

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

LOS ANGELES DISTRICT

Public Notice/Application No.: 2001-00537

Comment Period: October 31, 2008 through December 8, 2008

Project Manager: Susan A. Meyer susan.a.meyer@usace.army.mil

Applicant

Cathy Bechtel
Project Development Director
Riverside County Transportation
Commission (RCTC)
4080 Lemon Street, 3rd Floor
Riverside, California 92502-2208

Contact

Cathy Bechtel
Project Development Director
RCTC
(951) 787-7141
cbechtel@rctc.org

Location: The proposed activity is located in western Riverside County, California. The biological study area encompasses approximately 17,000 acres (ac) within the Santa Ana River and San Jacinto River watersheds and is roughly bounded by Interstate 15 (I-15) to the west, the Cities of Riverside and Moreno Valley to the north, State Route 79 (SR-79) to the east, and State Route 74 (SR-74) to the south (Figure 1).

Activity: To construct roadway improvements. These improvements may consist of a transportation parkway approximately 30 miles (mi) in length, connecting the existing I-15 in Corona to SR-79 in San Jacinto, with an intermediate point at Interstate 215 (I-215) in Perris. Five alternative alignments are under consideration and are depicted in Figure 2. While a federally preferred alternative has not been identified at this time, the applicant has identified a locally preferred alternative, namely Alternative 9. Additional information concerning the description of the proposed project alternatives, including Alternative 9 and the environmental impacts, is found on the following pages of this PN and contained in the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). The Draft EIR/EIS and its appendices and technical reports are available on the Internet at midcountyparkway.org. The Draft EIR/EIS and technical reports are also available for

review at the Riverside County Transportation Commission (RCTC), California Department of Transportation (Caltrans), and various public libraries in the activity area.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344) (CWA).

Comments should be mailed to:

U.S. Army Corps of Engineers
Regulatory Division
ATTN: Susan A. Meyer
Bldg. 230
Ft. Shafter, Hawaii 96858-5440

Alternatively, comments can be sent electronically to: susan.a.meyer@usace.army.mil.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable environmental effects, including cumulative environmental effects of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material into waters of the United States (WofUS), evaluation of the activity will include application of the United States Environmental Protection Agency (EPA) Guidelines as required by Section 404 (b)(1) of the CWA (40 CFR 230).

The United States Army Corps of Engineers (Corps) is soliciting comments from the public; federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed project. Comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. The Federal Highway Administration (FHWA) and the applicant, RCTC, are preparing a joint California Environmental Quality Act/National Environmental Policy Act (CEQA/NEPA) document that evaluates the environmental effects of the proposed transportation project. Comments received on this Public Notice (PN) will be used in the identification of a federally preferred alternative/preliminary least environmentally damaging practicable alternative (LEDPA) and

in the finalization of the EIS pursuant to NEPA. Comments also will be used to determine the overall public interest of the proposed activity. Commensurate with the circulation of the Final EIR/EIS for this proposed project, a subsequent PN will be issued by the Corps to solicit comments on the applicant's and FHWA's final selection of a locally and federally preferred alternative, respectively. Any comments received on the subsequent PN will be considered by the Corps to determine the need for a public hearing and whether to issue, modify, condition, or deny a permit for the discharge of dredged or fill material into WofUS resulting from the proposed activity.

Preliminary Review of Selected Factors

EIS Determination: A joint Draft EIR/EIS has been prepared by the FHWA and the applicant, RCTC, entitled *Mid County Parkway Project* (MCP). The Notice of Intent (NOI) to prepare an EIS was published in the Federal Register on November 22, 2004. Two No Action Alternatives plus five Build Alternatives are being considered, including three parkway alternatives and two parkway/General Plan arterial alternatives. The public Draft EIR/EIS is currently available for a 60-day public review period, beginning on October 10, 2008, and closing on December 8, 2008. A copy of the Notice of Availability (NOA) of the Draft EIR/EIS was filed in the Federal Register on October 10, 2008 [FR Doc. 2008-23805 and published October 14, 2008].

Water Quality: The applicant is required to obtain water quality certification, under Section 401 of the CWA, from the California Regional Water Quality Control Board (RWQCB). Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the EPA. Upon selection of a preferred alternative, the applicant plans to submit an application to the RWQCB seeking 401 certification.

Coastal Zone Management: The proposed activity is not located within the coastal zone.

Cultural and Paleontological Resources: The most current version of the National Register of Historic Places (National Register) and other applicable sources have been reviewed to determine whether any cultural resource sites exist in the project area. Several sites with potential resource significance have been identified on or adjacent to the various alternatives. Accordingly, the FHWA, as the lead federal agency, is in the process of conducting all necessary coordination with the State Historic Preservation Officer in accordance with 36 CFR Section 800. FHWA has consulted with affected Native American tribes and continues to coordinate with them on an ongoing basis with regards to determinations of site eligibility and finding of effect. Adverse effects to cultural resources are anticipated and a Memorandum of Agreement will likely be required. Implementation of the MCP build alternatives may affect fossil-bearing formations, resulting in potential damage or loss of resources. Mitigation measures have been established and would be implemented to mitigate such impacts. However, unavoidable adverse impacts related to

paleontological resources would likely remain after mitigation. Once a federally preferred alternative is selected, the FHWA will complete the coordination process with SHPO in compliance with the National Historic Preservation Act.

Endangered Species: Preliminary determinations indicate that the proposed activity may affect 11 federally listed endangered and threatened plant and animal species and potentially modify federally designated or proposed critical habitat for three species. Listed species that may be affected are: San Jacinto Valley crownscale (*Atriplex coronata* var. *notatior*), Spreading navarretia (*Navarretia fossalis*), Munz's onion (*Allium munzii*), coastal California gnatcatcher (*Polioptila californica californica*), least Bell's vireo (*Vireo bellii pusillus*), Arroyo toad (*Bufo californicus*), Swainson's hawk (*Buteo swainsoni*), Quino checkerspot butterfly (*Euphydryas editha quino*), Southwestern willow flycatcher (*Empidonax traillii extimus*), San Bernardino Merriam's kangaroo rat (*Dipodomys merriami parvus*), and Stephens' kangaroo rat (*Dipodomys stephensi*). Additionally, designated critical habitat or proposed critical habitat for the coastal California gnatcatcher, Quino checkerspot butterfly, and San Bernardino Merriam's kangaroo rat may be affected or adversely modified. The FHWA will initiate consultation with the United States Fish and Wildlife Service (USFWS) under Section 7 of the Federal Endangered Species Act (FESA) for the above-listed species and designated critical habitat when a federally preferred alternative is selected. This consultation will be conducted pursuant to the provisions of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Refer to Section 3.21 (Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures to Threatened and Endangered Species) in the Draft EIR/EIS for detailed descriptions of the impacts on federally listed species and designated critical habitat. The expected direct impacts on the aforementioned species are summarized below.

- All MCP Build Alternatives would directly impact 0.77 ac of area suitable for long-term conservation value for spreading navarretia.
- Alternatives 4, 5, and 9 would result in 7.58 ac of direct impacts to areas inferred to be occupied by Munz's onion pending completion of survey reports in late 2008. Alternatives 6 and 7 would result in 0.02 ac of direct impacts to areas inferred to be occupied by Munz's onion.
- Alternatives 6 and 7 do not impact Final Critical Habitat for the coastal California gnatcatcher. Alternatives 4 and 5 would result in 33.5 ac of impacts to Final Critical Habitat for the coastal California gnatcatcher, and Alternative 9 results in 40.1 ac of impacts.
- All MCP Build Alternatives will impact 2.9 ac of critical habitat for the San Bernardino kangaroo rat. The MCP project will not result in any impact to the 2007 proposed critical habitat for the San Bernardino kangaroo rat. In addition, within the MSHCP survey area for this species, the MCP project will directly impact 1.0 ac of San Bernardino kangaroo rat occupied habitat suitable for long-term conservation under all of the alternatives and design variations, except the San Jacinto North design variation, which will impact 0.8 ac.

- According to the MSHCP, the Quino checkerspot butterfly is determined to be extirpated from the Lake Mathews area; thus, direct impacts to this species are not anticipated. However, impacts to final designated Quino checkerspot butterfly critical habitat would consist of between 140.0 ac for Alternatives 6 and 7 and 327.6 ac for Alternative 9.
- Alternatives 4 through 7 would each impact five nesting pairs/individual least Bell's vireo and Alternative 9 would impact two nesting least Bell's vireo pairs. Alternative 9 impacts the least amount of least Bell's vireo habitat, 2.2 ac suitable for long-term conservation, compared to 8.5 ac for Alternatives 6 and 7.
- Impacts to the Stephens' Kangaroo Rat Reserve would range between 168.7 ac and 540.3 ac by impacting portions of the Lake Mathews MSHCP Plan Area and Lake Mathews-Estelle Mountain Reserve.

