VI. Cajalco Dam – El Sobrante Road and Cajalco Road (East of Lake Mathews)

The proposed alignment may require modifications to the existing Cajalco Dam facility, which would have to be coordinated with Metropolitan, Riverside County Flood Control District and the California Division of Safety of Dams (DSOD). Also, access to the facility will need to be maintained. Enclosed are prints of our Drawings A-1178, H-1362 and H-1363 for your information and use.

Metropolitan’s facilities between the Cajalco Dam and our Lake Mathews
facility may also be affected where the Valverde Tunnel transitions into an outlet channel. Detailed plans of your proposed corridor improvements will be required in order to determine potential impacts to our facilities. Enclosed are prints of our Drawings B-363-1 through B-363-4 for your information and use.

VII. Lake Mathews Facilities, Upper Feeder and Lower Feeder

a. The alignment of your proposed corridor in proximity to our Lake Mathews Dike No. 1 at McAllister Street would involve the removal of a hill that is acting as a buttress for this dike, which is unacceptable. Metropolitan cannot allow any activity which has the potential to compromise or reduce the factor of safety of this dike. Your corridor alignment will need to be revised such that no material is removed from this abutment area. Any construction in this area will also require DSOD approval.

b. Seepage pipes located at the face of this dike may also be affected. Any impacts to these pipelines will need to be mitigated.

c. Metropolitan's main entrance to our Lake Mathews facility is accessed from E. Sobrante Road. The proposed alignment appears to interfere with this access. If this alignment will bridge over La Sierra Avenue, the height should be such that it allows all of our vehicles to cross under the overcrossing.

d. Metropolitan's 140-inch-inside-diameter Upper Feeder pipeline crosses the proposed alignment just west of La Sierra Avenue. This pipeline will need to be protected in place.

e. Metropolitan's 108-inch-inside-diameter Lower Feeder pipeline and related above-ground facilities, including a small hydroelectric power plant, may be impacted by your proposed corridor alignment and auxiliary road between Lake Mathews and Temescal Canyon Road. As shown on the enclosed drawings, Metropolitan facilities include, but are not limited to, two standpipes, a control tower, a venturi meter and the Temescal Power
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Mr. Charles Landrey
Page 5
May 13, 2005

Plant. Please provide detailed information on how these facilities will be protected in place and how Metropolitan's access will be maintained in this area.

Enclosed for your information are prints of our Lower Feeder pipeline and tunnel Drawings B-9363, B-10203 through B-10212, B-21226 and B-21227 and above-ground facility Drawings B-10275, B-10282, B-10283, B-30310 through B-30314, B-30398 and B-30399.

For any further correspondence with Metropolitan relating to this project, please make reference to the Substructures Job Number located in the upper right-hand corner of this letter. Should you require any additional information, please contact Mr. Ish Singh at (213) 217-6679.

Very truly yours,

[Signature]

Kieran M. Callanan, P.E.
Manager, Substructures Team

IS/Iy
DOC 2001-04-007
Enclosures (53)
August 19, 2005

Ms. Cathy Bechtel, Division Head, Planning
Riverside County Transportation Commission
Post Office Box 12008
4080 Lemon Street, 3rd Floor
Riverside, California 92502-2208

Mid County Parkway North Perris Alignment

Dear Ms. Bechtel:

This letter is in response to your request for written confirmation regarding your several discussions with my staff, regarding the proposed Mid County Parkway North Perris Alignment that includes a major section along the downstream toe area of Perris Dam.

The Department of Water Resources (DWR) recently completed a seismic stability analysis of Perris Dam and concluded that there is potential for large seismic-induced earthquake deformations, due to liquefaction of foundation soils beneath the eastern reach of the dam under the design earthquake loading. Based upon the completed analysis, we are lowering and restricting the Lake Perris water surface level to 27 feet below the spillway crest of Perris Dam. This is being done to mitigate the seismic risks associated with Perris Dam and to ensure the continued safety of lives and property downstream of the dam. This is an interim safety measure until a permanent solution for repair is determined.

As previously indicated in a June 8, 2005 letter from Cliff Winston of DWR's Real Estate Branch to Mr. Rick Simon with CH2M Hill, the proposed Mid County Parkway North Perris Alignment would also impact our existing facilities at Perris Dam. These facilities are essential to the safety of Perris Dam and include the seepage collection system, outlet system for Lake Perris, and surveillance monitoring stations throughout the downstream toe area of the dam. I have included a copy of this letter for your records. Another important item impacted by the proposed Parkway is the environmentally sensitive wildlife area located just beyond the downstream toe area of Perris Dam. I have been notified by our staff that this environmentally protected area was required as mitigation lands due to the original construction of Perris Dam.

Attachment 3
Exhibit 2
Ms. Bechtel, Division Head
August 19, 2005
Page 2

Based on the above information, we are requesting that you do not move forward with
the proposed Mid County North Perris Alignment due to the significant impacts it would
have on our existing Perris Dam facilities, and our need to maintain right of way
ownership of the downstream property. This downstream property between Perris Dam
and Ramona Expressway will be essential to us when evaluating repair options for the
dam in the future.

If you have any questions please call me at (916) 653-3014 or Teresa Sudliff, Chief of
the Division of Operations' Civil Engineering Branch at (916) 653-8350.

Sincerely,

[Signature]

Richard Sanchez, Chief
State Water Project Operations Support Office
Division of Operations and Maintenance

Attachment

Attachment 3
Exhibit 2
JUN 6 o 2005

Mr. Rick Simon
CH2M HILL
3550 Vine Street, Suite 320
Riverside, California 92507

Dear Mr. Simon:

This letter is in response to your letter dated March 29, 2005 requesting feedback from the Department of Water Resources (DWR) on the Mid County Parkway (MCP) project being proposed by the Riverside County Transportation Commission.

One of the alternatives being studied for the MCP project is to place the alignment of the parkway in front of the Lake Perris Dam. Your plan and profile drawings were submitted with your letter for review to our Operations and Maintenance Division, Southern Field Division, and Division of Safety and Dams. As a result of the review, the following comments were submitted:

1. The parkway, as shown on the preliminary plan, is located in an area that was used for mitigation purposes during the construction of the dam.

2. The proposed alignment of the parkway crosses an emergency outlet near the left abutment of the dam. DWR would need access to the outlet at all times.

3. The existing system used to drain seepage would lay beneath the proposed parkway, which is unacceptable by DWR.

4. The parkway would interfere with monitoring stations located throughout the downstream toe area of the dam.

For the reasons stated above this alternative alignment for the MCP is not desirable.

If you have further questions, please contact me by phone at (916) 653-5361 or you may e-mail me at cwinston@water.ca.gov.

Sincerely,

Clifford Winston
Senior Land Agent

bcc: Teresa Suliff, HQ Room 649

CWinston:CMarg
7435FDJ907
71CW080705CM
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Col. Richard G. Thompson, District Engineer  
U.S. Army Corps of Engineers  
Los Angeles District  
911 Wilshire Blvd.  
Los Angeles, CA 900017

Subject: Request for Preliminary Agreement on Revised Range of Alternatives for the Mid County Parkway Project, Riverside County

Dear Col. Thompson:

The Federal Highway Administration (FHWA), the California Department of Transportation (Caltrans), and the Riverside County Transportation Commission (RCTC) have developed a revised range of alternatives for the Mid County Parkway project (formerly known as Cajalco Ramona Corridor) in Riverside County. Pursuant to the National Environmental Policy Act/Clean Water Act: Section 404 Memorandum of Understanding (MOU), and on the behalf of the transportation agencies, FHWA requests preliminary agreement on the revised range of alternatives, as shown in the enclosures.

The project team, through the efforts of the Small Working Group (SWG) and SWG Subcommittee, originally identified eight alternatives to be presented to the public and to public agencies during the environmental scoping process, which was initiated in November, 2004. These original eight alternatives are summarized in Attachment 1.

As a result of the public scoping process, initial engineering and environmental studies, value analysis studies conducted by Caltrans, and input received from the Metropolitan Water District and the State Department of Water Resources, FHWA and the transportation agencies are now proposing a revised range of alternatives to be evaluated in the environmental technical studies for the Mid County Parkway. The revised range of alternatives and the rationale for addition, deletion, and modification to the original range of alternatives, along with maps of each alternative is presented in Attachments 2, 3 and 4. Your agency has received a detailed package of information documenting the environmental, engineering, and logistical considerations that were made in developing the revised range of alternatives (information packages distributed by RCTC’s consultants on August 10 and October 19, 2005).
FHWA, Caltrans, and RCTC greatly appreciate your ongoing involvement in the Mid County Parkway project. Following your formal preliminary agreement on the revised range of alternatives to be considered during the technical studies, we look forward to continuing to work with you in the analysis of project alternatives. At the conclusion of the technical studies, Chapters 1 and 2 (Purpose and Need and Project Alternatives, respectively) of the Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) will be circulated to the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service for Final Agreement on Purpose and Need, and Alternatives Selection. Final Agreement is required prior to the development and subsequent circulation of the draft EIS/EIR to the public.

We are requesting your agency’s written response on concurrence within 45 days in accordance with the provisions of the MOU. If you have any questions, please contact Tay Dam, Senior Project Development Engineer, at (213) 202-3954 or Larry Vinzant, Senior Environmental Specialist, at (916) 498-5040. You may also contact them via e-mail at tay.dam@fhwa.dot.gov and/or larry.vinzant@fhwa.dot.gov.

Sincerely,

[Signature]

For
Gene Fong
Division Administrator
## ATTACHMENT 1
### NOI/NOP
### ALTERNATIVES SUMMARY

<table>
<thead>
<tr>
<th>Alt. No.</th>
<th>Alt. Name</th>
<th>Description</th>
<th>Reason for Including/Issues</th>
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<tr>
<td>1</td>
<td>No Project/No Action</td>
<td>2035 traffic on the planned street network except for Cajalco Road and Ramona Expressway, which would remain as they exist today</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>North Lake Mathews/North Perris Alternative</td>
<td>Provide an 8- to 10-lane controlled access facility north of Lake Mathews and northerly alignment through Perris</td>
<td>Identified through initial planning, engineering studies, and agency input</td>
</tr>
<tr>
<td>3</td>
<td>North Lake Mathews/South Perris Alternative</td>
<td>Provide an 8- to 10-lane controlled access facility north of Lake Mathews and southerly alignment through Perris</td>
<td>Identified through initial planning, engineering studies, and agency input</td>
</tr>
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<td>4</td>
<td>South Lake Mathews/North Perris Alternative</td>
<td>Provide an 8- to 10-lane controlled access facility south of Lake Mathews and northerly alignment through Perris</td>
<td>Identified through initial planning, engineering studies, and agency input</td>
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<td>5</td>
<td>South Lake Mathews/South Perris Alternative</td>
<td>Provide an 8- to 10-lane controlled access facility south of Lake Mathews and southerly alignment through Perris</td>
<td>Identified through initial planning, engineering studies, and agency input</td>
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<tr>
<td>6</td>
<td>General Plan/North Perris Alternative</td>
<td>Implementation of arterial improvements included in General Plan, including a 6-lane expressway north of Lake Mathews, and a 4-lane controlled access arterial south of Lake Mathews, west of El Sobrante Road and an 8- to 10-lane controlled access facility east of El Sobrante Road, with a northerly alignment through Perris</td>
<td>May meet Purpose and Need without requiring County MSHCP Amendments or impacting reserves beyond what was evaluated in General Plan</td>
</tr>
<tr>
<td>7</td>
<td>General Plan/South Perris Alternative</td>
<td>Implementation of arterial improvements included in General Plan, including a 6-lane expressway north of Lake Mathews, and a 4-lane controlled access arterial south of Lake Mathews, west of El Sobrante Road and an 8- to 10-lane controlled access facility east of El Sobrante Road, with a northerly alignment through Perris</td>
<td>May meet Purpose and Need without requiring County MSHCP Amendments or impacting reserves beyond what was evaluated in General Plan</td>
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<td>8</td>
<td>GP Circulation Element Conditions</td>
<td>2035 traffic on the planned street network according to the Circulation Element of the Riverside County General Plan</td>
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## ATTACHMENT 2
### SUMMARY OF ALTERNATIVES TO MOVE FORWARD INTO TECHNICAL STUDIES

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<th>Alt. No.</th>
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<th>Description</th>
<th>Comments</th>
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<td>No Project/No Action - Existing/Ground Conditions</td>
<td>2035 traffic on the planned street network except for Cajalco Road and Ramona Expressway, which would remain as they exist today.</td>
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<td>1B</td>
<td>No Project/No Action - GP Circulation Element Conditions</td>
<td>2035 traffic on the planned street network according to the Circulation Element of the Riverside County General Plan.</td>
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Note: All Build Alternatives have a design variation between Warren Road and SR-79, the new San Jacinto connection to SR-79 Alignment.

October 2005
ATTACHMENT 3

SUMMARY OF ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION

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SUMMARY OF ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION AND SUMMARY OF ALTERNATIVES RENUMBERED

October 2005
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Mr. Jim Bartel, Field Supervisor  
U.S. Department of the Interior  
Fish and Wildlife Service  
Ecological Services  
6010 Hidden Valley Road  
Carlsbad, CA 92009  

Subject: Request for Preliminary Agreement on Revised Range of Alternatives for the Mid County Parkway Project, Riverside County

Dear Mr. Bartel:

The Federal Highway Administration (FHWA), the California Department of Transportation (Caltrans), and the Riverside County Transportation Commission (RCTC) have developed a revised range of alternatives for the Mid County Parkway project (formerly known as Cajalco Ramona Corridor) in Riverside County. Pursuant to the National Environmental Policy Act/Clean Water Act Section 404 Memorandum of Understanding (MOU), and on the behalf of the transportation agencies, FHWA requests preliminary agreement on the revised range of alternatives, as shown in the enclosures.

The project team, through the efforts of the Small Working Group (SWG) and SWG Subcommittee, originally identified eight alternatives to be presented to the public and to public agencies during the environmental scoping process, which was initiated in November, 2004. These original eight alternatives are summarized in Attachment 1.

