



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

June 23, 2004

Maiser Khaled  
Federal Highway Administration  
California Division  
650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814

Subject: Preliminary Agreement on Criteria for Alternatives Selection and Range of Alternatives for the State Route 79 Realignment Project, Riverside County, California.

Dear Mr. Khaled:

This responds to your request for Preliminary Agreement on the Criteria for Alternatives Selection for the State Route (SR) 79 Project that was submitted on April 28, 2004. 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 Criteria for Alternatives Selection as described in the revised document dated June 22, 2004, entitled, Final Project Criteria and Alternatives Selection for Preliminary Agreement, State Route 79 Project. The document explains the methodology for identifying, classifying, and screening potential alternatives. It describes how alternative road segments were evaluated and screened according to whether they could satisfy the project purpose, and whether they were considered feasible, reasonable, and would not be subject to regulatory constraints that might be prohibitive.

The document states that the alternative road segments preferred by the cities of San Jacinto and Hemet, which are represented in Figure L3, the Central Alignment Alternative, will not be screened at this time, and will be carried forward into the Draft Environmental Impact Statement (DEIS). Similarly, both segments between decision points 9 and 11 on Figure L2 will be evaluated in the DEIS. These alternatives could have been eliminated because of regulatory constraints associated with their proximity to sensitive aquatic resources as identified in the Multi-Species Habitat Conservation Plan (MSHCP), and under Section 404 of the Clean Water Act. EPA has alerted Federal Highway Administration (FHWA) that these alternatives pose foreseeable conflicts with the Section 404 (b)(1) Guidelines.

The next step in the NEPA/404 Integration Process is to identify the specific alternatives that will be evaluated in the DEIS. FHWA has committed that segments traversing through study areas A, B, and C (shown on Figures K and L1-L4) will be aligned to minimize impacts to

**RECEIVED**

JUN 25 2004  
Printed on Recycled Paper

**BY FHWA**


natural resources or urban communities as much as feasible, pending the information that will be forthcoming from technical studies. To maximize the effectiveness of these studies, EPA requests that the involved regulatory and resource agencies have the opportunity to review and comment on the scope of the proposed technical studies. In this way we hope to ensure that the information in the DEIS is sufficient to identify the least environmentally damaging practicable alternative pursuant to the Section 404 (b)(1) guidelines, and determine how the preferred alternative will satisfy the requirements of the MSHCP.

Following the completion of the technical studies and the identification of the alternatives that will be evaluated in the DEIS, FHWA will request our final concurrence on the Criteria for Alternatives Selection and Range of Alternatives, as outlined in Appendix A of the NEPA/404 MOU.

We appreciate the opportunity to have early involvement in the development of this project. If you have any questions, please feel free to contact Mary Butterwick in the Water Division at (415) 972-3481, [butterwick.mary@epa.gov](mailto:butterwick.mary@epa.gov), or Liz Varnhagen of my staff at (415) 972-3845, [varnhagen.liz@epa.gov](mailto:varnhagen.liz@epa.gov).

Sincerely,



 Lisa B. Hanf, Manager  
Federal Activities Office

cc: Stephanie Hall, Corps of Engineers, Los Angeles  
Sally Brown, U.S. Fish and Wildlife Service, Carlsbad  
Mark Adelson, California Regional Water Quality Control Board, Santa Ana Region  
Scott Dawson, California Department of Fish and Game, Chino Hills  
Bill Hughes, Riverside County Transportation Commission, Riverside  
Marie Petrie, Caltrans District 8, San Bernardino