Essential Fish Habitat: This project is not expected to impact any areas designated as Essential Fish Habitat by the National Marine Fisheries Service (NOAA Fisheries).

Public Meetings: As the lead federal agency under NEPA, the FHWA, in conjunction with RCTC, plans to hold public information meetings on the proposed project on October 28, 2008; October 29, 2008; and, October 30, 2008, Corona, Perris, and San Jacinto, respectively, from 6:00 p.m. until 8:00 p.m. At these open house-style meetings, the public may attend to view information displays and the Draft EIR/EIS. The MCP project team will be available to discuss questions, comments, and suggestions from the public regarding the proposed project. Public hearings will also be held on the proposed project to accept public comments on November 6, 2008, beginning at 6:00 p.m. at the Perris City Council Chambers and on November 12, 2008, beginning at 9:30 a.m. at RCTC Board Room.

Proposed Activity for Which a Permit is Required

The proposed build alternatives that are under consideration would result in varying amounts of discharge of fill material into WofUS, including wetlands. Table 1 estimates the direct and permanent losses of WofUS, expressed in acres, for each of the build alternatives. In general, the build alternatives include multiple bridge structures. These bridges are proposed to be constructed at major water crossings and natural resources where the transportation facility/corridor alignment crosses the following drainages: Temescal Wash, Cajalco Creek, Perris Valley Storm Drain, and the San Jacinto River (two crossings). The bridge structures would be designed to minimize impacts to aquatic resources by spanning, where possible, and minimizing the use of fill material for abutments, pilings, and adjacent bank stabilization.

In addition to the discharge of fill material associated with the bridges, cut-and-fill construction activities are expected to permanently impact a number of unnamed ephemeral and intermittent drainages, including adjacent wetlands. Depending on the alternative, the total volume of fill material ranges from approximately 16.5 million cubic meters to 19.2 cubic meters. In terms of the placement of the total volume of fill material associated with each alternative, a portion would be discharged into areas that likely are not under the Corps

geographic jurisdiction (e.g., uplands), while the balance of the estimated fill material would be discharged into WofUs that would be subject to Corps jurisdiction. While the applicant has not calculated the exact quantity of fill material that would be discharged into WofUS, Table 1 provides an estimate of the impacts (expressed in acres) based on the footprint of direct disturbance to WofUS for each proposed build alternative as a result of the discharge of dredged or fill material.

Table 1 Permanent Impacts to USACE Jurisdictional Areas

Alternative/DV	Permanent Impacts, hectares/acres		
	Wetlands	Nonwetlands	Corps Total
Alt. 4 Base Case	1.8 (4.5)	4.2 (10.5)	6.0 (14.9)
Alt. 4 SJN DV	2.6 (6.3)	4.1 (10.1)	6.6 (16.4)
Alt. 4 TWS DV	1.8 (4.5)	4.1 (10.1)	5.9 (14.5)
Alt. 5 Base Case	1.7 (4.3)	4.2 (10.5)	6.0 (14.8)
Alt. 5 SJN DV	2.5 (6.2)	4.1 (10.0)	6.6 (16.2)
Alt. 5 TWS DV	1.7 (4.3)	4.1 (10.1)	5.8 (14.4)
Alt. 6 Base Case	2.2 (5.4)	4.7 (11.7)	6.9 (17.2)
Alt. 6 SJN DV	3.0 (7.3)	4.6 (11.3)	7.5 (18.6)
Alt. 6 TWS DV	2.2 (5.4)	4.6 (11.3)	6.8 (16.8)
Alt. 7 Base Case	2.1 (5.3)	4.7 (11.7)	6.9 (17.0)
Alt. 7 SJN DV	2.9 (7.2)	4.6 (11.3)	7.5 (18.5)
Alt. 7 TWS DV	2.1 (5.3)	4.6 (11.3)	6.7 (16.6)
Alt. 9 Base Case	0.7 (1.7)	3.6 (8.8)	4.2 (10.5)
Alt. 9 RD DV	0.3 (0.8)	2.7 (6.7)	3.0 (7.5)
Alt. 9 PP-E DV	0.7 (1.7)	3.6 (8.8)	4.2 (10.5)
Alt. 9 SJN DV	1.4 (3.5)	3.4 (8.4)	4.8 (11.9)
Alt. 9 TWS DV	0.7 (1.7)	3.4 (8.4)	4.1 (10.1)

Source: *Natural Environment Study*, LSA Associates, Inc. 2008.

Alt = Alternative

DV = Design Variation

PP-E = Placentia Avenue/Perris Boulevard Elevated Grade

RD = Rider Street

SJN = San Jacinto North

TWS = Temescal Wash Area

Corps = United States Army Corps of Engineers

Indirect effects on the hydrologic integrity of riparian ecosystems resulting from the discharge of dredged or fill material into WofUS have been assessed in the Hydrology and Location Hydraulics technical studies. Similarly, indirect or secondary effects on the water quality integrity of riparian ecosystems that would result from the discharge of dredged or fill material into WofUS have been quantitatively evaluated in the Water Quality Assessment (WQA) technical study. The WQA stipulates that the designated water quality volume of runoff generated from the project facility would be treated at appropriate water quality remediation facilities prior to discharge into downstream receiving waters. Treatment would be provided at or above Maximum Extent Practicable (MEP) levels and would not exceed the

applicable RWQCB Water Quality Control Plans for the San Diego and Santa Ana regions. In addition, the project incorporates a number of Best Management Practices (BMPs) to control runoff velocities and treat water runoff. There could be potential indirect or secondary effects on the habitat integrity of riparian ecosystems resulting from the discharge of dredged or fill material into WofUS. During the remainder of the MCP environmental and permit review processes, the Corps will work with the applicant and FHWA to refine the potential indirect or secondary effects on the habitat integrity, water quality integrity, and hydrology integrity of riparian ecosystems resulting from the discharge of dredged or fill material into WofUS. Any additional or new information that results from this refinement process would be quantified and disclosed in the Final EIR/EIS and in the Corps' subsequent PN.

The applicant has received a formal jurisdictional determination from the Corps for purposes of the Section 404 permit review process and in accordance with the 1994 Memorandum of Understanding (MOU) procedures. The jurisdictional limit for non-tidal WofUS was determined by the jurisdictional wetland boundary and/or the ordinary high water mark. The jurisdictional limit of wetlands was determined in accordance the Corps 1987 Wetlands Delineation Manual (Environmental Laboratory 1987). Otherwise, presence of the indicators stated in the definition of ordinary high water mark (33 CFR 328.3(e)) was used to establish the jurisdictional limit of a WofUS. The estimates of acreage impacts shown in Table 1 are based on the formal jurisdictional determination, which was approved and verified by the Corps on April 10, 2008.

The functions, or integrity, of the identified WofUS and riparian ecosystems in each MCP project alternative were further assessed at a watershed level using a suite of hydrologic, water quality, and habitat integrity indicators identified in the report titled *Potential Impacts of Alternative Corridor Alignments to Waters of the United States, Riparian Ecosystems, and Threatened and Endangered Species: Mid County Parkway Project, Riverside County, California* (ERDC 2008).

Riparian ecosystem integrity was assessed by first identifying "riparian reach" assessment units and then assessing each riparian reach using a suite of hydrologic, water quality, and habitat integrity indicators (Smith 2003, 2006). A riparian reach was defined as a segment of the main stem, bankfull stream channel and the adjacent riparian ecosystem exhibiting relatively homogenous characteristics with respect to geology, geomorphology, channel morphology, substrate type, vegetation communities, and cultural alteration. The boundaries of the aquatic resources study area included not only the riparian reaches that are in the direct impact area of the build alternatives, but also include (for indirect and cumulative effects) the local drainage and drainage basin of each riparian reach.

Fifteen assessment criteria were used to evaluate the impacts of each alternative to WofUS and riparian ecosystems. These indicators represent the physical, chemical, and biological characteristics and processes of riparian ecosystems at three spatial levels: (1) the riparian reach proper, (2) uplands adjacent to the riparian reach, and (3) the drainage basin of the riparian reach. Multi-indicators related to land use/land cover, vegetation communities, hydrology, sediment, and disturbance factors were used. Indicator metrics were measured in

the field using ground data collection methods supplemented with aerial photography. Indicator metrics were scaled to a culturally unaltered “reference condition,” and selected indicators were then combined into hydrology, water quality, and habitat integrity indices for each riparian reach.