As a result of the public scoping process, initial engineering and environmental studies, value analysis studies conducted by Caltrans, and input received from the Metropolitan Water District and the State Department of Water Resources, FHWA and the transportation agencies are now proposing a revised range of alternatives to be evaluated in the environmental technical studies for the Mid County Parkway. The revised range of alternatives and the rationale for addition, deletion, and modification to the original range of alternatives, along with maps of each alternative is presented in Attachments 2, 3 and 4. Your agency has received a detailed package of information documenting the environmental, engineering, and logistical considerations that were made in developing the revised range of alternatives (information packages distributed by RCTC’s consultants on August 10 and October 19, 2005).
FHWA, Caltrans, and RCTC greatly appreciate your ongoing involvement in the Mid County Parkway project. Following your formal preliminary agreement on the revised range of alternatives to be considered during the technical studies, we look forward to continuing to work with you in the analysis of project alternatives. At the conclusion of the technical studies, Chapters 1 and 2 (Purpose and Need and Project Alternatives, respectively) of the Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) will be circulated to the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service for Final Agreement on Purpose and Need, and Alternatives Selection. Final Agreement is required prior to the development and subsequent circulation of the draft EIS/EIR to the public.

We are requesting your agency’s written response on concurrence within 45 days in accordance with the provisions of the MOU. If you have any questions, please contact Tay Dam, Senior Project Development Engineer, at (213) 202-3954 or Larry Vinzant, Senior Environmental Specialist, at (916) 498-5040. You may also contact them via e-mail at tay.dam@fwha.dot.gov and/or larry.vinzant@fhwa.dot.gov.

Sincerely,

[Signature]
For
Gene Fong
Division Administrator
### ATTACHMENT 1
NOI/NOP
ALTERNATIVES SUMMARY

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**December 2004**
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Note: All Build Alternatives have a design variation between Warren Road and SR-79, the new San Jacinto connection to SR-79 Alignment.
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Ms. Lisa Hanf  
Federal Activities Office  
U.S. Environmental Protection Agency Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Subject: Request for Preliminary Agreement on Revised Range of Alternatives for the Mid County Parkway Project, Riverside County

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[Signature]

For
Gene Fong
Division Administrator
# ATTACHMENT 1

## NOI/NOP

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Note: All Build Alternatives have a design variation between Warren Road and SR-79, the new San Jacinto connection to SR-79 Alignment.

October 2005
## SUMMARY OF ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION

<table>
<thead>
<tr>
<th>Alt. No.</th>
<th>Alt. Name</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>North Lake Mathews/North Perris</td>
<td>Provide a 6- to 8-lane controlled access facility north of Lake Mathews and northerly alignment through Perris</td>
<td>Identified through initial planning, engineering studies, and agency input. This alternative was eliminated due to concerns from MWD regarding proximity to the Lake Mathews Dam and MWD facilities as stated in a letter dated May 13th, 2005.</td>
</tr>
<tr>
<td>3</td>
<td>North Lake Mathews/South Perris</td>
<td>Provide a 6- to 8-lane controlled access facility north of Lake Mathews and southerly alignment through Perris</td>
<td>Identified through initial planning, engineering studies, and agency input. This alternative was eliminated due to concerns from MWD regarding proximity to the Lake Mathews Dam and MWD facilities as stated in a letter dated May 13th, 2005.</td>
</tr>
</tbody>
</table>

## SUMMARY OF ALTERNATIVES RENUMBERED

<table>
<thead>
<tr>
<th>Alt. No.</th>
<th>Alt. Name</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>GP Circulation Element Conditions</td>
<td>2035 traffic on the planned street network according to the Circulation Element of the Riverside County General Plan</td>
<td>NEPA No Action Alternative including foreseeable future actions, renumbered to Alternative 1B</td>
</tr>
</tbody>
</table>

October 2005
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In Reply Refer To:
FWS-WRTV-4214.4

Mr. Gene F. Fong
Division Administrator
Federal Highway Administration
650 Capitol Mall, Suite 4-100
Sacramento, California 95814

Re: Preliminary Agreement Pursuant to the NEPA/404 MOU Process on Revised Range of Alternatives for the Mid County Parkway Project, Riverside County, California

Dear Mr. Fong:

This letter responds to your letter of October 19, 2005, requesting preliminary agreement in writing, pursuant to the National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects (NEPA/404 MOU process) projects in Arizona, California, and Nevada, on the revised range of alternatives for the Mid County Parkway project. As we indicated to you in letter dated September 28, 2004, our agency rejoined this integration process for the subject project after workload constraints associated with the processing of the incidental take permit for the Western Riverside County Multiple Species Habitat Conservation Plan ended. Nonetheless, after taking part in several meetings before and after our September letter, it became clear that substantial progress and project development had occurred during our extended absence. Because the concurrence points prescribed in the NEPA/404 MOU are predicated on one another and we were not involved in developing the purpose and need statement or the preliminary project alternatives, we believe that the planning effort has advanced beyond the point where our formal concurrence would facilitate the integration process anticipated in the NEPA/404 MOU. Consequently, and as we indicated verbally in meetings (i.e., informal meeting with the Riverside County Transportation Commission (RCTC) and California Department of Fish and Game on September 14, 2004; Small Working Group meetings on August 18, and September 21, 2004) and on conference calls (i.e., RCTC on October 17, 2005), our agency is participating only on an informal basis in the NEPA/404 MOU process. We will continue to provide technical assistance when requested, particularly in relation to potential project-related effects to federally listed species and existing habitat conservation plans.
We look forward to informally assisting your agency and the local project sponsor, RCTC, in the transportation planning process. If you have any question regarding this letter, please contact Doreen Stadtländer of this office at (760) 431-9440.

Sincerely,

Karen A. Goebel
Assistant Field Supervisor

cc:
Susan Meyer, ACOE, Los Angeles, CA
Steven John, EPA, Los Angeles, CA
Matthew Lakin, EPA, San Francisco, CA
Cathy Bechtel, RCTC, Riverside, CA
Marie Petry, Caltrans, San Bernardino, CA
DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

December 8, 2005

REPLY TO
ATTENTION OF:
Regulatory Branch

Mr. Gene K. Fong
Division Administrator
U.S. Department of Transportation
Federal Highway Administration
California Division
650 Capitol Mall, Suite 4-100
Sacramento, California 95814

Dear Mr. Fong:

This letter responds to your request dated October 19, 2005 and received in our office October 21, 2005 for the U.S. Army Corps of Engineers to provide our preliminary agreement on the revised range of alternatives to be evaluated in the environmental technical studies for the Environmental Impact Statement/Environmental Impact Report ("EIS/EIR") for the Mid County Parkway Project, located in western Riverside County, California. As a cooperating agency on the preparation of the draft EIS/EIR, we have an interest in and responsibility to ensure that the range of alternatives is reasonable and aptly robust to enable sound decisions for both the National Environmental Policy Act evaluation process as well as the Clean Water Act Section 404(b)(1) alternatives analysis.

In consideration of the preliminary aquatic resources data, the engineering and logistical constraints, and other relevant project information provided to us in October 2005, we offer our preliminary agreement on the range of alternatives that will undergo technical evaluation. This preliminary agreement is provided in accordance with the 1994 NEPA/404 Integration Process Memorandum of Understanding.

If you have any questions, please contact Ms. Susan A. Meyer of my staff at (213) 452-3412. Please refer to this letter and 200100537-SAM in your reply.

Sincerely,

"ORIGINAL SIGNED BY"

David J. Castanon
Chief, Regulatory Branch
Gene Fong  
Division Administrator  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814

Subject: Request for Preliminary Agreement on the Revised Range of Alternatives for the Mid County Parkway Project, Riverside County, California

Dear Mr. Fong:

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Highway Administration’s (FHWA) request for preliminary agreement on the revised range of alternatives for the Mid County Parkway (MCP) Project in Riverside County, California, sent October 19, 2005. This request is pursuant to Appendix A of the National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU).

EPA offers our preliminary agreement on the revised range of alternatives, as described in the MCP Alternatives Refinement Recommendation, dated October 10, 2005, and the accompanying maps, letters, and alignment comparison matrices. EPA commends the project sponsors, Riverside County Transportation Corporation, California Department of Transportation, and FHWA, for their detailed quantification of potential environmental impacts, as shown in Attachment 6, as well as their thorough description of constraints, anticipated traffic needs for Cajalco Road, and logical termini for the Far South Alignment.

As noted in our previous letter of preliminary agreement on the range of alternatives (November 4, 2004), EPA agrees that the MCP Project Team should evaluate the proposed interchange locations, as depicted in Figures E, F, G, H, I, and J, and including those listed in Table 2 of the MCP Alternatives Refinement Recommendation. We intend to examine the locations and impacts of the proposed interchanges prior to our final concurrence on project alternatives under the NEPA/404 MOU.
EPA appreciates the opportunity for early involvement in the development of this project and looks forward to continued review of technical studies related to the development of the Draft Environmental Impact Statement as the next step in the NEPA/404 integration process. If you have any questions, please contact me or Matthew Lakin of my staff at (415) 972-3851 or Lakin.Matthew@epa.gov.

Sincerely,

Duane James, Manager
Environmental Review Office
Communities and Ecosystems Division

Cc:  Tay Dam, Federal Highway Administration
     Cathy Bechtle, Riverside County Transportation Commission
     Susan Meyer, Army Corps of Engineers
     Doreen Stadtlander, U.S. Fish and Wildlife Service
     Marie Petry, Caltrans District 8
April 18, 2007

Ms. Cathy Bechtel
Riverside County
Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92501

Re: Mid County Parkway Project

Dear Ms. Bechtel:

The Metropolitan Water District of Southern California (Metropolitan) is writing to comment on the Riverside County Transportation Commission’s (RCTC) proposed alignments for its Mid County Parkway (MCP or project).

As you know, Metropolitan has worked cooperatively with RCTC on its consideration of alternative routes for, and environmental study of, the MCP. We understand that RCTC is preparing to issue its draft environmental impact report/environmental impact statement (Draft EIR/EIS) soon, and wanted to reiterate Metropolitan’s comments and concerns regarding the project at this critical juncture. Enclosed and incorporated by reference are copies of prior correspondence that set forth Metropolitan’s position on the project.

In summary, Metropolitan’s primary concerns with the proposed MCP are:

a. Impacts to Lake Mathews reserve lands and associated conservation, mitigation, and management pursuant to agreements with U.S. Fish and Wildlife Service, California Department of Fish and Game, and Riverside County Habitat Conservation Agency, including the Lake Mathews Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (MSHCP/NCCP or reserve).

b. Impacts to the Lake Mathews watershed, including impacts to Metropolitan’s Cajalco Creek Dam and adjunct detention basins and other existing and future facilities necessary to control urban runoff into Lake Mathews in order to meet water quality requirements. Any alignments within the Lake Mathews watershed should incorporate the existing requirements of the Lake Mathews Water Quality & Drainage Management Plan, which is an agreement that was executed between the Riverside County Flood Control and Water Conservation District and Metropolitan to preserve and enhance the water quality within Lake Mathews.
c. The protection of Metropolitan’s existing large diameter distribution system and related facilities from potential impacts caused by the proposed MCP. The main facilities affected by these proposed alignments include: the Colorado River Aqueduct; Perris Valley Siphon Nos. 1 and 2; Lakeview pipeline; Bernasconi Tunnels Nos. 1 and 2; Inland Feeder; 1st Barrel Casa Loma Siphon; Upper Feeder pipeline; Lower Feeder pipeline; Temescal Power Plant; Lake Perris Bypass and its associated pipeline, Perris Power Plant and Pressure Control Facility; Lake Mathews and its associated power plant, dams and facilities; Chemical Unloading Facility; and the approved Central Pool Augmentation project and its associated future water treatment plant at Eagle Valley and the future water distribution system leaving Eagle Valley.

d. Homeland security and related access issues to Metropolitan facilities, security gates, and detention basins in and around the proposed project.

Metropolitan requests that RCTC choose an alignment that addresses these concerns by avoiding any impacts to the reserve and operational lands, and by avoiding or minimizing impacts to Metropolitan’s facilities. Based on a review of the preliminary data provided by RCTC, only Alternative 9 (the southernmost route) avoids the reserve, and has the fewest impacts on Metropolitan’s facilities. Enclosed for reference is a map showing the proposed MCP alignments, including Alternative 9, in relation to the reserve and Metropolitan’s major facilities.

**Impacts to the Reserve**

As we have stated repeatedly in the past, Metropolitan cannot support or sanction any alternative that enters or impacts the reserve in any way. The MSHCP/NCCP encompasses about 5,110 acres of land surrounding Lake Mathews, including the lands in the State Ecological Reserve. These lands are protected for their benefit to endangered, threatened or sensitive species and provide the basis for Endangered Species Act compliance for Metropolitan projects located in Riverside County.

To ensure protection of these lands, Metropolitan recorded a conservation easement that precludes the use of the property in a manner that could adversely affect its values for conservation purposes. Any activities or use of reserve lands for the MCP is incompatible with these conservation commitments, and Metropolitan is precluded from authorizing such activities and use of the reserve. For these reasons, Metropolitan opposes the MCP alignments that would enter and/or impact the reserve in any way.
Impacts to Metropolitan Facilities

Metropolitan is also concerned about impacts to its facilities and their operation, as set forth in detail in the enclosed correspondence. In short, all of the proposed MCP alignments, including Alternative 9, would impact Metropolitan facilities. In addition, all alignments have the potential to affect how these facilities are operated. RCTC must carefully analyze the potential impacts, including but not limited to those from increased lateral and vertical loading, induced settlement, impacts to operations of the facilities, and altered drainage patterns. See, for example, the enclosed September 28, 2006 and March 29, 2007 correspondence for more detail on this subject. Any proposals to realign or accommodate Metropolitan’s facilities, including the costs of such accommodations, are potentially significant and should be analyzed in detail by RCTC. We welcome the opportunity to provide information relevant to this analysis upon your request.

Metropolitan respectfully requests that you address all of the foregoing concerns in the Draft EIR/EIS. We look forward to continuing our cooperative work with RCTC on the MCP.

If you have any questions, please feel free to contact John Shamma at (213) 217-6409 or me at (213) 217-6533.

