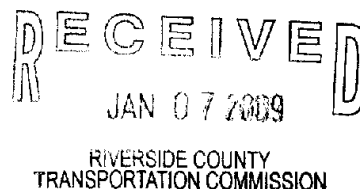


January 5, 2009



VIA OVERNIGHT EXPRESS

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



Mr. Tay Dam
Federal Highway Administration
650 Capitol Mall, Suite 4-100
Sacramento, California 95814-4708

Re: Comments on Draft Environmental Impact Report/Environmental Impact Statement for Mid-County Parkway

Dear Ms. Bechtel and Mr. Dam:

We represent Coudures Family Limited Partnership, a California limited partnership ("Owner"), which is the owner of the real property located in the City of Perris, California, bounded by Placentia Avenue on the north, Indian Avenue and East Frontage Road on the west, Nuevo Road on the south, and Bartlett Avenue and Perris Boulevard on the east (hereinafter referred to as the "Harvest Landing Property"). On behalf of Owner, we are submitting these comments to the Draft Environmental Impact Report/Environmental Impact Statement for Mid County Parkway (hereinafter, the "DEIR").

For the last four years, we have been working with the City of Perris to process an application for approval of a specific plan, under which the Harvest Landing Property will be developed with a variety of residential, commercial, and recreational uses. On January 14, 2006, the City issued a notice of its intent to prepare an Environmental Impact Report for the Harvest Landing Specific Plan. The Riverside County Transportation Commission ("RCTC") and California Department of Transportation ("CalTrans") were sent copies of that notice. The draft Environmental Impact Report was made available for public comment from February 1, 2008, to March 16, 2008. Notice of the availability of the draft Environmental Impact Report was mailed

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to the RCTC and CalTrans on January 30, 2008. We expect a final Environmental Impact Report to be presented to the City's Planning Commission in early 2009.

We are writing to provide our comments on the DEIR.

The DEIR is deficient in several respects, including without limitation its failure to consider the impacts of the Mid County Parkway ("MCP") on the future residents, employees, guests, and others at the Harvest Landing Property. It is unclear from the DEIR what assumptions the lead agencies ("Agencies") have made about future land use at the Harvest Landing Property, and it appears from some sections that the Agencies have made incorrect assumptions about the future land use. In section 3.15, regarding noise impacts, it appears from Table 3.15.G that the Agencies have assumed that zero residences will benefit from the sound wall labeled PPD2. Yet sound wall PPD2 is proposed immediately adjacent to the portion of the Harvest Landing Property located east of Indian Avenue and south of Placentia Avenue, which is designated residential under the Harvest Landing Specific Plan. Additionally, in Figure 3.25.1, the Agencies recognize applications submitted for commercial and residential development at the Harvest Landing Property, but the future uses depicted in the figure are not consistent with the Harvest Landing Specific Plan. Most notably, the Agencies depict the northern portion of the Harvest Landing Property (which is bounded by Placentia Avenue on the north, Indian Avenue on the west, Orange Avenue on the south, and Barrett Avenue on the east) as proposed for future commercial development. In fact, the Harvest Landing Specific Plan designates that portion as residential. Thus, the assumptions contained in the DEIR relating to the land use and potential traffic, air, noise, and other impacts on the future residents, employees, and others at the Harvest Landing Property appear to be incorrect.

Additionally, the Agencies give inadequate or no consideration to traffic, air quality, and noise impacts to the Harvest Landing Property, based on their generalized and unsupported assertion that the MCP will not generate any additional growth or traffic.

The foundation for many of the Agencies' findings regarding traffic and air quality is the conclusion that the MCP will not induce future growth, and will not affect the type, location, or rate of future growth. That conclusion is not supported by any substantial evidence, but instead, is based only on the Agencies' generalized observations of past development patterns in the area. The Agencies fail to acknowledge that area development to date is most concentrated near existing major transportation corridors (I-15 and I-215), and they ignore the impact that the MCP will have on development in what are currently more remote, sparsely developed areas along the proposed MCP corridor. Building a major transportation corridor into remote and sparsely developed areas inherently removes barriers and promotes development in those areas. The Agencies should acknowledge this reality, and conduct a proper, meaningful analysis of growth inducing impacts.

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The inadequate evaluation of growth inducing impacts ripples through the evaluation of traffic, air, and noise issues. The agencies appear to conclude that the MCP will not result in any greater traffic, based on their unsupported conclusion that the MCP will not result in any change in the type, location, or rate of development. Moreover, the Agencies have failed to meaningfully evaluate the MCP's impacts on local surface street intersections. Irrespective of whether the MCP will create more traffic overall, it will concentrate traffic at intersections that will be located near on- and off-ramps. Yet the traffic data in the DEIR are not presented in a manner that enables the public to figure out how the MCP will impact traffic at local intersections. In our area, for example, Tables 3.6C and 3.6D look at current and future conditions without the MCP at the Nuevo on- and off-ramps, the Placentia on- and off-ramps, and the intersections of Nuevo and I-215 ramps, Placentia and I-215 ramps, and Placentia and East Frontage Road. But future traffic conditions with the MCP are not provided for any of these ramps or intersections. (See, for example, Table 3.6J.) As a result, the DEIR provides no data with which to make a clear, before-and-after comparison of traffic on local streets, intersections, and ramps. Thus, we see no support for the Agencies' conclusion that "the MCP Build Alternatives will not cause a substantial increase in traffic in relation to the existing and projected traffic load and capacity of the street system."