The functional (integrity) assessment was applied to these indicators in order to qualitatively and quantitatively assess and compare potential direct and indirect impacts of the build alternatives of the proposed MCP project on WofUS and riparian ecosystems. The quantity of riparian ecosystem in a riparian reach is represented by the extent (i.e., acres or miles) of riparian ecosystem in a riparian reach. A qualitative assessment was conducted using integrity indices for hydrologic, water quality, and habitat of a riparian reach. Integrity units are calculated by multiplying the hydrologic, water quality, and habitat integrity indices of a riparian reach by the acres of riparian ecosystem in a riparian reach. This provides an integrated measure of riparian ecosystem quality and quantity in a riparian reach.

Direct and indirect impacts of the MCP build alternatives were assessed by simulating the changes that could be expected to occur as a result of implementation of each alternative and comparing the simulated results to baseline conditions. Normalized rank scores were calculated by dividing the potential impact (e.g., length, area, integrity units) of each alternative corridor alignment by the potential impact of the alternative corridor alignment with the greatest impact. Corridors with the lowest normalized rank scores have the least potential impact. Tables 2 and 3 summarize the results and normalized rank scores for criteria assessing potential impacts to WofUS and riparian ecosystems. These criteria include direct impacts to WofUS and riparian ecosystems within the project footprint as well as indirect impacts measured in terms of both quantity and quality of affected areas.

Overall, the impact of all the MCP build alternatives to riparian ecosystems was minimal, given the relatively large size of the permanent impact footprint associated with the project alternatives. The minimal impact reflects the strategic placement of alternative corridor alignments to avoid riparian ecosystems to the extent feasible. Under this analysis, Alternative 9 had the least impact among the MCP Build Alternatives to aquatic resources and riparian ecosystems. Alternatives 4 and 5 had the second greatest impact and Alternatives 6 and 7 had the greatest impact.

Table 2 summarizes the normalized rank scores for the 10 criteria assessing impacts to WofUS and riparian ecosystems (seven criteria assess only direct impacts, and three criteria assess both direct and indirect impacts).

In addition to the 10 criteria for aquatic resources, there are 5 additional criteria pertaining to nonaquatic resources, such as critical habitat of upland species and Multiple Species Habitat Conservation Plan (MSHCP) areas. The normalized rank scores for all 15 criteria are shown in Table 2 as the sum total with a possible range of 0–15. The sum of normalized rank scores provides a general indication of the overall potential impact of each alternative corridor alignment. For example, alternative corridor alignments with values near the maximum value of 15 consistently had the greatest level of potential impact across all criteria. However, it should be noted that this aggregation of normalized rank scores assumes

equal weight for all 15 criteria, which includes biases and redundancies that result for equally weighing all 15 criteria.

Additional indirect impacts of the project on jurisdictional areas adjacent to the project footprint may result from edge effects such as exotic plant infestations, pollutants from storm water runoff from the parkway, and unauthorized recreational use. Treated storm water runoff from the parkway to riparian/riverine areas would provide additional water to maintain wetlands, nonwetland waters, and streambeds.

Table 2 Potential Direct Impacts to Waters of the United States and Riparian Ecosystems

Alt	DIRECT IMPACTS							DIRECT AND INDIRECT IMPACTS			Sum of Normalized Rank Scores ¹
	Criterion 1: Non-wetland waters stream channels	Criterion 2: Length of main stem and tributary stream channels	Criterion 3: Area of riparian ecosystems	Criterion 4: Area of aquatic resources	Criterion 7a: Change in quantity of hydrologic integrity units in riparian ecosystems	Criterion 7b: Change in quantity of water quality integrity units in riparian ecosystems	Criterion 7c: Change in quantity of habitat integrity units in riparian ecosystems	Criterion 8a: Change in quantity of hydrologic integrity units in riparian reaches	Criterion 8b: Change in quantity of water quality integrity units in riparian reaches	Criterion 8c: Change in quantity of habitat integrity units in riparian reaches	
4	0.7	0.6	0.6	0.6	0.6	0.6	0.5	0.6	0.6	0.6	6.0
5	0.8	0.9	0.6	0.7	0.7	1.0	0.6	0.6	1.0	0.9	7.8
6	1.0	0.7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	9.7
7	1.0	1.0	1.0	1.0	1.0	1.0	0.9	1.0	1.0	0.9	9.8
9	0.9	0.5	0.2	0.2	0.1	0.0	0.2	0.3	0.1	0.3	2.8

Source: *Potential Impacts of Alternative Corridor Alignments to Waters of the United States, Riparian Ecosystems, and Threatened and Endangered Species: Mid County Parkway Project, Riverside County, California*, ERDC 2008.

Note: Criteria assessing threatened, endangered, or sensitive species habitat are not included in this tabulation.

¹ Normalized Rank Score is calculated by dividing the potential impact of each alternative corridor by the potential impact of the alternative corridor alignment with the greatest impact

Alt. = Alternative

**Table 3 Sum of Normalized Rank Scores of All 15
Criteria**

Alternative	Sum of Normalized Rank Scores
4	9.1
5	10.8
6	14.1
7	14.1
9	6.1

Source: *Potential Impacts of Alternative Corridor Alignments to Waters of the United States, Riparian Ecosystems, and Threatened and Endangered Species: Mid County Parkway Project, Riverside County, California, ERDC 2008.*

Indirect impacts were expected to change several indicators related to Land Use/Land Cover at the buffer, local drainage, and drainage basin spatial scales within the local drainage or drainage basin of a riparian reach, even if the MCP build alternative did not directly impact a riparian reach. Indirect impacts to riparian ecosystems were assessed with the direct effects, as summarized in Criteria 8a–8c in Table 2.

Additional Project Information

NEPA-Section 404 of the CWA Integrated Process MOU: The subject MOU applies to surface transportation projects in California in which an EIS project is likely to require an individual Department of Army permit, impact “special aquatic sites,” or impact greater than 5 ac of WofUS. The MOU was enacted in 1994 among seven federal and State agencies: FHWA, Federal Transit Administration (FTA), Corps, EPA, USFWS, United States National Marine Fisheries Service (NMFS), and Caltrans. (An updated MOU was enacted in 2006; however, project-level EIS activities for the MCP were initiated in 2004 under the 1994 MOU. Hence, the MCP is continuing to follow the 1994 integration procedures). The intended benefits of the NEPA-Section 404 integration process are: improved cooperation and efficiency of governmental operations at all levels, thereby better serving the public; expedited construction of necessary transportation projects, with benefits to mobility and the economy at large; enabling more transportation projects to proceed on budget and on schedule; and protection and enhancement of WofUS, which will benefit the region's aquatic ecosystems and the public interest. The signatory agencies have been actively engaged in a collaborative process to fulfill the procedural and substantive requirements of the MOU. As part of the formal process, the Corps and EPA, provided written concurrence on the NEPA purpose and need/404 basic and overall project purpose in January 2004 and concurrence on project alternatives to be evaluated in the Draft EIS in December 2007. The Executive Summary in the Draft EIR/EIS contains a detailed discussion of the NEPA-Section 404 integration process, the multi-agency Small Working Group, and general public and agency coordination. Chapter 5.0, Comments and Coordination of the Draft EIR/EIS, also provides information on public and agency coordination.

Basic and Overall Project Purpose. In January 2004, pursuant to the NEPA/Section 404 of the CWA Integrated Process MOU, the MCP purpose and need statement was approved by

the federal signatory agencies, except for the USFWS, which declined to formally participate due to its need at that time to focus on completion of the Western Riverside County MSHCP. The complete project purpose and need statement is provided in Section 1.0 (Purpose and Need for the Proposed Project) of the Draft EIR/EIS. The basic project purpose (for purpose of the Corps CWA Section 404(b)(1) evaluation) is vehicular transportation. The overall project purpose (also for the Corps 404(b)(1) evaluation) is *to provide a transportation parkway that will effectively and efficiently accommodate regional west-east movement of people and goods between and through Corona, Perris, and San Jacinto*. The objectives and goals of the MCP project include the following:

- Provide increased capacity to support the forecast travel demand for the 2035 design year;
- Provide a limited access parkway;
- Provide roadway geometrics to meet State highway design standards;
- Accommodate Surface Transportation Assistance Act (STAA) National Network trucks (these are larger trucks allowed on the federal Interstate system and non-Interstate federal-aid primary system); and
- Provide a parkway that is compatible with a future multimodal transportation system.