Sincerely,

Karen L. Tachiki
General Counsel

Catherine M. Stites
Deputy General Counsel

CMS/tjm
Enclosures

cc: Mr. John Shamma, P.E., Metropolitan (w/o encls.)
    Mr. Hideo Sugita, RCTC Deputy Executive Director (w/encls.)
cc: Merideth Cann, P.E. (w/encls.)
Charles V. Landry, P.E. (w/encls.)
Jacobs Engineering Group Inc.
3850 Vine Street, Suite 120
Riverside, CA 92507

Mr. Rob McCann (w/encls.)
LSA Associates, Inc.
20 Executive Park
Suite 200
Irvine, CA 92614

Karin Louise Watts Bazan, Esq. (w/encls.)
Office of the Riverside County Counsel
3535 10th Street, Suite 300
Riverside, CA 92501
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November 3, 2003

Ms. Cathy Bechtel
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
P.O. Box 12008
Riverside, CA 92502-2208

Dear Ms. Bechtel:

Riverside County Transportation Commission November 5, 2003 Meeting

The Metropolitan Water District of Southern California (Metropolitan) has received an invitation and draft agenda for a meeting with Riverside County Supervisors Tavaglione and Ashley, scheduled for November 5, 2003. Metropolitan also understands that a number of senior staff from the Riverside County Transportation Commission will also be in attendance. Metropolitan appreciates this opportunity to discuss areas of mutual interest as we focus on developing comprehensive management plans and policies within western Riverside County.

The draft agenda received from the Riverside County Transportation Commission offices focuses on a number of key areas, including:

a. Proposed transportation corridor adjacent to Lake Mathews

b. The County of Riverside Multi-Species Habitat Conservation Plan (MSHCP) and related issues in considering a Memorandum of Understanding (MOU) between Riverside County and Metropolitan on management of existing and proposed reserves

c. Diamond Valley Lake land use and annexation agreement issues

Metropolitan’s engineering staff has been coordinating closely with your office on tentative plans to construct a transportation corridor proposed to run east-west generally in alignment with Ramona Expressway and Cajalco Road from San Jacinto to the I-15 in southeast Corona. The most recent proposal indicates that the corridor is planned south of Metropolitan’s Lake Mathews.

Metropolitan’s primary concerns with the proposed Ramona/Cajalco Corridor alignment involve impacts to:

a. Lake Mathews reserve lands and associated conservation, mitigation and management agreements;
b. Lake Mathews watershed agreements, necessary to protect the water quality in Lake Mathews from urban runoff;

c. Metropolitan's Cjalaco Creek Dam and adjunct detention basins;

d. Protection of the Colorado River Aqueduct from highway loading; and

e. Access issues to Metropolitan facilities, security gates and detention basins in and around Lake Mathews.

The basic objectives of Metropolitan in reviewing any highway improvement plans are to ensure that such plans do not compromise our ability to operate our facilities and manage our property to meet our obligations. To facilitate our understanding of potential impacts, it would be most helpful if a brief presentation of the proposed highway corridor alignment could include Metropolitan's facilities and property interests. Continued coordination with Metropolitan staff on alignment alternatives and Corridor design plans will be essential to avoiding impacts to Metropolitan facilities and property interests.

Metropolitan continues to have concerns with the recently adopted Riverside County Multi-Species Habitat Conservation Plan (MSHCP), and how the County intends to implement the mitigation, conservation, and management goals of the MSHCP with regard to existing conservation lands. Metropolitan is a major stakeholder and property owner for several reserves in western Riverside County, including the Lake Mathews Multiple Species Reserve, the Southwestern Riverside County Multi-Species Reserve (DVL/Skinner Reserve), and the Santa Rosa Plateau Ecological Reserve. Metropolitan's participation in the establishment, management, and funding of these reserves has been independent of the County's MSHCP. These reserves are jointly managed with other agencies, including the U.S. Fish and Wildlife Service and California Department of Fish and Game, under cooperative management agreements that provide mitigation for Metropolitan projects under mitigation banking agreements, and afford Metropolitan certain rights and responsibilities for development, operation, and maintenance of Metropolitan facilities on reserve lands.

Metropolitan has consistently supported a cooperative approach to the management of exiting reserves and lands proposed for conservation under the County's MSHCP. While Metropolitan's reserves are managed independently of the County-wide MSHCP through separate management committees, agreements and funding sources, we believe that there are strategies already in place to ensure that reserve issues are coordinated and information is cooperatively shared for the benefit of the resources throughout the area. Existing reserve management committees for the reserves at Lake Mathews, DVL/Skinner Reserve, and Santa Rosa Plateau, as well as the Riverside County Habitat Conservation Agency's Reserve Managers Coordinating Committee are currently in place to ensure cooperation and coordination for the management of conservation lands in the County. Metropolitan will continue to coordinate with the County during the implementation of the County's MSHCP. Metropolitan must stress that any MOU that would serve to further formalize this cooperation and coordination cannot supersede the goals,
objectives, and management and funding structures that have been established under existing reserve agreements.

Finally, our forthcoming meeting may afford us an opportunity to discuss Diamond Valley Lake (DVL). On October 3, 2003, DVL was opened to the public to great success. Metropolitan truly appreciates the cooperation and support of the County of Riverside in bringing this resource to the public. Metropolitan also understands that the County of Riverside recently adopted a General Land Use Plan which updates land use designations for Metropolitan's property holdings within Riverside County. Metropolitan extends its appreciation to our respective staff members in updating this critical land planning and management tool.

Metropolitan is also cooperating with the City of Hemet in their interest in annexing a portion of the East Recreation Area of Diamond Valley Lake. No part of the proposed annexation is to include DVL lake surface. We also understand and have no objection to the County of Riverside's request that execution of a Development Agreement between Riverside County and Metropolitan be tied to more definitive plans for development of Metropolitan's properties within the County of Riverside.

Metropolitan sincerely appreciates the opportunity to further discuss these important topics and anticipates that through continued cooperation beneficial resolution of these issues can be realized.

Very truly yours,

Ronald R. Gastelum
Chief Executive Officer

LJB/sdf

dw067

bcc:
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December 15, 2004

Ms. Cathy Bechtel  
Riverside County Transportation Commission  
4080 Lemon Street, 3rd Floor  
Riverside, CA  92502-2208

Dear Ms. Bechtel:

Notice of Preparation for the Draft Environmental Impact Statement/Environmental Impact Report for the Mid County Parkway Corridor Project

The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Notice of Preparation (NOP) for the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Mid County Parkway Corridor Project, located within western Riverside County. The Riverside County Transportation Commission (RCTC) is the lead agency for the proposed project. The Mid County Parkway, which would be a key east-west regional transportation corridor within Riverside County, is proposed to extend from Interstate 15 on the west to State Route 79 on the east. The project is primarily located along the Ramona Expressway, Cajalco Road, and El Sobrante Road. Metropolitan is providing comments as a potentially affected public agency and a potential responsible agency, as defined in the State of California Public Resources Code, §21069. As indicated in Table A in the NOP, Metropolitan is a potential Responsible and Trustee Agency and RCTC would require approval from Metropolitan to cross Metropolitan lands and or facilities as defined herein.

As you know, Metropolitan owns and operates several facilities within the boundaries of the proposed study area, including Lake Mathews, the Colorado River Aqueduct, the Upper Feeder pipeline, the Lower Feeder pipeline and the Lake Perris Bypass pipeline and pumpback facilities. In addition, Metropolitan’s approved Central Pool Augmentation (CPA) pipeline and treatment plant are within or adjacent to the boundaries of the proposed study area. Furthermore, Metropolitan maintains ownership and jointly manages the Lake Mathews Multi-Species Habitat Conservation Plan (MSHCP) reserve (also known as the Lake Mathews – Estelle Mountain Core Reserve), as shown on the attached graphic (see Figure 2).

Metropolitan has worked jointly with RCTC and the County of Riverside over the past eighteen months on the proposed Mid County Parkway and is committed to continuing work with the lead agency in support of this important regional transportation project. However, there are several
critical issues that must be resolved before RCTC approves the project and Metropolitan considers granting approval for the crossing of our lands and/or facilities.

These issues include:

**Issues Related to the Lake Mathews MSHCP**

The Lake Mathews MSHCP provides Endangered Species Act coverage for and fully mitigates impacts related to a variety of past and future Metropolitan projects, as well as impacts to ongoing operations of Lake Mathews. It is critical that Metropolitan maintains the mitigation and take authorization outlined in the MSHCP in full effect and in perpetuity. As currently proposed in the Draft EIS/EIR, each of the build alternatives for the Mid County Parkway would impact the Lake Mathews – Estelle Mountain Core Reserve. Metropolitan requests that the lead agency consider developing an alternative that would fully avoid impacts to the Lake Mathews – Estelle Mountain Core Reserve.

The lead agency, with Metropolitan's consent and overview, would need to review and assess the legal ramifications associated with modifications to the Lake Mathews – Estelle Mountain Core Reserve and determine the risks and benefits to Metropolitan. It is Metropolitan’s understanding that the MSHCP, which established the Lake Mathews – Estelle Mountain Core Reserve, only allows for adding species or lands – not for changing or exchanging lands. As such, the lead agency would need to address the plausibility of modifying the MSHCP given the constraints outlined in the legal documents that established the reserve. Metropolitan requests that the lead agency initiate discussions with us to ensure that our take authorization is maintained in full effect.

**Operational and Maintenance Issues at Lake Mathews**

The lead agency also needs to address long-term impacts from the Mid County Parkway to the Lake Mathews Water Quality & Drainage Management Plan. The proposed project has the potential to affect drainage patterns and water quality at Lake Mathews, a critical drinking water reservoir for southern California. It is imperative to both Metropolitan and the County of Riverside that the Draft EIS/EIR addresses potential impacts to Lake Mathews from a water quality perspective, to ensure that a reliable, high-quality drinking water supply is maintained over the long term.

Furthermore, the implementation of the Mid County Project must allow uninterrupted operational access to the perimeter shoreline of Lake Mathews. Metropolitan utilizes Lake Mathews primarily as a storage reservoir for untreated water, however a large variety of other operational activities occur at Lake Mathews as well. Uninterrupted, long-term access to the perimeter shoreline at Lake Mathews will be required to: (1) perform annual shoreline vegetation clearing
activities, (2) allow patroller access in order to maintain security around Lake Mathews, and (3) allow general operational access for emergency activities, should the need ever arise.

The proposed project must also avoid impacts to Metropolitan's operational area along the north shore of Lake Mathews, near the intersection of El Sobrante and La Sierra roads. This area is utilized for management of Metropolitan's construction unit, which is essential to emergency response efforts within Metropolitan's service area. The proposed project's environmental documentation needs to analyze the potential impacts to these facilities and address avoidance and/or minimization measures to ensure minimal impacts to Metropolitan's operations.

Operational and Maintenance Issues at Other Existing and Future Metropolitan Facilities

The proposed project must also avoid impacts to Metropolitan's approved CPA project, in particular the future treatment plant at Eagle Valley and the future distribution system leaving Eagle Valley. This approved project is an essential component in Metropolitan's obligation to deliver reliable, high-quality water to both Riverside and Orange counties, and as such the lead agency should specifically address any potential impacts of the Mid County Parkway project to the CPA. In addition, Metropolitan's future treatment plant at Eagle Valley will most likely begin construction prior to implementation of the Mid County Parkway project – the lead agency's Draft EIS/EIR needs to acknowledge the treatment plant project and address avoidance and/or minimization measures to ensure minimal impacts to the CPA treatment plant project.

In addition, Metropolitan is concerned with potential impacts from the proposed project to other Metropolitan facilities within the project area. These facilities include the Colorado River Aqueduct, the Upper Feeder pipeline, the Lower Feeder pipeline, and the Lake Perris Bypass pipeline and pumpback facilities, and the approved CPA pipeline. Metropolitan must be allowed to maintain its rights-of-way to its facilities at all times in order to repair and maintain the current condition of those facilities. It is necessary that the lead agency avoid potential impacts to Metropolitan's facilities that may result from the proposed project, including any restrictions on Metropolitan's rights-of-way and/or any operations and maintenance activities. In order to avoid impacts, coordination with Metropolitan must occur during the planning process and written approval from Metropolitan for proposed design plans should be obtained prior to project approval. Metropolitan requests that the lead agency's Draft EIS/EIR acknowledge Metropolitan's facilities and address avoidance and/or minimization measures to ensure minimal impacts to our rights-of-way and/or facilities.

Other Issues

Metropolitan requests that the lead agency analyze in the draft EIS/EIR the consistency of the proposed project with the growth management plan adopted by the Southern California Association of Governments (SCAG). Metropolitan uses SCAG's population, housing, and employment projections to determine future water demand.
In addition, Metropolitan encourages projects to include water conservation measures. Water conservation, reclaimed water use, and groundwater recharge programs are integral components to regional water supply planning. Metropolitan supports measures such as using water-efficient fixtures, drought-tolerant landscaping, and reclaimed water to offset any increase in water use associated with the proposed project.

We appreciate the opportunity to provide input to your planning process and we look forward to continued coordination with the County of Riverside on this project. Mr. John Vrsalovich of Metropolitan’s Facility Planning Team has been designated as Metropolitan’s contact to coordinate with RCTC. Mr. Vrsalovich can be reached at (213) 217-6066.