The DEIR provides no specific details for future bicycle or pedestrian crossings at the MCP. Thus, the Agencies have failed to adequately evaluate the impact of the MCP on future bicycle and pedestrian use.

The Agencies provide no analysis, nor any meaningful discussion of construction impacts on local traffic. There is no mention of what streets and ramps will be closed or for how long, nor any discussion of the delays that will result from the closures. The only proposed mitigation measure for construction impacts, TR-2, is vague and provides no specific, demonstrable, or verifiable mitigation.

The Agencies' evaluation of cumulative traffic impacts is also flawed, because it relies entirely on the traffic estimates for the 2035 design year, without providing any of the information or discussion required of a cumulative impacts analysis.

The Agencies' discussion of air quality impacts is flawed, given its reliance on the assumption that the MCP will not result in any increased traffic. The support, if any exists, for the Agencies' conclusion that the MCP will not result in increased air emissions is not apparent, and that conclusion appears to be undermined by the data in Tables 3.14E and 3.14G, which indicate higher $PM_{2.5}$ and PM_{10} emissions under Alternative 9 than under the No Build alternative. The Agencies do not appear to have calculated emissions directly and indirectly attributable to the MCP, and they have not compared any such emissions to standard significance thresholds published by the South Coast Air Quality Management District ("SCAQMD"). Thus,

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it does not appear that the Agencies evaluated or reached any determination about the MCP's impact on short term or long term criteria air pollutant emissions.

The Agencies do not provide any analysis or conclusions regarding health impacts from DPM or other toxic air contaminants attributable to construction. All that is provided is a generalized recognition that such impacts may occur. Nor do the Agencies consider or propose to adopt any mitigation measures to mitigate the impacts of DPM or other toxic air contaminants on nearby residents or others.

The Agencies' evaluation of cumulative air quality impacts is flawed, because it relies entirely on the traffic estimates for the 2035 design year, without providing any of the information or discussion required of a cumulative impacts analysis.

The Agencies also fail to adequately address noise impacts. The DEIR contains no discussion of the MCP's noise impacts on the Harvest Landing Property. It appears the Agencies have assumed that no residences will occupy the Harvest Landing Property. Table 3.15.G asserts that zero residences will be benefitted from the sound wall labeled PPD2. As discussed above, that fails to consider the future residential development within the Harvest Landing Specific Plan. The DEIR identifies a sound wall labeled RD-1 in the vicinity of the Harvest Landing Property, but it is unclear whether the Agencies consider RD-1 to be feasible, and if not, on what bases.

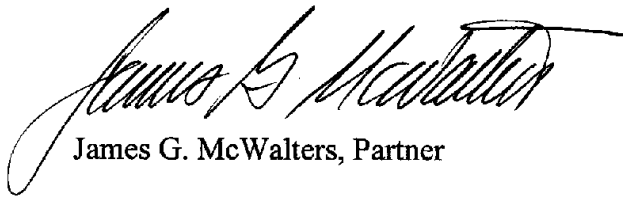
Finally, the Agencies have organized the DEIR such that their evaluation of topics is fragmented, confusing, and in some respects misleading. Although the Agencies discuss each topic in a main section (e.g., section 3.14 for air quality) substantive discussion, analysis, and conclusions are broken off and separated from those main sections. As just one example, air quality issues are addressed primarily in section 3.14, but certain air quality issues are also split off and discussed in sections 4.2.1.1, 4.2.2.2, and 4.2.3.2. Moreover, some of the fragmented sections provide substantive analysis not provided in the main section, and in some cases that substantive analysis appears to contradict the discussion provided in the main section. For example, in section 3.14.3.1, the Agencies devote 10 pages to their apparent conclusion that they cannot meaningfully assess the impact of toxic air contaminants, including diesel particulate matter ("DPM"). (See, pp. 3.14-17 to 3.14-26.) Yet in section 4.2.2.2, the Agencies discuss a health risk assessment performed to estimate the risks attributable to DPM. Throughout section 4.2, the Agencies have similarly fragmented the discussion of other topics, including geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, transportation and traffic, utilities and service systems, agricultural resources, biological resources, population and housing, recreation, paleontological resources, land use and planning, public services, and climate change/global warming. By splitting up the discussion of topics in this manner, the Agencies have presented the discussion and evaluation of these topics in a

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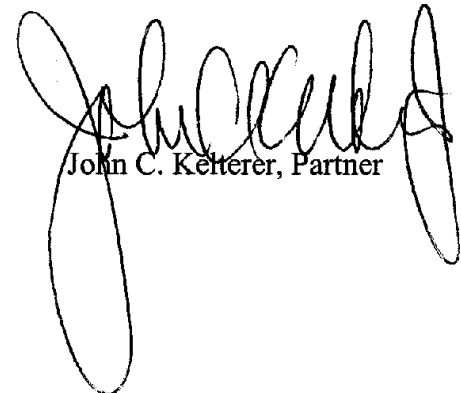
confusing manner that undermines the DEIR's usefulness to decision makers and the public. The Agencies should consolidate their discussion of all issues for each topic.

Accordingly, the Agencies should re-evaluate the MCP's impacts as discussed above, revise the DEIR to address the inadequacies discussed above, and recirculate the revised DEIR for further public review and comment. Please include this letter the administrative record of proceedings for this project. Also, please add this office to your list of interested parties for this project, and please provide us with any and all further notices for the project.

Very truly yours,



James G. McWalters, Partner



John C. Ketterer, Partner