Description of Build Alternatives. Although the general description for each of the alternatives is similar, the descriptions differ in their juxtaposition within the study area and in the location of their connection with I-215 (all five build alternatives have the same connections with I-15 and SR-79). A summary description of the alternatives is provided below. Figure 2 shows the location of the alternatives within the MCP study area, and Figures 3–5 show typical cross sections of the parkway and arterials.

Alternative 4: South of Lake Mathews/North Perris (Drain). Alternative 4 proposes a six- to eight-lane, controlled-access parkway with six mixed-flow lanes for most of its length and up to eight mixed-flow lanes near the I-215 interchange. Alternative 4 is located south of Lake Mathews and follows a northern alignment through the city of Perris. The Alternative 4 alignment is south of existing Cajalco Road west of Lake Mathews Drive and located north of Ramona Expressway from I-215 to east of Redlands Boulevard, where it then follows the Perris Valley Storm Drain to Placentia Avenue. From that point, Alternative 4 continues easterly and parallel to Ramona Expressway to the point where it connects to SR-79.

System interchanges (interchange of traffic to or from controlled access facilities, with one or more grade separations) are proposed for all of the MCP build alternatives, including Alternative 4, at MCP/I-15, MCP/I-215, and MCP/SR-79. This alternative includes a realignment of the I-215 mainline to east of the existing location, from Placentia Avenue to just north of Strata Road, approximately 5.8 kilometers (km) (3.6 mi) in length.

Service interchanges (interchange of traffic to or from a local roadway to or from a freeway) are proposed for Alternative 4 at the following locations: (1) a location approximately 2,000 meters (m) (6,560 feet [ft]) east of Temescal Canyon Road (referred to as the Estelle Mountain interchange); (2) Lake Mathews Drive; (3) El Sobrante Road; (4) Wood Road; (5) Alexander Street; (6) Clark Street; (7) Perris Boulevard; (8) Evans Road; (9) Ramona

Expressway; (10) Bernasconi Road; (11) Reservoir Road; (12) Town Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); (13) Park Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); and (14) Warren Road.

Alternative 5: South of Lake Mathews/South Perris (at Rider Street). Alternative 5 is a six- to eight-lane, controlled-access parkway with six mixed-flow lanes for most of its length and up to eight mixed-flow lanes near the I-215 interchange. Alternative 5 is south of Lake Mathews and follows a southern alignment through the city of Perris along Rider Street. The Alternative 5 alignment is south of existing Cajalco Road, west of Lake Mathews Drive, and located south of the Ramona Expressway from I-215 to just west of Antelope Road. From that point, Alternative 5 continues easterly and parallel to Ramona Expressway to the point where it connects to SR-79.

System interchanges proposed for Alternative 5 are the same as Alternative 4, with connections at MCP/I-15, MCP/I-215, and MCP/SR-79. This alternative includes a realignment of the I-215 mainline to east of the existing location, from Placentia Avenue to Ramona Expressway, that is approximately 3,300 m or 3.3 km (10,826 ft or 2.0 mi) in length.

Service interchanges for Alternative 5 are proposed at the following locations: (1) a location approximately 2,000 m (6,560 ft) east of Temescal Canyon Road (referred to as the Estelle Mountain interchange); (2) Lake Mathews Drive; (3) El Sobrante Road; (4) Wood Road; (5) Alexander Street; (6) Clark Street; (7) Perris Boulevard; (8) Evans Road; (9) Ramona Expressway; (10) Bernasconi Road; (11) Reservoir Road; (12) Town Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); (13) Park Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); and (14) Warren Road.

Alternative 6: General Plan North and South of Lake Mathews/North Perris (Drain). Alternative 6 involves the 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. Alternative 6 is the same as Alternative 4 (described above) east of El Sobrante Road and is located north of Ramona Expressway from I-215 to east of Perris Boulevard. West of El Sobrante Road to I-15, the MCP project includes a four-lane urban arterial north of Lake Mathews and a four-lane, controlled-access expressway south of Lake Mathews. The proposed arterial street improvements north and south of Lake Mathews are consistent with the Riverside County General Plan Circulation Element. The facility south of Lake Mathews would be a controlled-access expressway that ties into the same system interchange configuration at I-15 as the other Build Alternatives.

System interchanges are proposed for all of the MCP build alternatives, including Alternative 6, at MCP/I-15, MCP/I-215, and MCP/SR-79.

Service interchanges for Alternative 6 are at the same locations as for Alternative 4, even though the location of the MCP alignment south of Lake Mathews is somewhat different than Alternative 4. These interchanges include: (1) Estelle Mountain; (2) Lake Mathews Drive;

(3) El Sobrante Road; (4) Wood Road; (5) Alexander Street; (6) Clark Street; (7) Perris Boulevard; (8) Evans Road; (9) Ramona Expressway; (10) Bernasconi Road; (11) Reservoir Road; (12) Town Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); (13) Park Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); and (14) Warren Road.

Alternative 7: General Plan North and South of Lake Mathews/South Perris (at Rider Street). Alternative 7 involves the 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. Alternative 7 is the same as Alternative 5 (described above) east of El Sobrante Road and follows a southerly alignment through Perris. West of El Sobrante Road to I-15, the Riverside County General Plan includes a four-lane urban arterial north of Lake Mathews and a four-lane, controlled-access expressway south of Lake Mathews. The proposed arterial street improvements north and south of Lake Mathews are consistent with the Riverside County General Plan Circulation Element and are the same as described above for Alternative 6. The facility south of Lake Mathews would be a controlled-access expressway that ties into the same system interchange configuration at I-15 as the other Build Alternatives.

System interchanges are proposed for all of the MCP build alternatives, including Alternative 7, at MCP/I-15, MCP/I-215, and MCP/SR-79.

Service interchanges for Alternative 7 are at the same locations as for Alternative 5, even though the location of the MCP alignment south of Lake Mathews is somewhat different than Alternative 5. These interchanges include: (1) Estelle Mountain; (2) Lake Mathews Drive; (3) El Sobrante Road; (4) Wood Road; (5) Alexander Street; (6) Clark Street; (7) Perris Boulevard; (8) Evans Road; (9) Ramona Expressway; (10) Bernasconi Road; (11) Reservoir Road; (12) Town Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); (13) Park Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); and (14) Warren Road.

Alternative 9: Far South/Placentia Avenue. Alternative 9 is a four- to six-lane, controlled-access parkway south of both Lake Mathews and Mead Valley, a six- to eight-lane, controlled-access parkway between Old Elsinore Road and I-215, and a six- to eight-lane, controlled-access parkway between I-215 and SR-79, where it parallels existing Placentia Avenue and Ramona Expressway. Alternative 9 is approximately 3.2 km (2.0 mi) south of Cajalco Road for much of its length but shares the same connection to I-15 as Alternatives 4 and 5.

System interchanges are proposed for all the MCP build alternatives, including Alternative 9, at MCP/I-15, MCP/I-215, and MCP/SR-79. System interchanges at I-15 and SR-79 are the same as proposed for Alternatives 4, 5, 6, and 7. The proposed I-215 system interchange differs from the other MCP Build Alternatives, as it connects the MCP project to I-215 approximately 45 m (150 ft) south of Placentia Avenue. This alternative also includes a realignment of the I-215 mainline to east of the existing location, from south of Orange Avenue

to just north of Rider Street, that is approximately 3,000 m or 3.0 km (9,842 ft or 1.8 mi) in length.

Service interchanges for Alternative 9 are proposed: (1) at a location approximately 2,000 m (6,560 ft) east of Temescal Canyon Road (referenced as the Estelle Mountain interchange); (2) Lake Mathews Drive; (3) Old Elsinore Road; (4) Perris Boulevard; (5) Evans Road; (6) Ramona Expressway; (7) Bernasconi Road; (8) Reservoir Road; (9) Town Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); (10) Park Center Boulevard (new arterial proposed to be added to the Riverside County General Plan Circulation Element in 2008); and (11) Warren Road.

Design Variations. The Temescal Wash Area and San Jacinto North design variations apply to all of the MCP Build Alternatives. The Rider Street and Placentia Avenue/Perris Boulevard Elevated Grade design variations only apply to Alternative 9.