Very truly yours,

Laura J. Simonek  
Manager, Environmental Planning Team

JAH/rdl  
(Public Folders/EPU/Letters/08-DEC-04B.doc – Cathy Bechtel)  
Enclosure: Planning Guidelines
MWD Colorado River Aqueduct  
Sta. 10920+00 to 10940+00  
MWD Casa Loma Canal  
Sta. 140+00 to 160+00  
Sta. 210+00 to 240+00  
MWD San Diego Canal  
Sta. 270+00 to 280+00  
Sta. 295+00 to 305+00  
Sta. 350+00 to 360+00  
Sta. 385+00 to 395+00  
Sta. 430+00 to 460+00  
Sta. 500+00 to 510+00  
Substr. Job No. 2001-06-008

September 28, 2006

Mr. Hideo Sugita  
Deputy Executive Director  
Riverside County  
    Transportation Commission  
P. O. Box 12008  
Riverside, CA  92502-2208

Dear Mr. Sugita:

State Route 79 Realignment – Environmental Studies

Thank you for your letter dated June 21, 2006, submitting maps (eight sheets) showing the proposed locations of the geotechnical borings for the environmental studies of the realignment project for State Route 79 in the San Jacinto Valley.
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We have reviewed the submitted maps, and our general comments and requirements regarding your proposed boring locations within Metropolitan's fee properties and in close vicinity of our facilities are as follows:

1. A list of all the equipment, including the drilling equipment, and the field exploration work plan within Metropolitan's fee properties and in close vicinity of our facilities must be submitted for our review and written approval at least 30 days prior to their use. The work plan must include all procedures to be utilized and followed during the execution of the field exploration program, including site closure and demobilization from each drill site.

   Please note that Metropolitan's representatives must be present during your drilling operations within Metropolitan's fee or easement rights-of-way. Please contact James Williams of our Water System Operations Group, telephone (951) 926-7007, at least three working days prior to starting any work in the vicinity of our facilities and rights-of-way.

2. Grading or site clearing to enhance the field exploration and drilling activities will not be permitted within Metropolitan's fee and easement rights-of-way without prior written approval.

3. The proposed boring locations must be field staked, checked, and accepted by Metropolitan prior to mobilizing field exploration equipment and commencement of the actual drilling operations.

4. The type, size and depths of all the proposed exploratory borings must be clearly identified and submitted to Metropolitan. Please note that bucket-auger drilling methods will not be acceptable.

5. All the drilling fluids and wastes must be completely contained within portable tanks and must not be permitted to fall onto or flow across the ground surface. Additionally, all the drill cuttings and the drilling fluids must be drummed and completely removed from Metropolitan's properties.
Please note that excavated pits, lined or unlined, will not be permitted within Metropolitan’s properties.

6. After the drilling operation is complete, the exploratory borings must be completely backfilled with an approved sand-cement-bentonite mixture. Backfill of all the exploratory borings must be performed using tremie methods.

Please note that backfill of the exploratory borings with the drill cuttings will not be permitted.

7. Drilling sites must be returned to their original condition that existed prior to the beginning of any field exploration activities.

Please note that stockpiling of material and equipment is not permitted within Metropolitan’s fee or permanent easement rights-of-way.

Besides the general criteria stated above, following are Metropolitan’s site-specific comments regarding each boring location:

1. Boring locations 1 and 2:

   a. The locations of these two borings must be a minimum of 50 feet laterally from the centerline of Metropolitan’s Casa Loma Siphon. This would provide geotechnical information on the native materials in the area and not of Metropolitan’s Colorado River Aqueduct’s backfill.

   b. At these two locations, vehicles weighing more than 8,000 pounds must not be used within 25 feet of the centerline of Metropolitan’s First Barrel Casa Loma Siphon (Metropolitan Stations 10925+00 to 10930+00). Enclosed for your information and use is a print of our Drawing B-363-11.
2. Boring location 3:
   a. The location of this boring must be as far to the north as possible, away from the canal, along the canal road.
   b. Since Metropolitan has a transition structure at this location, the boring location must also be a minimum of 25 feet laterally from the outside edges of the transition and siphon structure.
   c. At this location, vehicles that impose loads no greater than AASHTO H-20 may operate over Metropolitan’s Second Barrel of the Casa Loma Siphon (Metropolitan stations 143+00 to 151+65) provided the cover is between a minimum of 4 feet and a maximum of 12 feet. Enclosed for your information and use are prints of our Drawings B-13963A and B-14126.

3. Boring location 4:
   a. The location of this boring must be as far to the north as possible, away from the canal, along the canal patrol road.

4. Boring locations 5 through 10:
   a. The locations of these borings must be as far to the west as possible, away from the canal, along the canal patrol road.

Please note that within the vicinity of Metropolitan’s canals, vehicles, including drilling equipment, must not attempt to turnaround adjacent to the canal. Vehicles must enter from one access gate and continue one-way along the canal patrol road until they exit at the next access gate. Please also note that the speed limit along the canal patrol road must not exceed 15 miles per hour at any time.

Besides the general and site-specific criteria provided earlier, following are Metropolitan’s geotechnical comments and considerations that might assist your geotechnical consultant in the development of design-level geotechnical
exploration, testing and analysis plans for the project; including the type, number and depth of the explorations required.

**Increased Vertical Loading:**

Metropolitan’s facilities may be subject to increased vertical loading depending on which alignment is chosen for the State Route 79 realignment project. The design for the realignment project must consider the impacts associated with these increased vertical loads, which can be due to construction, dead, live and seismic loads, imposed on various Metropolitan facilities including pipelines, conduits, siphons and canals. Locations where new embankments are being proposed within close proximity of Metropolitan’s facilities, increased vertical loading will be of extreme concern to Metropolitan. Some of Metropolitan’s facilities have the structural capacity to resist the additional loads, however, many of our facilities will not be able to resist these additional loads. In cases where our facilities will not be able to resist the additional loads, protective systems will be required to ensure that the structural integrity of Metropolitan’s facilities are not compromised. Please note that sufficient geotechnical exploration, testing, and analysis must be conducted to evaluate the increased loads on Metropolitan’s facilities.

**Increased Lateral Loading:**

Metropolitan’s facilities may also be subject to increased lateral loading depending on the alignment chosen for the realignment of State Route 79. New embankments, bridge abutments and other structures supported by piles constructed adjacent to or above Metropolitan’s pipelines, siphons, conduits and canals can induce lateral loads. Similar to the increased vertical loading, Metropolitan’s facilities might require protective systems to mitigate the additional lateral loads induced on our facilities. In general, the lateral load resistance capacity of the Metropolitan’s canal linings is minimal, whereas, our pipelines, conduits and siphons are somewhat more resistant. Please note that sufficient geotechnical exploration, testing and analysis must be conducted to evaluate the increased lateral loads on Metropolitan’s facilities imposed by piles, shallow foundation systems and embankment loads.
Induced Settlement:

Metropolitan’s facilities including canals, pipelines, siphons and other conduits are relatively sensitive to settlement. Since the near surface soils in the general area of the realignment project are somewhat compressible; construction of any new roadway facilities and embankments near, adjacent or above Metropolitan’s facilities is of a major concern to Metropolitan. Please note that geotechnical exploration, testing and analysis must be thorough enough to evaluate and quantify settlements induced by the construction of the roadway features on Metropolitan’s facilities, including identification of incompressible soil layers.

Drainage:

Construction of roadways and embankments for the realignment project adjacent to Metropolitan’s canals may result in trapped surface drainage between our canals and the new roadways and embankments. If these roadways and embankments are not properly designed, water may pond above and/or adjacent to our canals, thereby creating excessive external hydrostatic pressures on the canal linings. This could cause instability and result in failure of the canal wall. This situation could be exacerbated in this area since the soils are fine-grained and dispersive in nature. Geotechnical characterization of the soils for construction adjacent to Metropolitan’s canals must be sufficient enough to support drainage design requirements and erosion mitigation measures.

Please note that plans of the realignment project for SR-79 within close vicinity of Metropolitan’s facilities and easement/fee rights-of-way must be submitted to Metropolitan for our review and prior written approval. In addition, appropriate rights will need to be acquired from Metropolitan where the alignment crosses our fee property.

Facilities constructed within Metropolitan’s fee properties and/or easements shall be subject to the paramount right of the Metropolitan to use its rights-of-way for the purpose for which they were acquired. If at any time Metropolitan or its assigns should, in the exercise of their rights, find it necessary to remove any of
Mr. Hideo Sugita  
Page 7  
September 28, 2006  

the facilities from its rights-of-way, such removal and replacement shall be at the expense of the owner of the facility.  

For any further correspondence with Metropolitan relating to this project, please make reference to the Substructures Job Number located in the upper right-hand corner of this letter. Should you require any additional information, please contact Ish Singh at (213) 217-6679.  

Very truly yours,  

Kieran M. Callanan, P.E.  
Manager, Substructures Team  

IS/ly  
DOC 2001-06-008  

Enclosure
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March 29, 2007

Ms. Merideth Cann, P.E.
Jacobs Civil, Inc.
3850 Vine Street, Suite 120
Riverside, CA  92507

Dear Ms. Cann:

**Mid-County Parkway Project**

Thank you for your email dated January 8, 2007, submitting a map and a cross-section drawing for the proposed South Alternative at State Route 79 for the Mid-County Parkway Project (MCP) in Riverside County.

In order to review the submitted map and cross section, we require additional detailed information on the embankments, bridges and proposed roadway elevations, which has been requested from Mr. Rick Simon of CH2MHILL by Shoreh Zarch of our staff. However, until we receive this necessary information, we are sending you a copy of our previous correspondence dated September 28, 2006 (copy enclosed), which includes our geotechnical comments and considerations that will need to be addressed in the design of the State Route 79 project. These comments and considerations will also apply for any other proposed reaches of the Mid-County Parkway Project that will be constructed near, adjacent to, and over Metropolitan facilities.

Additional information on potential impacts to Metropolitan’s facilities can be provided in order to assist you with the design of the Mid-County Parkway Project, when we receive the requested detailed drawings.
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Ms. Merideth Cann  
Page 2  
March 29, 2007  

For any further correspondence with Metropolitan relating to this project, please make reference to the Substructures Job Number located in the upper right-hand corner of this letter. Should you require any additional information, please contact Shoreh Zareh at (213) 217-6534.

Very truly yours,

Kieran M. Callanan, P.E.  
Manager, Substructures Team

SZ/kjm/ly  
DOC 2001-06-008-2

Enclosure

cc: Mr. Hideo Sugita  
Deputy Executive Director  
Riverside County  
Transportation Commission  
P.O. Box 12008  
Riverside, CA  92502-2208

Mr. Rick Simon  
CH2MILL  
2280 Market Street, Suite 200  
Riverside, CA  92501
Meeting Summary
SHPO COORDINATION MEETING FOR THE MID COUNTY PARKWAY PROJECT

Wednesday, May 23, 2007
10:00 a.m. – 12:00 p.m.
California Department of Parks and Recreation
Office of Historic Preservation
1416 9th Street, 9th Floor (Manzanita Room), Sacramento, CA 95814

ACTION ITEMS FROM THE MEETING:

- Staff from FHWA, Caltrans, RCTC, LSA, CH2M HILL, and Applied Earthworks (AE) will meet to discuss the potential National Register eligibility of the CBJ Dairy and to agree upon a consistent discussion of the resource in the documents for the SR79 and Mid County Parkway (MCP) projects.
- LSA will verify the location of the CBJ Dairy relative to the Area of Potential Effects (APE) for the MCP.
- The evaluation of SRI-VOL-22 will consider indirect effects to the site (e.g., integrity of the viewshed) in addition to any direct effects.
- The cultural resources evaluation will need to discuss the cumulative impacts to cultural resources resulting from the proposed MCP as well as various large land development projects within the area.
- RCTC will meet with the County of Riverside and the developer for the Villages of Lakeview to discuss the cumulative impacts to SRI-VOL-22, including avoidance/minimization measures proposed for the site by the Villages of Lakeview development project.
- The cultural resources treatment plan for the MCP project will consider the potential for buried sites, through an analysis of geomorphology, paleosols, etc., with a treatment plan for dealing with unanticipated discoveries (such as construction monitoring). If necessary, a buried sites sampling plan for the project area would be prepared based upon known sensitivities. The sampling plan would involve the excavation of trenches, shovel test pits (STPs) and/or units on properties after they have been acquired for the project but prior to construction.
- The Section 4(f) Evaluation will identify the CBJ Dairy and the SRI-VOL-22 site as potential Section 4(f) resources. (Note: the CBJ Dairy has since been determined not eligible per field meeting of 6/21/07)
FHWA will submit a letter to the SHPO on or before August 31, 2007 (with cc's to RCTC and Caltrans), identifying the proposed phasing of the Section 106 process for the project, including work performed to date, work in progress, and future activities.

LSA will send a PDF file of the meeting maps to the OHP (Mike McGuirt).

ATTENDEES

Mike McGuirt (CHP)  Edrie Vinson (FHWA)
Karen Swope (Caltrans)  Cathy Bechtel (RCTC)
Rob McCann (LSA)  Curt Duke (LSA)
Nina Delu (LSA)  Carolyn Washburn (CH2M HILL)
Susan Goldberg (AE)  Vanessa Mirro (AE)

1. Purpose of Meeting

Edrie Vinson stated that the purpose of the meeting was to: 1) present information to the OHP to support the SHPO's concurrence on proceeding with Alternative 9 as the preferred MCP alternative, and, 2) to review the proposed phasing of the Section 106 process for the project, including a request for SHPO concurrence on preliminary Determinations of Eligibility and Findings of Effect prior to circulation of the Draft EIR/EIS in January 2008.

2. Review of Sites Affected by the MCP Project

Referring to materials distributed to meeting attendees prior to the meeting, Edrie Vinson and Nina Delu presented information on one historic resource (CBJ Dairy) and prehistoric archaeological resources affected by the project that are potentially eligible for the National Register and may warrant Phase 2 site testing.

CBJ Dairy: Edrie Vinson expressed concern that the SR79 and MCP project consultants were not consistent in their respective evaluations of this resource (for MCP, LSA had concluded that the dairy was not eligible for the National Register or the California Register; for SR79, AE had concluded that the dairy was not eligible for the National Register but was eligible for the California Register). Edrie Vinson stated that, based on her review of the information submitted by AE, the dairy may be eligible for the National Register. It was agreed that a separate meeting would be held between FHWA, Caltrans, RCTC, LSA, CH2M HILL, and AE to discuss the potential National Register eligibility of the CBJ Dairy, and to make sure that the resource is discussed consistently in the documents for the two projects.

P-33-13791: Edrie Vinson said no discussion of this site was needed since it is not within the APE for the preferred alternative (Alternative 9). It is within the APE for Alternatives 4-7 and thus fully avoided by Alternative 9. Alternatives 4-7 would have direct and indirect
(visual) impacts to the site. The site is potentially eligible for the National Register under criteria other than “d”. (Note that this resource could be eligible under criteria other than “d.”)

SRI-VOL-22: Nina Delu distributed the draft site record for SRI-VOL-22 that she had just received from the cultural resources consultant for the Villages of Lakeview project. The overall site measures approximately 336,000 square meters, and the portion of the site within the direct APE for MCP measures approximately 7 ac (2.8 ha) or 29,000 square meters. The land formation upon which the site lies has been deep-ripped and plowed for numerous years, but the site appears to be relatively intact below the plow zone. The site is a very deep (4 meters below ground surface) multicomponent site that includes ceramics and intact features dating to 8600 years before present, along with pictographs and rock art. The northerly site boundary abuts the proposed MCP alignment, but this site boundary is not well defined. For the MCP project, Phase 2 testing is proposed to better define the northerly site boundary. The northern portion of the site does not appear to have attributes associated with the more significant southerly portions of the site at the base of the Lakeview Mountains. SRI previously excavated 40 trenches at this site, and AE excavated 72 trenches at locus RIV-6069. Trench excavations on the site reveal that a more dense deposit of artifacts is present on the southern and central portions of the site; northern trenches within and near the MCP direct APE, albeit limited, indicate a drastic drop-off in site density. Previous work at the site by SRI was for CEQA only. Susan Goldberg noted that the rock art is about 200-300 years old. She also stated that cultural material from the site was spread out in the immediate area during the construction of the Inland Feeder water pipeline.

In response to Mike McGuirt’s question, Rob McCann noted that in this location, the MCP would be constructed on about three feet of fill. Mike McGuirt asked whether there was a view of the highway from the significant portions of the site. Nina Delu and Susan Goldberg were not sure. Mike McGuirt and Edrie Vinson indicated that potential visual impacts should be considered in the evaluation of the site.

In response to Mike McGuirt’s question, Edrie Vinson confirmed that FHWA would recognize the cumulative effect to cultural resources resulting from the MCP project and other land development and infrastructure projects in the area.

In response to Mike McGuirt’s question regarding Native American consultation, Nina Delu and Karen Swope indicated that over 20 tribes had been contacted and six (Gabrielino/Tongva, Pechanga, Soboba, Ramona, Cahuilla, and Morongo) had requested to be involved in the project. Nina Delu stated that while the tribes had not provided feedback on any traditional cultural values associated with SRI-VOL-22, they had identified significant values associated with P-33-13791 and requested full avoidance of that site. Karen Swope stated that the tribes would likely place a high value on the rock art at SRI-VOL-22. Susan Goldberg added that this site is known as the “Lizard Cave” site and contains spectacular rock art. Curt Duke further added that the Pechanga had knowledge of this site.

Mike McGuirt asked if the Villages of Lakeview project proposed housing in this area; neither Cathy Bechtel nor Rob McCann knew since they had not seen a recent site plan.
Mike McGuirt asked if the Villages of Lakeview project proposed housing in this area; neither Cathy Bechtel nor Rob McCann knew since they had not seen a recent site plan. Mike McGuirt stated that the evaluation for MCP should evaluate the indirect effects on the site and consider the integrity of the overall viewshed of the site (i.e., if the viewshed is degraded then it degrades the power of the site). He strongly encouraged RCTC to work with the County of Riverside and the developer to fully avoid this site as well as to consider cumulative impacts of the projects, and visual mitigation such as berms or planting to screen the view of the highway and land development from the site. FHWA and RCTC should demonstrate that they have considered the tribes' feelings in evaluating the site and the direct, indirect, and cumulative impacts of the MCP.

Mike McGuirt further stated that the evaluation for National Register eligibility must consider not only the archaeological data from the site, but also the rock art and the site's value as a Traditional Cultural Property.

Mike McGuirt asked what sort of alternatives (e.g., screening, compensatory mitigation, and avoidance alternatives) were proposed to the tribes to minimize impacts to these resources. The SHPO will look to FHWA to propose feasible and meaningful solutions to avoid and minimize impacts to these resources.

Mike stated that the site may be a district, and this potential should be considered, and compliance efforts should be scaled appropriately.

Mike noted that until the Phase 2 testing proves otherwise, the site will remain within the APE.

Mike stated that the site is presumably eligible under multiple criteria that carry different integrity issues. Compliance must deal with the effects of the undertaking of each of these values.

Other Sites that May Warrant Phase 2 Testing: Nina Delu briefly reviewed the other sites included in the information package distributed prior to the meeting. Many of these are quarry sites. Edrie Vinson noted that these nine sites would appear to be potentially eligible for the National Register under only Criterion D, and therefore would not be considered Section 4(f) resources.

- In response to Mike McGuirt's question on whether any portions of the project would be constructed on a depressed alignment, Rob McCann noted there was a 1-1.5 mile section along Placentia Avenue in the City of Perris that would be below existing ground level. Mike McGuirt stated that he would like to see the project studies identify the likelihood of encountering unknown buried archaeological resources during construction and propose a monitoring plan during construction. He recommended that a constraints identification be done to identify sensitive soils where there may be a potential for buried cultural resources, through an analysis of geomorphology, paleosols, etc., with a treatment plan for dealing with unanticipated discoveries (such as construction monitoring). Edrie Vinson suggested that, depending upon the result of the constraints
Identification, a buried sites sampling plan could be proposed based upon sensitivity of different areas that would include additional testing (excavation of trenches, STPs and/or units) on properties after they have been acquired for the project but prior to construction. Susan noted that for the Eastside Reservoir project studies, SHPO allowed construction without monitoring because AE had demonstrated that their buried sites predictive modeling was adequate.

3. Meeting Wrap Up/Next Steps

Edrie Vinson thanked Mike McGuirt for the opportunity to meet and present information about the proposed preferred alternative for the MCP project. There appears to be consensus on proceeding with Alternative 9 as the preferred MCP alternative. Furthermore, based on the discussion, she stated that FHWA would proceed with the Section 4(f) Evaluation identifying two cultural resources (CBJ Dairy and SRI-VOL-22) as potential Section 4(f) resources. Mike McGuirt expressed his appreciation for FHWA and RCTC's early involvement of the OHP in the project. Edrie Vinson requested that meeting minutes be prepared that would be signed off on by OHP, FHWA, Caltrans, and RCTC.

There was also general consensus on phasing the Section 106 process in order to meet RCTC's schedule for circulating the Draft EIR/EIS for public review in January 2008. Mike McGuirt requested that FHWA submit a letter to the SHPO for their concurrence, identifying the proposed phasing of the Section 106 process for the project, including work performed to date, work in progress, and future activities. Edrie Vinson stated that the Draft EIR/EIS would discuss Determinations of Eligibility and Findings of Effect for only the preferred alternative (Alternative 9). In order to meet the schedule for circulation of the Draft EIR/EIS, FHWA will request early consultation with the SHPO to seek concurrence on preliminary draft Determinations of Eligibility and Findings of Effect, with the submittal of complete documentation to follow the public review of the Draft EIR/EIS.

In response to Mike McGuirt's request, Nina Delu agreed to send him a PDF copy of the maps presented at the meeting.

Meeting summary prepared by Rob McCann (LSA).

CONCUR:

[Signature]
Mike McGuirt, Office of Historic Preservation

[Signature]
Edrie Vinson, Federal Highway Administration

[Signature]
Karen Swope, California Department of Transportation

7/13/07
Date

7-13-07
Date

8/8/07
Date
Cathy Bechtel, Riverside County Transportation Commission  

Date 7/19/07
CERTIFIED RETURN RECEIPT REQUESTED: 7003 1680 0002 3834 1596

Mr. Milford Wayne Donaldson, FAIA
State Historic Preservation Officer
Office of Historic Preservation
P.O. Box 942896
Sacramento, CA 94296-0001

Dear Mr. Donaldson:

SUBJECT: Phased Evaluation and Finding of Effect Under Section 106 for the Mid County Parkway Project, Located in Riverside County, California

The Federal Highway Administration (FHWA), the Riverside County Transportation Commission (RCTC), and the California Department of Transportation (Caltrans) propose to construct the Mid County Parkway (MCP), located in Riverside County, California. This project is listed on the national priority list for environmental stewardship and streamlining pursuant to Executive Order 13274. FHWA has been working closely with its agency partners to seek ways to streamline the environmental review process in innovative ways while fully complying with all environmental laws and regulations. In March 2007, FHWA initiated consultation with the State Historic Preservation Officer (SHPO). On May 23, 2007, FHWA, SHPO, Caltrans, and RCTC met to discuss phasing the evaluation and finding of effect for this project. This letter is being prepared to establish what cultural resource efforts have been made to date, what is in process, and what is planned for the future.

FHWA is the lead federal agency for the project and is responsible for compliance with Section 106 of National Historic Preservation Act (NHPA, 36 CFR Part 800). The Section 106 Programmatic Agreement (PA) between the FHWA, Advisory Council on Historic Preservation (ACHP), SHPO, and Caltrans applies to this project. To date, efforts to identify historic properties that may be impacted by the undertaking include the completion of an archaeological survey, extended phase one archaeological survey (XPI), and historic resources survey of all project alternatives (Alternatives 4, 5, 6, 7, and 9). During this process, FHWA has consulted and sought input from Indian Tribes and historical groups. These efforts have been documented in the following reports:

MOVING THE AMERICAN ECONOMY
• Archaeological Survey Report (ASR)
• Extended Phase I Survey Report (in preparation)
• Historic Resource Evaluation Report (HRER)

36 CFR 800.4(b)(2) and 800.5(a)(3) and Section XII of the PA allow for phasing the identification, evaluation, and finding of effect processes. FHWA desires to phase the evaluation and finding of effect (FOE) stage of the Section 106 process. In cooperation with RCTC and Caltrans, FHWA has identified a likely preferred alternative (Alternative 9) that will be identified as such to the public in the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). FHWA proposes to limit archaeological evaluation and FOE to the preferred alternative. This information along with a Draft APE map, Draft ASR, Draft XPI Proposal, Draft HRER, and site records of specific sites within all project alternatives that were deemed potentially eligible sites to the National Register of Historic Places (NRHP) was shared with Mike McGuirt of your staff in May 2007. In the May 23, 2007 meeting, FHWA, SHPO, Caltrans, and RCTC tentatively agreed that Alternative 9 was the least impacting to potential historic properties and that archaeological evaluation and FOE would be limited to Alternative 9 as the preferred alternative.

While the fieldwork and report for the XPI are being completed, LSA Associates, Inc. has prepared an Archaeological Evaluation Proposal (AEP) for the nine archaeological sites that are proposed to undergo archaeological excavation. The actual number of sites that will be included in the Final AEP will likely vary due to: minor changes to the APE; proposed Environmentally Sensitive Areas (ESAs); and sites from the XPI that warrant excavation. The purpose of this approach is to allow preparation for the archaeological evaluation to proceed so that the project Draft EIR/EIS would be able to present a valid FOE for archaeological resources. It was further agreed that due to the project schedule, a Draft FOE memorandum would be submitted shortly after archaeological excavation is concluded. This memorandum would be the basis for the findings presented in the Draft EIS/EIR, which is scheduled for circulation to the public in January 2008. In the meantime, the formal archaeological analysis and the Archaeological Evaluation Report (AER) would be drafted. All Section 106 responsibilities for Alternative 9 will be completed prior to issuance of the Final EIR/EIS and approval of the federal Record of Decision in December 2008.

FHWA requests your formal concurrence with this approach as indicated by Mike McGuirt in the meeting held on May 23, 2007. FHWA looks forward to our continuing cooperation on this very important streamlining project. Please contact Edrie Vinson at (916) 204-7408 if you have any questions or comments.

Sincerely,

/s/ Edrie Vinson

For
Gene K. Fong
Division Administrator
Col Thomas H. Magness, IV, District Commander
U.S. Army Corps of Engineers, Los Angeles District
911 Wilshire Boulevard
Los Angeles, CA 90017

Subject: Request for Final Agreement on the Range of Alternatives for the Mid County Parkway Project, Riverside County

Dear Col Magness:

The Federal Highway Administration (FHWA), the California Department of Transportation, the Riverside County Transportation Commission, and the other Mid County Parkway (MCP) partner agencies that constitute the Small Working Group (SWG) have evaluated a suite of alternatives for the MCP in Riverside County. Draft technical studies have been completed and provided to the partner agencies for their review. Based on the findings of the technical studies, FHWA is requesting final agreement on the range of alternatives to be carried forward in the Environmental Impact Report/Environmental Impact Statement (EIS/EIR) for the MCP project.

The two No Build/No Action and five Build Alternatives under evaluation (Alternatives 1A, 1B, 4, 5, 6, 7, and 9) were developed through a collaborative process with the SWG following the National Environmental Policy Act (NEPA) and Clean Water Act Section 404 Integration Process, pursuant to the 1994 Memorandum of Understanding (MOU). These alternatives are described in the attached table and shown on the attached map. They are intended to provide a reasonable range of alternatives that address the Purpose and Need for the project and meet the requirements for alternatives analysis under applicable federal and state laws and regulations. All alternatives considered have undergone close scrutiny and modification with the most recent refinement resulting in avoidance of the El Sobrante Landfill Multi-Species Habitat Conservation Plan westerly reserve area.

Key milestone actions to date for this Executive Order 13274 project include execution of an interagency partnering agreement (October 2003), concurrence on Purpose and Need (January 2004), preliminary agreement on an initial suite of alternatives (November 2004), consensus on evaluation criteria for selection of a preferred alternative (December 2004), and preliminary agreement on a revised suite of alternatives (November 2005).

Attached are the Alignment Alternatives Table, the Alternative Impact Summary Table, and the Alternatives Layout Plans developed for the MCP project by the SWG. For each attachment,
information is summarized from the MCP technical studies. Based on the attached information, the environmental technical studies, as well as the ongoing engineering studies, we believe that all of the proposed Build Alternatives (4, 5, 6, 7, and 9) are feasible and reasonable. FHWA is hereby requesting final concurrence from the U.S. Army Corps of Engineers that the above-mentioned alternatives to be evaluated in the Draft EIR/EIS represent a reasonable range of alternatives in accordance with provisions of NEPA and consistent with those previously agreed to by the collaborative SWG agencies in November 2005.