Temescal Wash Area (TWS) Design Variation

This is a design variation for the MCP/I-15 interchange that partially removes access to I-15 from El Cerrito Road. In this variation, the I-15/El Cerrito Road interchange southbound on-ramp and northbound off-ramp would be closed. A collector-distributor road system is provided from Weirick Road to Cajalco Road with modifications to the existing Weirick Road, El Cerrito Road, and Ontario Avenue interchanges and the proposed Cajalco Road interchange. A collector-distributor road system would provide an intermediate road or segment that collects and feeds traffic between the MCP and local streets.

San Jacinto North (SJM) Design Variation

The SJN Design Variation extends from 1.32 km (0.82 mi) west of Warren Road east to SR-79. It follows an alignment approximately 347.4 m (1,140 ft) north of the existing Ramona Expressway. This segment also extends approximately 1.48 km (0.92 mi) north of the Ramona Expressway along SR-79 and approximately 1.06 km (0.67 mi) south of the Ramona Expressway along SR-79.

Rider Street Design Variation

The Rider Street Design Variation begins approximately 125 m (410 ft) east of Haines Street (west of I-215) and terminates about 87 m (291 ft) west of Dawson Street (east of I-215). This design variation also includes the MCP/I-215 interchange similar to Alternatives 5 and 7, with it extending along I-215 north and south of Rider Street.

Placentia Avenue/Perris Boulevard Elevated Grade Design Variation (PP-E)

The Placentia Avenue/Perris Boulevard Elevated Grade (PP-E) Design Variation follows Placentia Avenue at a point approximately 272 m (895 ft) west of Patterson Avenue (west of I-215) and extends east to 87 m (291 ft) west of Dawson Street (east of I-215). This segment includes an MCP/I-215 interchange, extending along I-215, approximately 1,570 m (5,150 ft) north and 1,870 m (6,100 ft) south of Placentia Avenue. For this design variation, the road is elevated above grade approximately 8 m (26 ft) from Barrett Avenue to Wilson Avenue.

Description of No Action Alternatives: Two No Project/No Action Alternatives were described in the November 2004 NOI. Alternative 1 was represented by projected 2035 traffic on the planned street network with the exception of Cajalco Road and the Ramona Expressway, which would remain as they exist today. Alternative 8 was described as full implementation of the Riverside County General Plan Circulation Element street network, including the planned improvements to Cajalco Road and the Ramona Expressway. Both of these alternatives are considered No Action Alternatives for RCTC, FHWA, and Caltrans, as they reflect conditions that would occur without the MCP project. Therefore, to clarify the status of these alternatives as No Action Alternatives, they were renumbered as Alternatives 1A and 1B and titled “No Action/No Project—Existing Conditions” and “No Action/No Project—General Plan Circulation Element Conditions,” respectively, and are described as follows:

- **Alternative 1A (Originally Alternative 1): No Project/No Action—Existing Conditions.** Alternative 1A is the CEQA No Project Alternative comparing the MCP project to existing conditions (“plan to ground” comparison) and 2035 traffic on the planned street network except for Cajalco Road and Ramona Expressway, which would remain as they exist today.
- **Alternative 1B (Originally Alternative 8): No Project/No Action—General Plan Circulation Element Conditions.** Alternative 1B is the NEPA No Action Alternative, including foreseeable future actions and 2035 traffic on the planned street network according to the Circulation Element of the Riverside County General Plan.

In addition, a specific 404 No Action Alternative was developed as part of the Section 404(b)(1) alternatives analysis. The 404 No Action Alternative identifies which measures are needed (e.g., bridges) to fully avoid dredge or fill within waters of the U.S. so that a Section 404 permit would not be required for the MCP project. This analysis of the 404 No Action Alternative is included in the draft 404(b)(1) alternatives analysis and is appended to the Draft EIR/EIS.

Regional Transportation Plan. An MCP build alternative would be consistent with local and regional transportation planning, as briefly summarized below:

Riverside County General Plan. A Community Environmental and Transportation Acceptability Process (CETAP) corridor has been identified in the Riverside County General Plan Circulation Element since 2003. The Circulation Element defines the countywide circulation system to serve existing and adopted future land uses and ensures coordinated transportation system development among local jurisdictions. The Riverside County General Plan was updated in 2003 as part of an integrated planning effort known as the Riverside County Integrated Project (RCIP), which combined land use planning (resulting in adoption of the updated General Plan), habitat conservation planning (resulting in approval of the Western Riverside County MSHCP), and transportation planning (which resulted in the identification of four priority CETAP transportation corridors). The MCP project serves as the east-west intracounty CETAP corridor.

Regional Transportation plan (RTP) – Southern California Association of Governments (SCAG). A CETAP corridor has been included in the SCAG RTP since 2000. An

RTP is developed in accordance with established federal requirements and policies. The RTP is the basic policy and program framework for long-term investment in the transportation system. The RTP process seeks to maximize mobility and accessibility, ensure safety and reliability, and improve the balance between region-wide land uses and the current and future transportation system.

If necessary, the local and regional transportation plans would be updated to reflect the selected alternative.

Other Resource Impacts and Project Costs: Table 4 summarizes the impacts of the MCP build alternatives on other important environmental resource categories and project costs.

Table 4 Other Resource Impacts and Project Costs

Alternative	Direct Impacts to Existing Habitat Reserves¹	Section 4(f) Properties Impacted²	Agricultural Lands (in acres)	Cultural & Historic Resources³	Residential & Business Displacements⁴	Project Cost (in millions)
4	449	5	967	2	643	\$3,640
5	449	5	915	2	573	\$3,390
6	546	5	1,052	2	669	\$3,760
7	546	5	1,001	2	599	\$3,510
9	194	5	822	1	478	\$3,190

¹ Number of acres impacted within existing habitat reserves.

² Number of 4(f) properties affected by permanent acquisition of property. 4(f) properties are defined by the Department of Transportation as publicly owned land of a public park, recreation areas, wildlife and waterfowl refuge, or land of an historic site of national, State, or local significance, regardless of ownership.

³ Numbers reflect the number of Native American sacred sites impacted.

⁴ Numbers reflect total properties to be acquired.

Additional information concerning the impacts of the proposed project is in the Draft EIR/EIS, which is available on the Internet at www.midcountyparkway.org. Table S.1 in the Executive Summary of the Draft EIR/EIS provides a comparison of the impacts that would result from each of the alternatives.

Related Regional Conservation Planning Efforts. Through the RCIP process completed in 2004, the western Riverside County MSHCP was approved. The western Riverside County MSHCP is a regional Natural Communities Conservation Plan and Habitat Conservation Plan (NCCP/HCP) to enhance and maintain biological diversity and ecosystem processes while allowing for future development and economic growth. The MSHCP provides a programmatic method for mitigating the direct, indirect, and cumulative adverse effects of covered activities (General Plan land use and circulation projects, including the MCP as the west-east, intra-county

CETAP corridor) to 146 special-interest species and their associated habitats in western Riverside County. The MSHCP plan area encompasses approximately 5,090 km² (1,966 mi²) and includes all unincorporated Riverside County land west of the crest of the San Jacinto Mountains to the Orange County line, as well as the jurisdictional areas of the cities of Temecula, Murrieta, Lake Elsinore, Canyon Lake, Norco, Corona, Riverside, Moreno Valley, Banning, Beaumont, Calimesa, Perris, Hemet, and San Jacinto. Ultimately, the MSHCP Reserve will contain approximately 200,000 hectares (ha) (500,000 ac) assembled from federal and state lands, local public lands, and private sector lands.

The MSHCP Reserve will be assembled through a combination of the following methods:

- Conservation of existing public lands
- Local acquisition of private lands
- Federal and state acquisition of private lands
- Private and public development contributions
- Regional infrastructure

The MSHCP's strategy for assembly of the additional 61,900 ha (153,000 ac) needed to create the envisioned 200,000 ha (500,000 ac) MSHCP Reserve takes a balanced approach. It allocates responsibility for assembling the MSHCP Reserve equitably among the County of Riverside, the 14 cities in western Riverside County, RCTC, Caltrans, and other private and public entities engaged in construction activities that impact covered species. The implementation strategy relies heavily on incentives to encourage private property owners to conserve lands through the land use entitlement process. Where incentives are not sufficient, conservation will require the purchase of properties from willing sellers.