FHWA greatly appreciates your ongoing involvement in the MCP project. We are requesting your agency’s written response within 45 days in accordance with the MOU. If you have any questions regarding our request, please contact Tay Dam at (213) 202-3954 or e-mail at tay.dam@fwha.dot.gov.

Sincerely,

/s/ David Tedrick

For
Gene K. Fong
Division Administrator

Enclosures:
MCP Alignment Alternatives Table
MCP Alternative Impact Summary Table
MCP All Alternative Layout Plans
cc: (email)
Maiser Khaled/FHWA
David Tedrick, FHWA
Larry Vinzant, FHWA
Tay Dam, FHWA
Edrie Vinson, FHWA
Carol Braegelmann, FHWA
Lisa Hanf, U.S. Environmental Protection Agency, Region 9
James Bartel, U.S. Fish and Wildlife Service, Carlsbad Field Office
Hideo Sugita/RCTC
Mark Massman/RCTC
Cathy Bechtel/RCTC
Michael Perovich/Caltrans District 8
Nassim Elias/Caltrans District 8
Marie Petry/Caltrans District 8
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<table>
<thead>
<tr>
<th>Alt. No.</th>
<th>Alt. Name</th>
<th>Description</th>
<th>Reason for Including/Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A</td>
<td>No Project/No Action; Existing Ground Conditions</td>
<td>2035 traffic on the planned street network except for future improvements to Cajalco Road and Ramona Expressway, which would remain as they exist today.</td>
<td>Identified through initial planning.</td>
</tr>
<tr>
<td>1B</td>
<td>No Project/No Action; GP Circulation Element Conditions</td>
<td>2035 traffic levels on the planned street network, according to the Circulation Element of the Riverside County General Plan.</td>
<td>Identified through initial planning and renumbered from Alternative 8 to Alternative 1B.</td>
</tr>
<tr>
<td>4</td>
<td>South Lake Mathews/North Perris (Drain) Alternative</td>
<td>Provide a 6- to 8-lane controlled access parkway located south of Lake Mathews and follows a northern alignment through the city of Perris.</td>
<td>Identified through initial planning and rerouted as a result of engineering feasibility issues identified in engineering studies and the Value Analysis study conducted by Caltrans in 2005.</td>
</tr>
<tr>
<td>5</td>
<td>South Lake Mathews/South Perris (Rider Street) Alternative</td>
<td>Provide a 6- to 8-lane controlled access parkway located south of Lake Mathews and follows a southern alignment through the city of Perris along Rider Street.</td>
<td>Identified through initial planning.</td>
</tr>
<tr>
<td>6</td>
<td>General Plan/North Perris (Drain) Alternative</td>
<td>Implementation of General Plan Circulation Element improvements between I-15 and El Sobrante Road and a new 6- to 8-lane controlled-access parkway east of El Sobrante Road to SR-79. Includes a 4-lane urban arterial north of Lake Mathews, a 4-lane controlled-access expressway south of Lake Mathews, west of El Sobrante Road and a 6- to 8-lane controlled access parkway east of El Sobrante Road. Alternative 6 follows a norther alignment through the city of Perris.</td>
<td>Identified through initial planning and rerouted as a result of engineering feasibility issues identified in engineering studies and the Value Analysis study conducted by Caltrans in 2005.</td>
</tr>
<tr>
<td>7</td>
<td>General Plan/South Perris Alternative</td>
<td>Implementation of General Plan Circulation Element improvements between I-15 and El Sobrante Road and a new six- to eight-lane controlled-access parkway east of El Sobrante Road to SR-79. Includes a 4-lane urban arterial north of Lake Mathews, a 4-lane controlled-access expressway south of Lake Mathews, west of El Sobrante Road and a 6- to 8-lane controlled access parkway east of El Sobrante Road. Alternative 6 follows a southern alignment through the city of Perris along Rider Street.</td>
<td>Identified through initial planning.</td>
</tr>
<tr>
<td>9</td>
<td>Far South/Placentia Avenue Alternative</td>
<td>Provide a 4- to 6-lane controlled-access parkway south of both Lake Mathews and Mead Valley and a 6- to 8-lane controlled-access parkway between Old Elsinore Road and I-215 and a 6- to 8-lane controlled-access parkway between I-215 and SR-79</td>
<td>Identified in engineering studies and the Value Analysis study conducted by Caltrans in 2005 to avoid the Metropolitan Water District of Southern California (Metropolitan) Habitat Conservation Plan (HCP) Reserve.</td>
</tr>
</tbody>
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Ms. Lisa Hanf  
Federal Activities Office  
U.S. Environmental Protection Agency Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  

Subject: Request for Final Agreement on the Range of Alternatives for the Mid County Parkway Project, Riverside County  

Dear Ms. Hanf:  

The Federal Highway Administration (FHWA), the California Department of Transportation, the Riverside County Transportation Commission, and the other Mid County Parkway (MCP) partner agencies that constitute the Small Working Group (SWG) have evaluated a suite of alternatives for the MCP in Riverside County. Draft technical studies have been completed and provided to the partner agencies for their review. Based on the findings of the technical studies, FHWA is requesting final agreement on the range of alternatives to be carried forward in the Environmental Impact Report/Environmental Impact Statement (EIS/EIR) for the MCP project.  

The two No Build/No Action and five Build Alternatives under evaluation (Alternatives 1A, 1B, 4, 5, 6, 7, and 9) were developed through a collaborative process with the SWG following the National Environmental Policy Act (NEPA) and Clean Water Act Section 404 Integration Process, pursuant to the 1994 Memorandum of Understanding (MOU). These alternatives are described in the attached table and shown on the attached map. These alternatives are intended to provide a reasonable range of alternatives that address the Purpose and Need for the project and meet all requirements for alternatives analysis under applicable federal and state laws and regulations. All alternatives have undergone close scrutiny and modification with the most recent refinement resulting in avoidance of the El Sobrante Landfill Multi-Species Habitat Conservation Plan westerly reserve area.  

Key milestone actions to date for this Executive Order 13274 project include execution of an interagency partnering agreement (October 2003), concurrence on Purpose and Need (January 2004), preliminary agreement on an initial suite of alternatives (November 2004), consensus on evaluation criteria for selection of a preferred alternative (December 2004), and preliminary agreement on a revised suite of alternatives (November 2005).  

MOVING THE AMERICAN ECONOMY
Attached are the Alignment Alternatives Table, the Alternative Impact Summary Table, and the Alternatives Layout Plans developed for the MCP project by the SWG. For each attachment, information is summarized from the MCP technical studies. Based on the attached information, the environmental technical studies, as well as ongoing engineering studies, we believe that all of the proposed Build Alternatives (4, 5, 6, 7, and 9) are feasible and reasonable. FHWA is hereby requesting final concurrence from the U.S. Environmental Protection Agency that the above-mentioned alternatives to be evaluated in the Draft EIR/EIS represent a reasonable range of alternatives in accordance with provisions of NEPA and consistent with those previously agreed to by the collaborative SWG agencies in November 2005.

FHWA greatly appreciates your ongoing involvement in the MCP project. We are requesting your agency’s written response within 45 days in accordance with the MOU. If you have any questions regarding our request, please contact Tay Dam at (213) 202-3954 or e-mail at tay.dam@fwha.dot.gov.

Sincerely,

/s/ David Tedrick

For
Gene K. Fong
Division Administrator

Enclosures:
MCP Alignment Alternatives Table
MCP Alternative Impact Summary Table
MCP All Alternative Layout Plans
cc: (email)
Maiser Khaled/FHWA
David Tedrick, FHWA
Larry Vinzant, FHWA
Tay Dam, FHWA
Edrie Vinson, FHWA
James Bartel, U.S. Fish and Wildlife Service, Carlsbad Field Office
Hideo Sugita/RCTC
Mark Massman/RCTC
Cathy Bechtel/RCTC
Michael Perovich/Caltrans District 8
Nassim Elias/Caltrans District 8
Marie Petry/Caltrans District 8
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Mr. Jim Bartel, Field Supervisor  
U.S. Department of the Interior  
Fish and Wildlife Service  
Ecological Services  
6010 Hidden Valley Road  
Carlsbad, CA  92009

Subject: Request for Final Agreement on the Range of Alternatives for the Mid County Parkway Project, Riverside County

Dear Mr. Bartel:

The Federal Highway Administration (FHWA), the California Department of Transportation, the Riverside County Transportation Commission, and the other Mid County Parkway (MCP) partner agencies that constitute the Small Working Group (SWG) have evaluated a suite of alternatives for the MCP in Riverside County. Draft technical studies have been completed and provided to the partner agencies for their review. Based on the findings of the technical studies, FHWA is requesting final agreement on the range of alternatives to be carried forward in the Environmental Impact Report/Environmental Impact Statement (EIS/EIR) for the MCP project.

The two No Build/No Action and five Build Alternatives under evaluation (Alternatives 1A, 1B, 4, 5, 6, 7, and 9) were developed through a collaborative process with the SWG following the National Environmental Policy Act (NEPA) and Clean Water Act Section 404 Integration Process, pursuant to the 1994 Memorandum of Understanding (MOU). These alternatives are described in the attached table and shown on the attached map. They are intended to provide a reasonable range of alternatives that address the Purpose and Need for the project meet the requirements for alternatives analysis under applicable federal and state laws and regulations. All alternatives considered have undergone close scrutiny and modification with the most recent refinement resulting in avoidance of the El Sobrante Landfill Multi-Species Habitat Conservation Plan westerly reserve area.

Key milestone actions to date for this Executive Order 13274 project include execution of an interagency partnering agreement (October 2003), concurrence on Purpose and Need (January 2004), preliminary agreement on an initial suite of alternatives (November 2004), consensus on evaluation criteria for selection of a preferred alternative (December 2004), and preliminary agreement on a revised suite of alternatives (November 2005).
Attached are the Alignment Alternatives Table, the Alternative Impact Summary Table, and the Alternatives Layout Plans developed for the MCP project by the SWG. For each attachment, information is summarized from the MCP technical studies. Based on the attached information, the environmental technical studies, as well as ongoing engineering studies, we believe that all of the proposed Build Alternatives (4, 5, 6, 7, and 9) are feasible and reasonable. FHWA is hereby requesting final concurrence from the U.S. Fish and Wildlife Service that the above-mentioned alternatives to be evaluated in the Draft EIR/EIS represent a reasonable range of alternatives in accordance with provisions of NEPA and consistent with those previously agreed to by the SWG collaborative agencies in November 2005.

FHWA greatly appreciates your ongoing involvement in the MCP project. We are requesting your agency’s written response within 45 days in accordance with the MOU. If you have any questions regarding our request, please contact Tay Dam at (213) 202-3954 or e-mail at tay.dam@fwha.dot.gov.

Sincerely,

/s/ David Tedrick

For
Gene K. Fong
Division Administrator

Enclosures:

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Larry Vinzant, FHWA
Tay Dam, FHWA
Edrie Vinson, FHWA
Carol Braegelmann, FHWA
Lisa Hanf, U.S. Environmental Protection Agency, Region 9
Hideo Sugita/RCTC
Mark Massman/RCTC
Cathy Bechtel/RCTC
Michael Perovich/Caltrans District 8
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October 22, 2007

Mr. Darren Hill and Mr. George Zuniga  
Soboba Cultural Resource Department  
Soboba Band of Luiseño Indians  
23904 Soboba Road  
San Jacinto, CA 92583

Subject: Mid County Parkway Archaeological Testing Program

Dear Mr. Hill and Mr. Zuniga:

The Federal Highway Administration (FHWA) appreciates the comments received thus far from the Soboba Band of Luiseño regarding the Mid County Parkway (MCP) Draft Archaeological Evaluation Proposal (AEP). From the comments made at the meetings on October 5 and 11, 2007, and from your e-mail (from Darren Hill and George Zuniga received on October 18, 2007), I understand that Soboba is concerned with the following issues:

- That the MCP Tribal consultation has been rushed;
- Soboba requests that all artifacts be avoided or securely stored on site; and
- That there seems to be no provisions for the custody and ownership of the artifacts collected.

FHWA is taking its responsibilities to consult with the Indian Tribes on this project very seriously. While the consultation regarding the AEP has been expedited; I think that the consultation effort to date has been adequate. After the distribution of the Draft AEP (sent to the Soboba on September 25, 2007), two meetings were arranged (on October 5 and October 11, 2007) to explain the content of and methods included within the Draft AEP, and to answer any questions or address any concerns that the Tribes may have. Comments received from Tribes during the October 5, 2007 meeting were considered and addressed with draft language that was circulated at the meeting on October 11, 2007. In addition, several additional attempts (telephone and e-mail) have been made to solicit a response from all of the interested Tribes, and we have attempted to address all specific concerns that have been expressed about the Draft AEP.

Regarding your request to avoid or securely store cultural materials on site, every effort has been made to avoid cultural resources in the MCP area of potential effects (APE), and as a result proposed excavations are limited to within the direct APE. Unfortunately, there are a few sites in the project direct APE that are located in regions that are not considered secure enough to store artifacts on site. While we understand that it is Soboba’s policy that artifacts and cultural items are not collected or curated, the artifacts discovered during Phase 2 excavations will need to be analyzed in a laboratory setting to aid in the site evaluation process. Furthermore, all of the sites that are being tested are inside the direct APE and will
likely be directly affected by construction. As such, artifacts that are reburied on site would be in jeopardy of being destroyed along with the site during the construction phase of work.

As a result of your input in the meeting on October 5, 2007, a chain of custody of all artifacts from the field collection to the project laboratory will be maintained. The details are included in the revised AEP, which was redistributed in Draft form in our meeting of October 11, 2007. Also as a result of your input we have revised the AEP in regards to curation. A curation agreement will be worked out (most likely with the Western Center for Archaeology and Paleontology [WCAP]) that will attempt to take into account the Tribe’s concerns, including the issue of ownership and ultimate disposition of artifacts. As we work towards a curation agreement for the MCP artifacts, we will continue to work with Tribes to ensure that their voices are heard on the issues of curation. If you are interested in visiting the WCAP, we can arrange a tour of the facility or if you would like to arrange this on your own please contact Paisley Cato at p.cato@westerncentermuseum.org.

The MCP is a large and complex project. The schedule must continue to move forward as allowed and encouraged by the Executive Order for Environmental Streamlining. In order to meet our project deadlines, it is imperative that we begin fieldwork as soon as possible (previously scheduled to start on October 22, 2007).

The FHWA and the partner agencies on the MCP have made a reasonable and good faith effort to consult with the Tribes, and I would like to encourage an open-ended dialog between all interested parties. Please feel free to contact me at (949) 253-7959 or any of the project representatives, at any time.

Sincerely,

Edrie Vinson
Senior Environmental Specialist
October 24, 2007

Ms. Laura Miranda  
Pechanga Band of Luiseño Indians  
P.O. Box 1477  
Temecula, CA 92593

Subject: Mid County Parkway Archaeological Testing Program

Dear Ms. Miranda:

The Federal Highway Administration (FHWA) appreciates the comments received thus far from the Pechanga Band of Luiseño Indians (Pechanga) regarding the Mid County Parkway (MCP) Draft Archaeological Evaluation Proposal (AEP). From your e-mails, the comments made at the field meeting on October 11, 2007, by Pechanga representatives Anna Hoover and Paul Macarro, and from our phone conversation on October 18, 2007, I understand that Pechanga is concerned that the federal consultation requirements are not being met for the reasons you described below:

- There has not been adequate time for Pechanga to review and make comments on the Draft AEP or the Extended Phase I (XPI) Survey Report. In addition, there has not been adequate time to review the scope of work, complete the monitoring agreements, and schedule monitors for fieldwork for the AEP.
- Alignment options and site treatment/preservation issues are being decided during the testing of the MCP sites that forecloses the ability of Pechanga to consult and make meaningful recommendations on these topics.
- There has not been sufficient time for Pechanga to schedule a meeting with the agencies involved with MCP.

It is our understanding from your communications that if the Phase II testing of MCP sites proceeds without providing additional time for consultation with Pechanga, that Pechanga will participate with the Phase II testing only under protest for the right to consult on and protect the cultural resources as well as to understand the actions that the agencies are taking. We also understand that Pechanga does not agree with the streamlined approach of the MCP project that allows for the different phases of work to overlap. We acknowledge that the overlapping of some of the steps in the identification and evaluation of cultural resources is not the normal FHWA process. FHWA has undertaken these streamlining measures pursuant to this project’s coverage under Executive Order 13274 for Environmental Stewardship and Streamlining; however, we are committed to complying with all federal laws, including Section 106.
FHWA and its partner governments (Riverside County Transportation Commission [RCTC] and California Department of Transportation [Caltrans]) are taking their responsibilities to consult with the Indian Tribes on this project very seriously. I think that the consultation effort to date has been exemplary, albeit expedited at times. During the MCP Phase I Identification Survey, a total of 20,000 acres were surveyed and over 600 cultural resources were identified. The area of potential effects (APE) for the various design alternatives of the MCP project was reduced to just less than 8,000 acres in size and contains a total of 96 cultural resources. Through the consultation that began in 2004 between Pechanga and RCTC, Pechanga has played a key role in decisions on alignment options and site preservation issues, including numerous meetings to discuss the Caja Lake Creek Site (P-33-13791). Going back to RCTC’s meeting with you and other Pechanga Tribal members in August 2004, RCTC listened to concerns regarding the cultural importance of this site to the Tribe. Consequently, RCTC searched for different alternatives for avoiding or minimizing effects to this site, which were then reviewed by the Pechanga Tribal Council. Ultimately, the importance of this site to Pechanga was one key factor in RCTC’s decision to select Alternative 9 as their locally preferred alternative. Alternative 9 is the only alternative that fully avoids the Caja Lake Creek Site. As the lead agency for the United States Government on this project, FHWA seeks to continue to work with the Tribe in the same spirit of cooperation that led to the avoidance of the Caja Lake Creek site.

With the distribution of the Draft AEP (sent to all Tribes on September 25, 2007), two meetings were arranged (on October 5 and October 11, 2007) to explain the content of and methods included within the Draft AEP, to hear comments from the Tribes, and to answer any questions or address any concerns that the Tribes may have. Comments received from Tribes during the October 5, 2007, meeting were expeditiously considered and addressed with draft language that was circulated at the field meeting on October 11, 2007. Although Pechanga was not represented at the October 5, 2007, meeting, a representative of LSA Associates, Inc. (LSA) contacted Pechanga after the meeting in order for the Tribe to understand what had been discussed. In addition, several additional attempts (telephone and e-mail) have been made to solicit a response from all of the interested Tribes, and we have attempted to address all specific concerns that have been expressed about the Draft AEP.

The agencies (FHWA, Caltrans, and RCTC) arranged for a representative from both the Advisory Council on Historic Preservation and for the State Historic Preservation Officer (SHPO) to be present at the October 11, 2007, field meeting in order for the Tribes to be able to express their concerns about the MCP project. A direct result of the October 11, 2007, field meeting was that the agencies, in the spirit of early and ongoing consultation, decided to send out a copy of the Preliminary Draft MCP XPI Survey Report for preliminary review by the interested Indian Tribes, even though this report is still under review by FHWA, Caltrans, and RCTC. Although this report is currently under review, we have all been kept apprised of which XPI sites would be moving forward into the archaeological evaluation program based on what was recovered during the XPI survey, and which sites are not advancing; these criteria were clearly explained in the XPI Survey Proposal. During the XPI survey, weekly e-mail updates were sent to the Tribes by LSA that documented the types of artifacts that were found at sites that contain a subsurface deposit. Sites without a subsurface component were also documented in these e-mails. The XPI report is a culmination of the fieldwork and consultation for this phase of the project, and all findings that were sent out in the e-mail correspondence are reported within. Any feedback that was received from the Tribes during or after the XPI fieldwork is reflected in the XPI Survey Report. Monitoring of the XPI survey work by Tribal representatives is a form of consultation that afforded a great opportunity for both the Tribes and agencies to learn more about the MCP sites and to comment while the work was in progress. We are confident that the Tribes will find that the November 26, 2007, date, which allows the Tribes a 40-day review period, is sufficient time for the Tribes to offer comments on this document.
A critical part of Section 106 consultation is the determinations of eligibility and the findings of effect. FHWA, Caltrans, SHPO, and RCTC agreed during the October 11, 2007, field meeting to sit down in a meeting with the Tribes as part of the discussions about MCP determinations of eligibility and findings of effect. This unprecedented offer is being made to the Tribes as an example of the innovative measures the agencies are willing to undertake to expedite this project, while fully considering the impacts of priority projects under the Executive Order. This meeting will be scheduled for the latter part of December 2007, after the Phase II excavations are completed. In addition to this meeting, we will be seeking Tribal input and consultation throughout all phases of the archaeological evaluation fieldwork. As with the XPI fieldwork, any feedback from the Tribal monitors on Phase II will be reflected in the Archaeological Evaluation Report, and will help us all to become more confident in our ability to have meaningful discussions on the determinations of eligibility and findings of effect on the tested sites.

The MCP is a large and complex project. The schedule must continue to move forward as prioritized by the Executive Order 13274 for Environmental Stewardship and Streamlining. The reports for the project are compliant with Federal and State requirements, as applicable, and there is a quality assurance/quality control process that ensures the highest standards as we proceed through our National Historic Preservation Act (NHPA), National Environmental Policy Act (NEPA), and California Environmental Quality Act (CEQA) requirements. Please be assured that decisions are not being made that preclude Tribal input and meaningful consultation. In fact, the contributions from the Tribes thus far have led us to a much more environmentally sound alternative, one that is supported or accepted by all of the agencies with whom we consult. I acknowledge the Tribes for that. Additionally, fieldwork that was originally slated to begin on October 15, 2007, has been postponed to November 5, 2007. With the extension of this start date to allow for more time for you to review the Draft AEP, the XPI Survey Report, and the scope of work for completing monitoring agreements, we hope we have successfully addressed your concerns.

The FHWA and other partner agencies on the MCP project encourage continued open-ended dialog among all interested parties on this project as well as full consideration of all of the archaeological sites. Please feel free to contact me at (949) 253-7959 or any of the project representatives at any time.

Sincerely,

Edrie Vinson
Senior Environmental Specialist
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October 30, 2007

Mr. Adrian Morales  
San Gabriel Band of Mission Indians  
2077 East Greenhaven St.  
Covina, CA  91724

Subject: Mid County Parkway Archaeological Testing Program

Dear Mr. Morales:

The Federal Highway Administration (FHWA) values the comments received from the San Gabriel Band of Mission Indians (Gabrieleno) regarding the Mid County Parkway (MCP) Draft Archaeological Evaluation Proposal (AEP). From the comments made at the meetings on October 5 and 11, 2007, and from your e-mail (from Adrian Morales received on October 25, 2007), I understand that the Gabrieleno requests further consultation on the following issues:

- The proposed Phase II work plan methods provided in the Draft AEP including the use of Shovel Test Pits (STPs) to determine National and California Register site significance, and the percentage amount of the site being tested;
- The curation plan for the artifacts collected during the Phase II work;
- A reasonably accurate determination of the presence of human remains on the sites during the Phase II; and
- That the consultants on this project, LSA Associates, Inc. (LSA) not minimize the significance of the Phase II sites.

As far as archaeological field methods are concerned, we agree with you that STPs are a great way to determine site boundaries. In addition, they can be helpful indicators of the densest portions of the investigated site; based on the density of material found (or not found) within an STP, they can often aid in the placement of larger test excavations units. As written in the Draft AEP, this is how the STPs will be used: for boundary testing and aiding in the placement of excavation units; not to determine overall site significance. In order to gather an adequate sample for site testing and evaluation we propose to use a series of 1 x 1 m units.
The Phase II evaluations of the MCP sites are being conducted to determine whether these sites are eligible for the National Register of Historic Places (NRHP) and whether they are historical resources under California Environmental Quality Act (CEQA). FHWA, Caltrans, RCTC, the Advisory Council on Historic Preservation (ACHP), and the State Historic Preservation Office (SHPO) all discourage unnecessary excavation of archaeological sites both because of costs and to avoid impacts to sites that would otherwise not be affected. In that manner, we feel that the types of testing methods and the quantities of excavations that are proposed in the AEP are at an appropriate level for a Phase II investigation.

Site significance is evaluated based on a number of factors that can play very important roles in applying the four NRHP criteria: the types of artifacts recovered, the density of the artifacts encountered, the integrity of the site (that is, how well preserved the cultural deposit is), the ability to temporally place the site, the potential to yield important data, the presence of human remains, and tribal input received during project consultation. We agree with your concern about accurately determining early-on the presence of human remains on the MCP sites whenever possible. We believe that the AEP presents a plan for excavation that may help to signal the presence of human burials on each site, although it will always be difficult to predict the presence of singular burials. We appreciate your input about the location of burials and cremations in and around habitation, multi-use, and possibly milling sites.

It is the shared responsibility of FHWA, California Department of Transportation (Caltrans), and Riverside County Transportation Commission (RCTC) in consultation with the Tribes to create, execute, and determine eligibility on the sites that are being tested on the Mid County Parkway. LSA is a consultant to RCTC. Under the authority of FHWA, Caltrans professionally qualified staff (PQS) review all proposals and reports to ensure compliance with all applicable state and federal requirements. Recommendations will start with LSA, but the determinations of eligibility and the findings of effect are ultimately determined by the agencies with input from the Tribes. Please note that FHWA, Caltrans, SHPO, and RCTC agreed during the October 11, 2007, field meeting to sit down in a meeting with the Tribes as part of the discussions about MCP determinations of eligibility and findings of effect. In addition to this meeting, we will be seeking Tribal input and consultation throughout all phases of the archaeological evaluation fieldwork.

We appreciate the thoughtful comments that we have received from the Tribes on the Draft AEP. After the distribution of the Draft AEP (sent to all interested Tribes on September 25, 2007), two meetings were arranged (on October 5 and October 11, 2007) to explain the content and methods included within the Draft AEP, and to answer any questions or address any concerns that the Tribes may have. Comments received from Tribes during the October 5, 2007 meeting were considered and addressed with draft language that was circulated at the meeting on October 11, 2007. In addition, several additional attempts (telephone and e-mail) have been made to solicit a response from all of the interested Tribes, and we have attempted to address all specific concerns that have been expressed about the Draft AEP. We have recently set up a third meeting on November 2, 2007, between the agencies and the Tribes to offer another forum for you to be able to ask questions and discuss your concerns. We hope that you will be able to attend this meeting.

We assure you that a curation agreement will be worked out that will attempt to take into account all Tribe’s concerns, including the issue of access, ownership and ultimate disposition of artifacts. As we work towards a curation agreement for the MCP artifacts, we will continue to work with Tribes to ensure that their voices are heard on the issues of curation. As discussed on October 5 and 11, 2007, we are considering the use of the Western Center for Archaeology and Paleontology for curation of artifact; as requested by the Tribes, we have arranged for a tour of the facility on November 2, 2007.
The MCP is a large and complex project and we thank you for your continued involvement and participation. The schedule must continue to move forward as prioritized by the Executive Order 13274 for Environmental Stewardship and Streamlining. The reports for the project are compliant with Federal and State requirements, as applicable, and there is a quality assurance/quality control process that ensures the highest standards as we proceed through our NHPA, NEPA, and CEQA requirements. The FHWA and the partner agencies on the MCP will continue to make a reasonable and good faith effort to consult with the Tribes, and I would like to encourage an open-ended dialog between all interested parties. Please feel free to contact me at (949) 253-7959 or any of the project representatives, at any time.