Over 8,000 ha (20,000 ac) of privately owned land is within MSHCP criteria area within the MCP study area. All or portions of this criteria area may be acquired through purchase or other means for the MSHCP Reserve. The analysis of cumulative effects of the MCP project considers the ability of the MCP project to induce and/or redirect growth in the study area compared to the current adopted General Plan recommendations for the study area, with consideration given to the anticipated commitment to significant areas of natural open space for the purpose of habitat conservation.

The San Jacinto River Watershed Special Area Management Plan (SAMP) process is being carried out jointly as a SAMP/Master Streambed Alteration Agreement (MSAA), with the Corps and California Department of Fish and Game (CDFG) as the lead agencies under NEPA and CEQA, respectively. The purpose of the SAMP is to develop and implement a watershed-wide aquatic resource management plan and implementation program, which could include preservation, enhancement, and restoration of aquatic resources, while allowing reasonable and responsible economic development within the study area. The SAMP is being closely coordinated with the Regional Conservation Authority, the County of Riverside, RWQCB, USFWS, and EPA. A draft joint EIR/EIS for the proposed SAMP/MSAA will eventually be circulated for public review and comment. The process is anticipated to result a streamlined

Section 404 permitting process, including an Aquatic Resources Conservation Program, among other documents and products.

Proposed Mitigation. No specific compensatory mitigation sites are proposed by the applicant at this time. However, the applicant intends to provide compensatory mitigation to offset the unavoidable impacts of the proposed project on WofUS, including wetlands, with the goal of no net loss of wetlands functional values (e.g., habitat, hydrology, and water quality integrity). A general approach with performance standards has been established (see Appendix Q, Conceptual Mitigation Plan of the Draft EIR/EIS), with additional implementation level details of the compensatory mitigation strategy to be developed once a preferred alternative has been selected. Mitigation will be applied to both temporarily and permanently impacted WofUS.

An important consideration in the development, implementation, and long-range success of the aquatic resources mitigation is appropriate site selection to ensure that created, restored, and/or enhanced wetlands and riparian ecosystems are self-sustaining and capable of functioning in perpetuity. To accomplish this, performance standards, site maintenance, and monitoring criteria must be established and properly implemented. In general, the mitigation sites shall possess or have the potential for appropriate habitat connectivity, maintain sufficient hydrology, and exhibit suitable soils that will adequately support wetland species. A complete listing of mitigation measures for impacts to all environmental topics is provided in Chapter 3 and Appendix F (Environmental Commitments Record) of the Draft EIR/EIS.

Proposed Special Conditions

No special conditions are proposed at this time.

Subsequent Public Notice

The aforementioned MOU (re: NEPA, Section 404 of the CWA) sets forth procedures for an integrated process to ensure that both the procedural aspects of the NEPA are met and the substantive requirements of the CWA are fulfilled. Accordingly, the MOU provides for multiple checkpoints during the environmental evaluation process to obtain concurrence from the Corps, EPA, and the USFWS (and NOAA Fisheries if anadromous fish are affected) as a prerequisite for moving forward to the next step. Since the FHWA has not identified a federally preferred alternative, this PN summarizes the range of alternatives that are being considered in the Draft EIR/EIS, but is unable to disclose the final proposed activity for which a Corps 404 permit decision will be rendered. Consequently, this PN will be followed by a second PN commensurate with the circulation of the Final EIR/EIS. The subsequent PN will solicit public comments on the federally preferred alternative/preliminary LEDPA that is selected through the NEPA-404 MOU process and in accordance with 40 CFR 1502.14(e). Public comments received on the subsequent PN will be used by the Corps to determine the need for an additional public hearing and to determine the overall public interest of the proposed activity.

For additional information please contact Susan A. Meyer of my staff at (808) 438-2137. This public notice is issued by the Chief, Regulatory Division.

Citations

Environmental Laboratory. 1987. "Corps of Engineers Wetlands Delineation Manual," Technical Report Y-87-1. U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS.

Smith, R. D. 2008. Potential Impacts of Alternative Corridor Alignments to Waters of the United States, Riparian Ecosystems, and Threatened and Endangered Species: Mid County Parkway Project, Riverside County, California. U.S. Army Engineer Research and Development Center, Waterways Experiment Station, Vicksburg, MS.

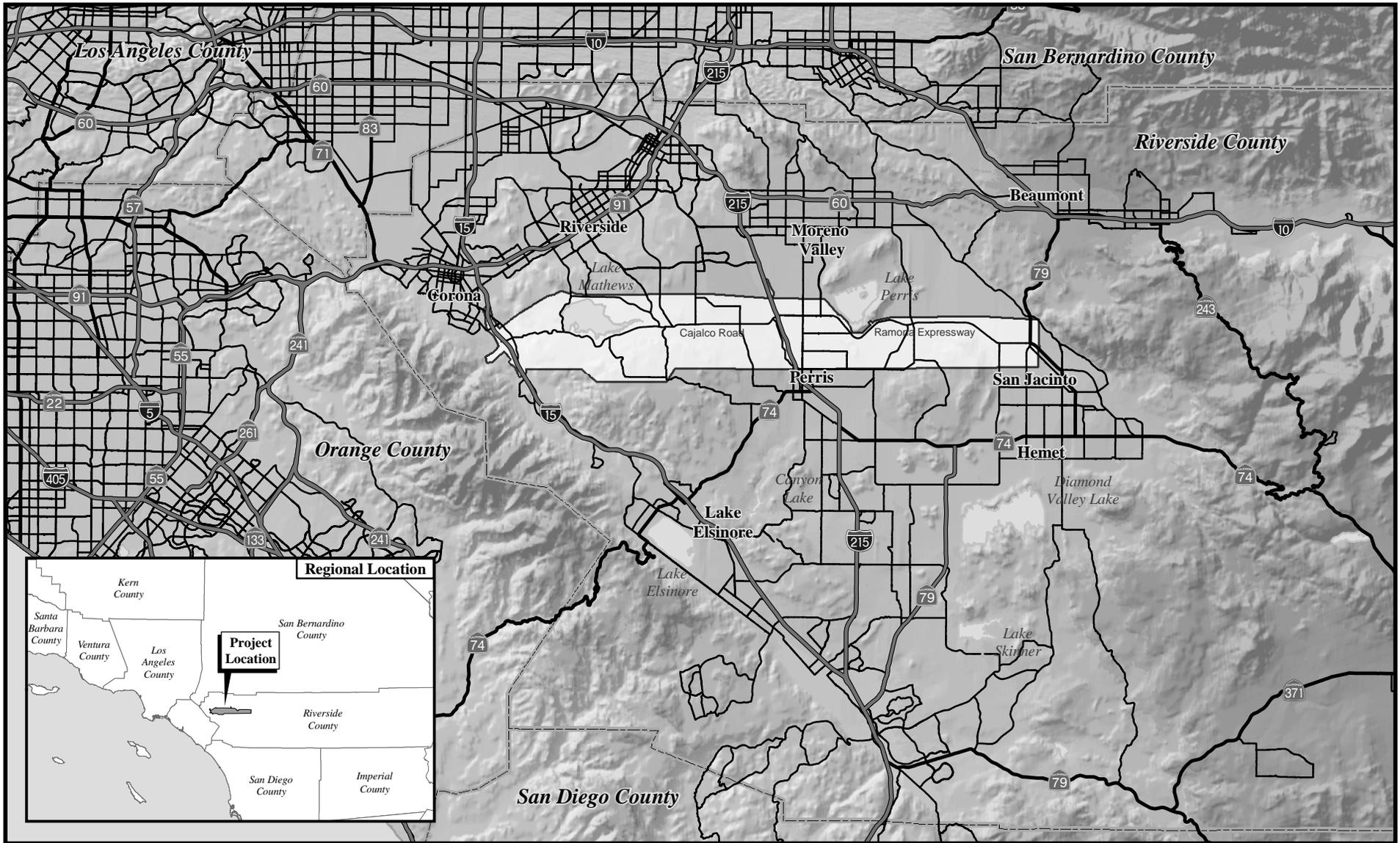
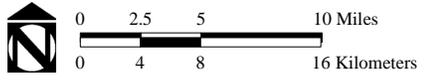


Figure 1

Legend
 [] Mid County Parkway Study Area

SOURCE: ESRI (2006); TBM (2006), Jacobs Engineering (2/07)



Regional Location

KP 0.0/51.0 (PM 0.0/31.7) EA 08-0F3200



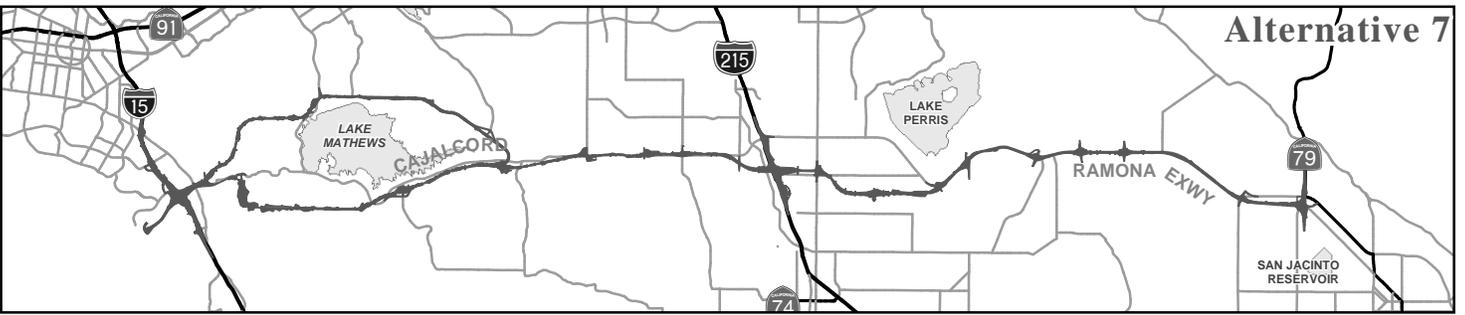
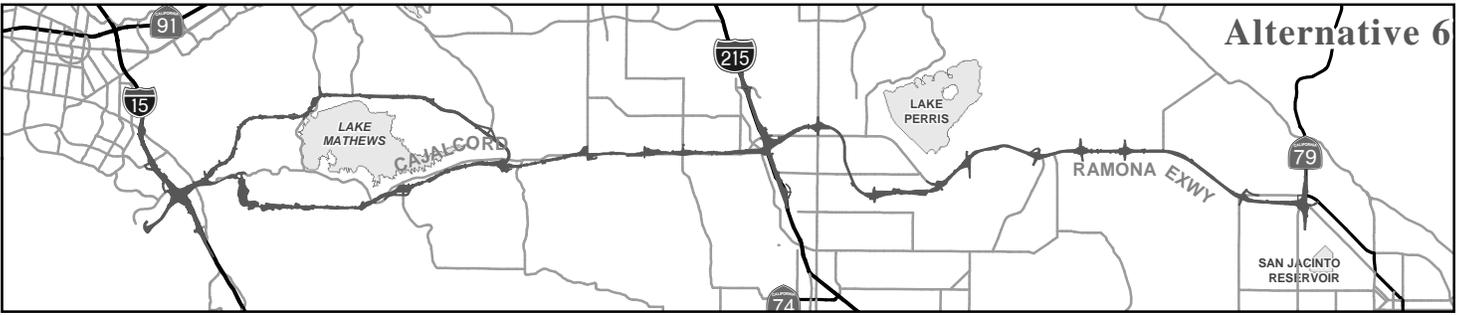
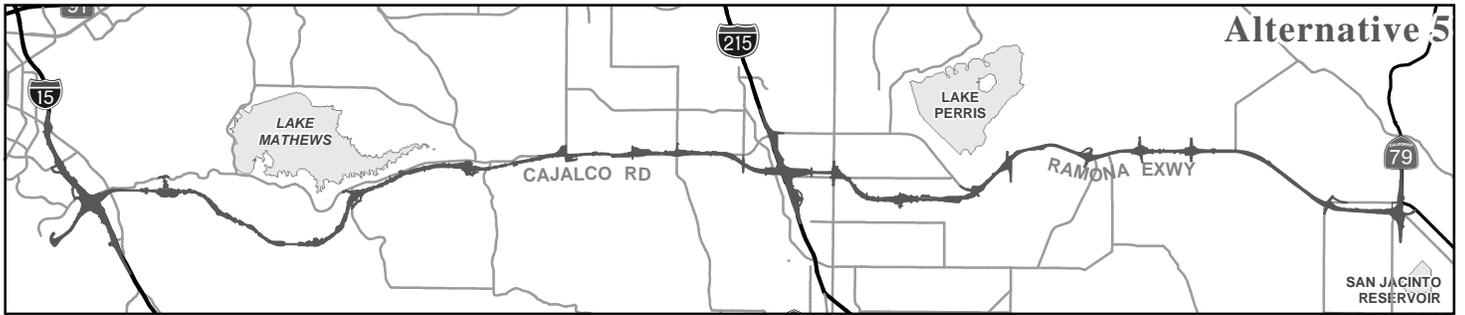
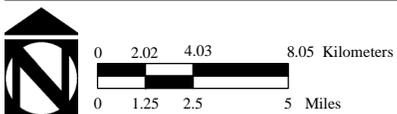


FIGURE 2

SOURCE: TBM (2006), Jacobs Engineering (02/2007).



Alternatives 4,5,6,7 and 9

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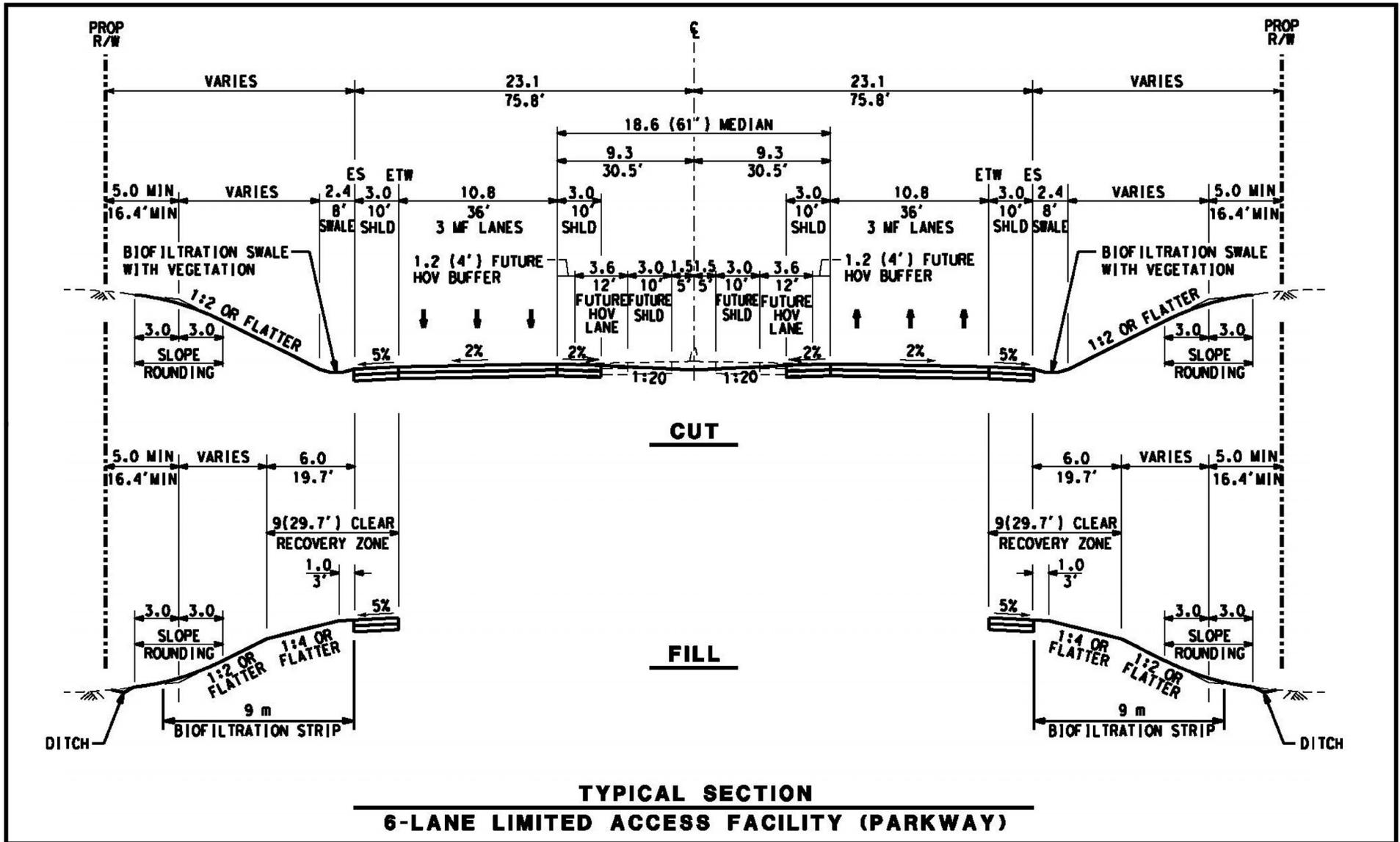