Sincerely,

[Signature]

for
Gene Fong
Division Administrator
In Reply Refer To:
FWS-WRIIV-08B0080/08FA0004

Gene F. Fong
Division Administrator
Federal Highway Administration
650 Capitol Mall, Suite 4-100
Sacramento, California 95814

Subj: Mid County Parkway Range of Alternatives, Riverside County, California

Dear Mr. Fong:

This letter responds to your request dated September 28, 2007, for formal and final agreement on the range of alternatives for the Mid County Parkway project pursuant to the National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects (NEPA/404 MOU). Because the concurrence points prescribed in the NEPA/404 MOU are predicated on one another and we were not involved in developing purpose and need or project alternatives, our previous correspondence indicated that our agency would not participate in the formal concurrence process pursuant to the NEPA/404 MOU (see enclosure). As we previously indicated, we are available to informally assist your agency in the transportation planning process, particularly in relation to potential project effects to federally listed species and existing habitat conservation plans.

If you have any question regarding this letter, please contact Doreen Stadtlander of this office at (760) 431-9440.

Sincerely,

[Signature]
Karen A. Goebel
Assistant Field Supervisor

Enclosure

cc:
Susan Myers, ACOE, Los Angeles, CA
Eric Raffini, EPA, Los Angeles, CA
Susan Starges, EPA, San Francisco, CA
Cathy Bechtel, RCTC, Riverside, CA
Marie Petry, Caltrans, San Bernardino, CA
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In Reply Refer To:  
FWS-WRIV-4214.4

Mr. Gene F. Fong  
Division Administrator  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, California  95814

Re:  Preliminary Agreement Pursuant to the NEPA/404 MOU Process on Revised Range of Alternatives for the Mid County Parkway Project, Riverside County, California

Dear Mr. Fong:

This letter responds to your letter of October 19, 2005, requesting preliminary agreement in writing, pursuant to the National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects (NEPA/404 MOU process) projects in Arizona, California, and Nevada, on the revised range of alternatives for the Mid County Parkway project. As we indicated to you in letter dated September 28, 2004, our agency rejoined this integration process for the subject project after workload constraints associated with the processing of the incidental take permit for the Western Riverside County Multiple Species Habitat Conservation Plan ended. Nonetheless, after taking part in several meetings before and after our September letter, it became clear that substantial progress and project development had occurred during our extended absence. Because the concurrence points prescribed in the NEPA/404 MOU are predicated on one another and we were not involved in developing the purpose and need statement or the preliminary project alternatives, we believe that the planning effort has advanced beyond the point where our formal concurrence would facilitate the integration process anticipated in the NEPA/404 MOU. Consequently, and as we indicated verbally in meetings (i.e., informal meeting with the Riverside County Transportation Commission (RCTC) and California Department of Fish and Game on September 14, 2004; Small Working Group meetings on August 18, and September 21, 2004) and on conference calls (i.e., RCTC on October 17, 2005), our agency is participating only on an informal basis in the NEPA/404 MOU process. We will continue to provide technical assistance when requested, particularly in relation to potential project-related effects to federally listed species and existing habitat conservation plans.
We look forward to informally assisting your agency and the local project sponsor, RCTC, in the transportation planning process. If you have any question regarding this letter, please contact Doreen Stadtlander of this office at (760) 431-9440.

Sincerely,

Karen A. Goebel  
Assistant Field Supervisor

cc:  
Susan Meyer, ACOE, Los Angeles, CA  
Steven John, EPA, Los Angeles, CA  
Matthew Lakin, EPA, San Francisco, CA  
Cathy Bechtel, RCTC, Riverside, CA  
Marie Petry, Caltrans, San Bernardino, CA
December 14, 2007

Regulatory Division

Mr. Gene K. Fong
Division Administrator
Federal Highway Administration
California Division, Los Angeles Metro Office
888 S. Figueroa, Suite 1850
Los Angeles, California 90017

Dear Mr. Fong:

This letter responds to your request for our concurrence on the final range of alternatives to be studied in the draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Mid-County Parkway Project ("MCP") located in western Riverside County, California. Your request for our written response was submitted pursuant to the procedures outlined in the 1994 California NEPA/404 Integrated Process Memorandum of Understanding.

In our role as a cooperating agency on the EIR/EIS, the U.S. Army Corps of Engineers (Corps) has provided the MCP project proponent, Riverside County Transportation Commission (RCTC), with both technical and policy guidance related to the development of project-level alternatives. Our comments have been provided with the primary purposes of: 1) documenting a clear rationale as to why preliminary alternatives were eliminated and 2) ensuring the alternatives that remain after the initial screening process constitute an appropriate range of transportation solutions that are both reasonable and practicable for purposes of National Environmental Policy Act (NEPA) and Clean Water Act (CWA) compliance. Paramount to achieving the latter is the identification of transportation alternatives that fulfill the overall project purpose and minimize impacts to environmental resources, including the aquatic environment. Under our authorities promulgated in Section 404 of the CWA, the Corps can only authorize the least environmentally damaging practicable alternative.

Notwithstanding the completion of the Corps formal verification process for determining the geographic extent and quantification of jurisdictional waters of the U.S. within the MCP study area, we offer our agreement on the range of alternatives to be carried forward into the draft EIR/EIS: Alternatives 1A, 1B, 4, 5, 6, 7 and 9. Our concurrence is based on project data furnished to our office, including the MCP Alignment Alternatives Table (September 18, 2007), Alternative Evaluation Detail Matrix (September 17, 2007), Alternative Maps/Layout Plans (undated), and the findings presented in various draft technical studies prepared in support of the forthcoming NEPA document.
Our concurrence on the final range of alternatives does not constitute our agreement on all aspects of the project's technical information. In this regard, we recommend one of the next steps in the environmental process include meaningful discussions with appropriate Federal and State agencies on compensatory mitigation strategies for significant and unavoidable adverse impacts to wetlands and other jurisdictional aquatic features.

We appreciate the efforts of your staff, as well as those of the RCTC and its consultants, to actively involve the Corps in this environmental process. We look forward to reviewing the administrative and public draft versions of the EIR/EIS. Should you have any questions, please contact the undersigned at (808) 438-2137 or at susan.a.meyer@usace.army.mil. Please refer to this letter and Corps File No. SPL-2001-00537.

Sincerely,

Susan A. Meyer
Senior Project Manager
Regulatory Division

CF:
Cathy Bechtel, Riverside County Transportation Commission
Tay Dam, Federal Highway Administration
Susan Sturges, Environmental Protection Agency, Region IX
Eric Raffini, Environmental Protection Agency, Region IX
Doreen Stadtlander, U.S. Fish and Wildlife Service
Marie Petry, Caltrans, District 8
Rob McCann, LSA Associates
Charles Landry, Jacobs Engineering
Mr. Gene Fong
Federal Highway Administration
650 Capitol Mall, #4-100
Sacramento, California 95814

Subject: Final Agreement on Range of Alternatives for the Mid County Parkway Project, Riverside County, California.

Dear Mr. Fong:

This letter responds to your September 28, 2007 letter requesting Final Agreement on the Range of Alternatives for the Mid County Parkway Project. The request is in accordance with the 2006 National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU).

EPA is a participant in an interagency Small Working Group which provides a forum for early feedback during the development of the Draft Environmental Impact Statement (EIS) and facilitates the NEPA/404 MOU process. EPA has provided preliminary agreement on an initial suite of alternatives (November 4, 2004), preliminary agreement on a revised suite of alternatives (November 28, 2005), and comments on several draft technical documents which will support the Draft EIS.

EPA offers our final agreement on two No Build/No Action Alternatives and five Build Alternatives as the Range of Alternatives to carry forward in the Draft EIS:

1A No Project/No Action; Existing Ground Conditions
1B No Project/No Action; General Plan Circulation Element Conditions
4 South Lake Mathews/North Perris (Drain) Alternative
5 South Lake Mathews/South Perris (Rider Street) Alternative
6 General Plan/North Perris (Drain) Alternative
7 General Plan/South Perris Alternative
9 Far South/Placentia Avenue Alternative

EPA provides Final Agreement based on information provided in the three attachments of the September 28, 2007 request for final agreement on the range of alternatives: 1) Mid County Alignment Alternatives Table, 2) Alternatives Evaluation Detail Matrix, and 3) Figure of Alternatives 4, 5, 6, 7, and 9.
EPA is aware of discrepancies in the jurisdictional delineation reports for several wetland and nonwetland features in an overlapping project area for the Mid County Parkway and State Route 79 Realignment Projects. EPA and the U.S. Army Corps of Engineers (Corps) are currently working with Riverside County Transportation Commission (RCTC) and their consultants to resolve these discrepancies. At this time, EPA does not believe that the discrepancies are of a magnitude to affect the overall decision-making behind selection of a final range of alternatives.

As next steps for this project, EPA will continue to work with the Corps and RCTC to resolve the discrepancies between the jurisdictional delineation reports and will review the Administrative Draft EIS. EPA will later review the Draft EIS and provide comments as described in the NEPA/404 MOU and pursuant to NEPA, Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. We are also available to continue working with the Small Working Group to further refine the design of project alternatives to avoid and minimize impacts to resources. In addition, we would like to be involved in conceptual mitigation discussions.

Thank you for requesting our Final Agreement on the Range of Alternatives. We look forward to continued participation in this project through the NEPA/404 MOU process. If you have any questions or comments, please contact Susan Sturges, lead reviewer for this project (sturges.susan@epa.gov; 415-947-4188) or Eric Raffini, wetlands lead (raffini.eric@epa.gov; 415-972-3544).

Sincerely,

[Signature]

Nova Blażej, Manager
Environmental Review Office

CC: Tay Dam, Federal Highway Administration
Cathy Bechtel, Riverside County Transportation Commission
Susan Meyers, Army Corps of Engineers
Doreen Stadlander, U.S. Fish and Wildlife Service
Marie Petry, Caltrans District 8
Rob McCann, LSA
Scott Lawson, California Department of Fish and Game
April 10, 2008

Ms. Cathy Bechtel
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
P.O. Box 12008
Riverside, California 92502-2208

Dear Ms. Bechtel:

Reference is made to your original and revised submittals of May 2007 and February 2008, respectively, in which your agent, LSA Associates Inc., requests verification of the jurisdictional limits of Section 404 of the Clean Water Act ("CWA") for a number of water bodies, tributaries and wetlands occurring within the Mid-County Parkway Project ("MCP") study area located in western Riverside County, California (Corps File No. SPL-2001-00537-SAD). Your jurisdictional determination request is a formal concurrence point specified in the multi-agency collaborative process to integrate and streamline the requirements of the National Environmental Policy Act and Section 404 of the CWA for surface transportation projects in the State of California. This letter of verification fulfills this concurrence point.

Based on our October 16-17, 2006 site visits and information furnished to our office, including the May 2007 (revised February 2008) jurisdictional delineation report entitled "Mid-County Parkway Jurisdictional Delineation and Assessment Report", we have determined that your proposed project does discharge dredged or fill material into a water of the United States ("U.S."). Therefore, the project is subject to our jurisdiction under Section 404 of the CWA and a Department of the Army ("DA") permit is required from our office. According to the delineation report, the MCP would result in the placement of fill material in the following water bodies, tributaries, and adjacent wetlands: San Jacinto River, Temecula Creek, Bedford Wash, Cajalco Creek, Perris Valley Channel, and Lake Mathews. Preliminary estimates indicate a range of approximately 7.5 acres to 18.6 acres of waters of the U.S., including wetlands, would be permanently impacted by the proposed MCP, depending on the alternative selected. Similarly, approximately 6.1 acres to 10.5 acres of waters of the U.S., including wetlands, would be temporarily impacted.

The enclosed tables list the waters of the United States, including wetlands, regulated by Section 404 of the CWA. Specifically, Tables A-1 through A-3 identify the jurisdictional waters of the U.S., including wetlands, occurring within each of the proposed MCP project alternatives under consideration and the estimated acreage by aquatic feature (Enclosure 1). Table C-1 documents those water bodies, tributaries and wetlands that are not subject to Corps jurisdiction,
including wetlands and other waters of the U.S. that are isolated (Enclosure 2). All tables referenced in this letter correspond to figures and maps compiled in the Mid-County Parkway Jurisdictional Delineation and Assessment Report (LSA Associates 2007). The subject report will be retained in our office files as part of the project’s official administrative record and the Corps’ approved jurisdictional delineation/determination.

This delineation/determination has been conducted to identify the limits of the Corps’ jurisdiction for the particular site identified in this request. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This letter contains an approved jurisdictional determination for the Mid-County Parkway Project. If you object to this decision, you may request an administrative appeal under Corps regulations at 33 C.F.R. Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form (Enclosure 3). If you request to appeal this decision you must submit a completed RFA form to the Corps South Pacific Division Office at the following address:

Thomas J. Cavanaugh  
Administrative Appeal Review Officer  
South Pacific Division, Corps of Engineers  
1455 Market Street, Room 1760  
San Francisco, CA 94103-1399  
Tel: (415) 503-6574 Fax: (415) 503-6646

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. Part 331.5, and that it has been received by the Division Office within 60 days of the date on the NAP. Should you decide to submit an RFA form, it must be received at the above address by June 1, 2008. It is not necessary to submit an RFA form to the Division office if you do not object to the decision in this letter.

This verification is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. If you wish to submit new information regarding the approved jurisdictional determination for this site, please submit this information to: Ms. Susan A. Meyer at the letterhead address by June 1, 2008. The Corps will consider any new information so submitted and respond within 60 days by either revising the prior determination, if appropriate, or reissuing the prior determination. A revised or reissued jurisdictional determination can be appealed as described above.
If you have any questions, please contact Ms. Susan A. Meyer of my staff at: (808) 438-2137 or susan.a.meyer@usace.army.mil. Alternatively, you may contact Ms. Stephanie J. Hall at (213) 452-3410 or Stephanie.j.hall@usace.army.mil. Please be advised that you can now comment on your experience with Regulatory Division by accessing the Corps web-based customer survey form at: http://per2.nwp.usace.army.mil/survey.html.

Sincerely,

[Signature]

David J. Castanon
Chief, Regulatory Division
Los Angeles District

Enclosures
1. Tables A-1 through A-3
2. Table C-1
3. Request for Appeal Form and Administrative Appeal Process

CF:
Eric Raffini, Environmental Protection Agency, Region IX, Wetlands Office
Tay Dam, Federal Highway Administration
Scott Quinnel, Caltrans, District 8
Rob McCann, LSA Associates, Inc.
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