Figure 3



SOURCE: Jacobs Engineering (2007)

Typical Cross Sections: General Plan Roadways in Alternatives 6 and 7

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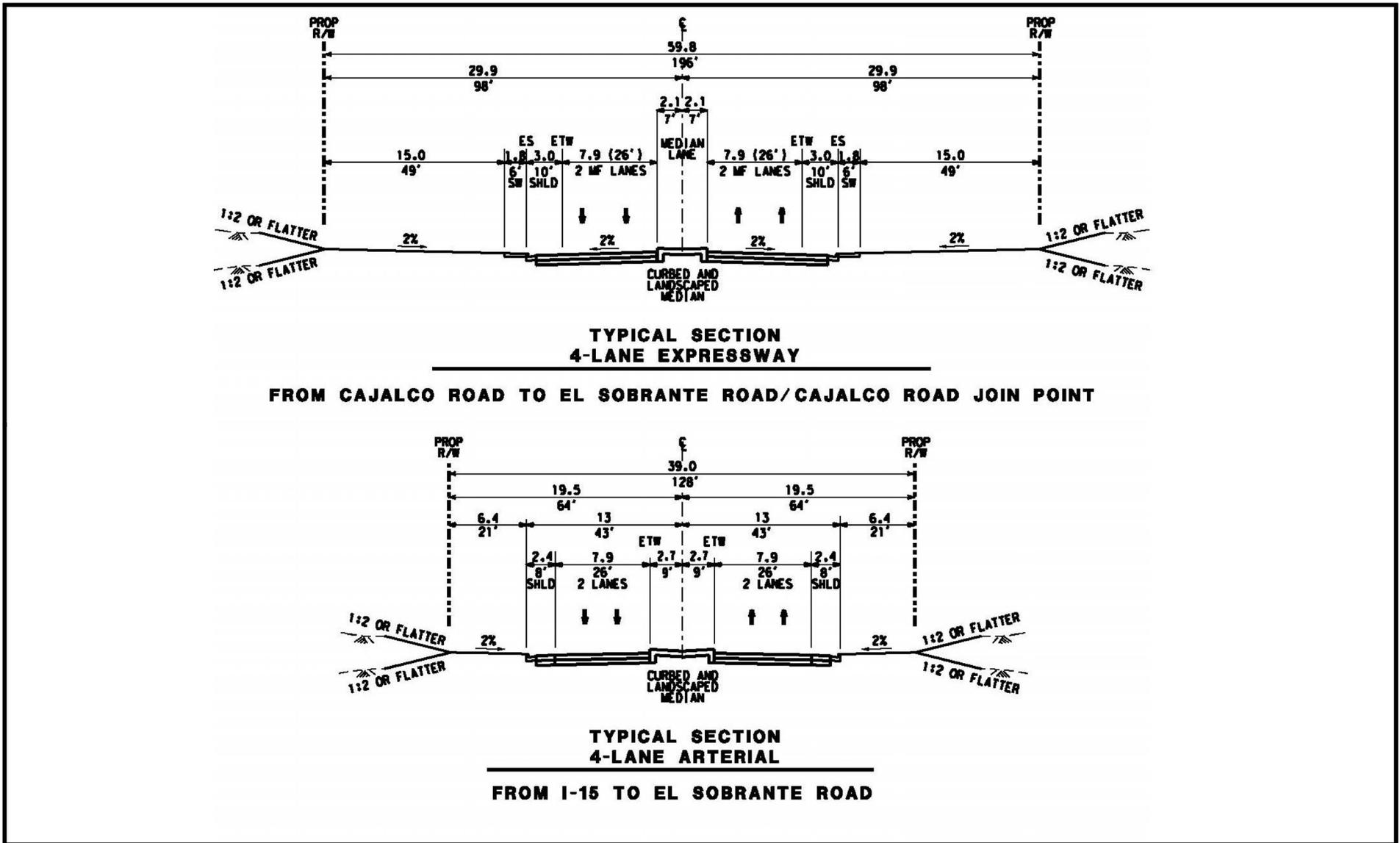
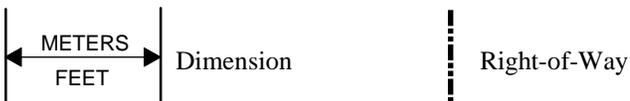


Figure 4



SOURCE: Jacobs Engineering (2007)

Typical Cross Sections: General Plan

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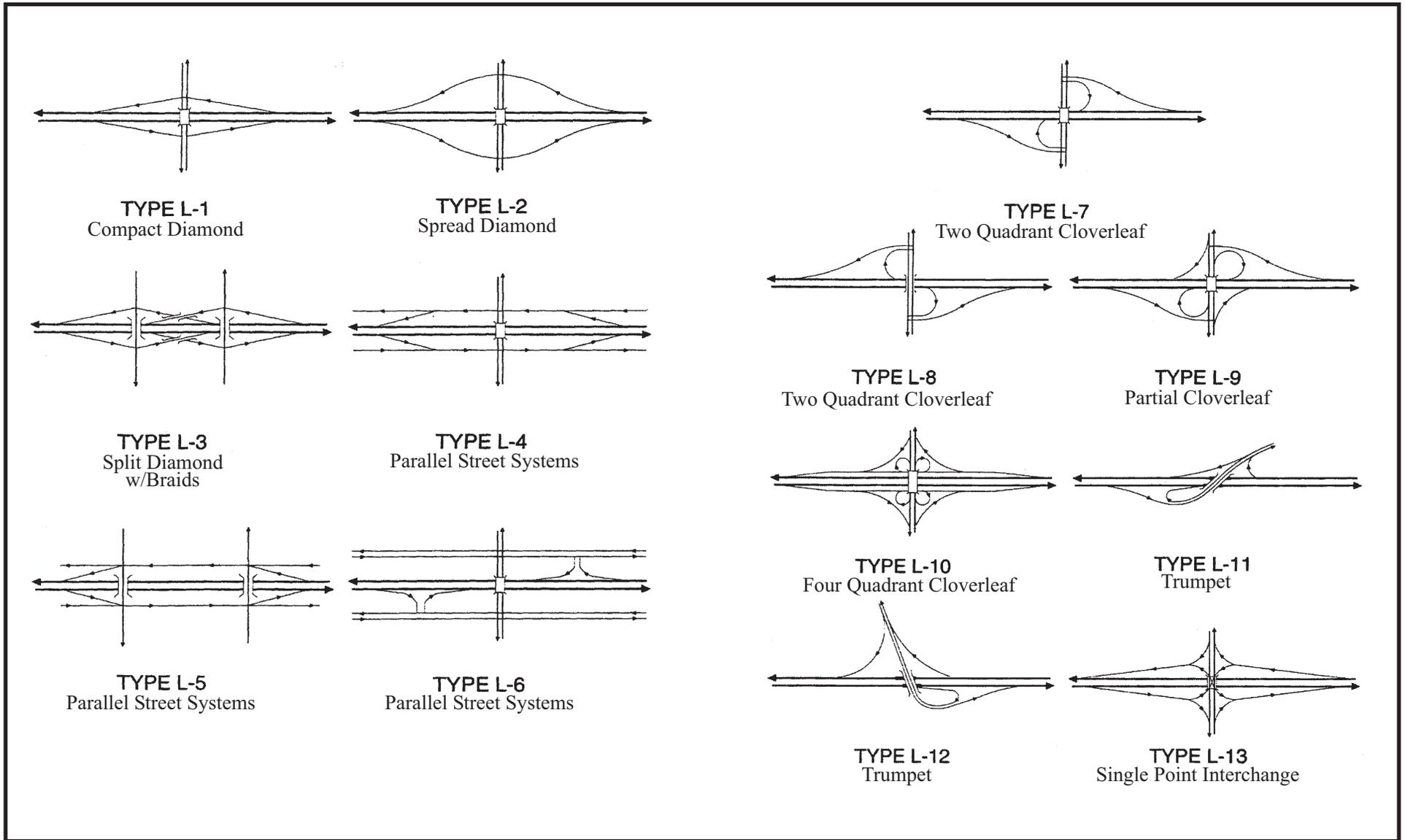


Figure 5



SOURCE: Caltrans Highway Design Manual (November, 2001)

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Typical Local Street Interchanges

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