Section 4(f) *de minimis* Determination
for the Yellow Creek Bridge Replacement Project

Section 4(f) *de minimis* Determination

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) amended Section 4(f) legislation at 23 United States Code (USC) 138 and 49 USC 303 to simplify the processing and approval of projects that have only *de minimis* impacts on lands protected by Section 4(f). This revision provides that once the U.S. Department of Transportation (USDOT) determines that a transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a *de minimis* impact on that property, an analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete. The Federal Highway Administration's (FHWA) final rule on Section 4(f) *de minimis* findings is codified in 23 Code of Federal Regulations (CFR) 774.3 and CFR 774.17.

Responsibility for compliance with Section 4(f) has been assigned to Caltrans pursuant to 23 USC 326 and 327, including determinations and approval of Section 4(f) evaluations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

Description of Preferred Alternative

The preferred alternative includes replacement of the Yellow Creek Bridge along the North Fork of the Feather River in Plumas County, extending from PM 14.3 to PM 15.2 on State Route (SR) 70. The primary purpose and need for the proposed project is to provide a reliable highway crossing that meets modern highway design standards and accommodates interregional transportation needs.

The California Department of Transportation (Caltrans) is proposing to remove the existing Yellow Creek Bridge (Bridge No. 09-0008) on SR 70 and construct a new, single-span bridge on the same alignment as the existing bridge (Figures 3 and 4). The proposed single-span bridge structure will measure 48-feet-wide by 204-feet 6-inches in length, which would provide a 12-foot-wide lane in each direction, with an eight-foot-wide left shoulder and 12-foot 6-inch-wide right shoulder. The proposed bridge structure will consist of a cast-in-place, pre-stressed, concrete box girder superstructure on reinforced concrete seat-type abutments supported by 24-inch diameter cast-in-drilled-hole (CIDH) concrete piles. Two retaining walls will be constructed parallel to the Feather River to support the southern edge of roadway directly before and after the bridge. The wall leading up to the bridge is 152 feet long and has a maximum height of 10-feet; the wall after the bridge is 80 feet long with a maximum height of 14-feet. Rock slope protection (RSP), excavated to a depth of up to 10 feet, will be placed along the banks of Yellow Creek in front of the existing retaining walls located in front of and below the new abutments, RSP will also be placed in front of the new retaining walls that parallel the Feather River.

The bridge will include Type 80 concrete bridge barrier rail that will extend to the ends of the retaining walls, with metal pedestrian railing attached to the top of the bridge barrier rail. The concrete bridge barrier rail will be modified with architectural texture to mimic the existing Douglas fir wood bridge rails. Metal beam guard railing will connect to the ends of the bridge barrier rail. Approximately 150-feet of roadway on both ends of the bridge will be reconstructed and widened to conform the new bridge to the existing roadway, with the grade of the bridge

raised 1 foot. Scuppers along the bottom of the bridge barrier rail will be used to remove drainage from the bridge deck. Three existing culverts will be replaced and the existing ditches will be regraded. A new down drain will be constructed west of the bridge. The PG&E Safety Roadside Rest Area parking lot will be repaved. Vegetation clearing, tree removal, and tree trimming will occur, with the intent to retain mature trees where it is possible to construct around them. The utilities in the existing bridge will be moved to the new bridge, and buried utility vaults will be relocated.

Construction staging areas include the PG&E Safety Roadside Rest Area parking lot and the wide pull-out areas on both sides of SR 70 at PM 14.3. Temporary construction access roads will be built parallel to the Feather River and along the west bank of Yellow Creek. A temporary gravel work pad will be constructed on the west bank of Yellow Creek. Two temporary bridge trestles will be constructed, one upstream and one downstream of Yellow Creek Bridge. Falsework will be used to support the new bridge during construction. Clear water diversions will be used to isolate RSP construction from stream flow. Parking for trail users (i.e. Pacific Crest Trail, Indian Springs Trail, and Yellow Creek Trail) will be temporarily relocated across Belden Bridge, on PG&E-owned land.

List and Description of Section 4(f) Resources with *de minimis* Findings

De minimis impacts on publicly-owned parks, recreation areas, and wildlife and waterfowl refuges are defined as those that do not adversely affect the activities, features, and attributes of the 4(f) resource. *De minimis* impacts on historic sites are defined as the determination of either "no adverse effect" or "no historic properties affected" in compliance with Section 106 regulations.

Implementation of the preferred alternative would result in *de minimis* findings for five resources in the project vicinity, listed below:

Indian Springs Trail (FS No. 05-11-56-137)

The Indian Springs Trail is a historic period resource consisting of a gold rush mule trail. The recorded segment of this trail displays several attributes consistent with a 19th century to early 20th century pack trail, and is eligible to the National Register of Historic Places (NRHP). The Indian Springs Trail is on public land, administered by the U.S. Forest Service, and is also included in this *de minimis* determination as a recreational resource.

Pacific Crest Trail (FS No. 05-11-56-202)

The Pacific Crest Trail segment in the project vicinity is a historic period resource consisting of a gold rush mule trail, and is also a portion of the larger Pacific Crest Trail system. The recorded segment of this trail displays several attributes consistent with a 19th century to early 20th century pack trail, such as dry-laid stacked-stone retaining walls, and is eligible to the NRHP. The Pacific Crest Trail is on public land, administered by the U.S. Forest Service, and is also included in this *de minimis* determination as a recreational resource.

Yellow Creek Trail/Pack Trail (FS No. 05-11-56-399)

The Yellow Creek Trail/Pack Trail is a historic period resource consisting of a gold rush mule trail. The trail is depicted on the US-GLO map of 1939; however, its use predates the map. The recorded segment of this trail displays several attributes consistent with a 19th century to early 20th century pack trail, and is eligible to the NRHP. The Yellow Creek Trail is on public land,

administered by the U.S. Forest Service, and is also included in this *de minimis* determination as a recreational resource.

Feather River Highway Historic District (CA-PLU-970H)
The Feather River Highway Historic District (FRHHD) was determined eligible to the NRHP at the State and Local level of significance through consensus determination on April 16, 1987. As part of State Route 70, the FRHHD traverses the North Fork of the Feather River Canyon. Built between March 1928 and August 1937, the FRHHD is approximately 48 miles long and lies between Jarbo Gap in Butte County (PM 35.37) and the town of Keddie in Plumas County (PM 36.0). The highway was constructed under the direction of the California Department of Highways using a combination of state and convict labor and WPA crews.

The FRHHD is eligible to the NRHP at the State and Local level of significance under Criterion A for its association with the state's efforts to construct an all-weather highway between Oroville and Quincy through extremely rugged terrain and around pre-existing hydroelectric facilities and transmission lines and the former Western Pacific Railroad main line. It is also eligible under Criterion C as a significant example of highway engineering and for its architecture. Its Period of Significance is that of its construction, 1927-1937. The FRHHD is also listed in the California Register of Historical Resources and in the Master list of Historical Resources.

Yellow Creek Bridge (Bridge No. 09-0008)
The Yellow Creek Bridge (Bridge No. 09-0008) is a two-lane steel-stringer structure with four spans, supported on reinforced concrete piers, footings, abutments, and retaining walls. The bridge was constructed in 1934 and was subjected to repairs to the western approaches and piers in 1939. It was originally built by E.T. Lesure with repairs being made by Campbell Construction Company. The bridge was constructed as part of the Feather River Highway System and served as a link for an important highway system. Though eligible as a contributor to the NRHP-eligible FRHHD, the Yellow Creek Bridge lacks sufficient significance to be eligible as an individual property.

Description of Use of Section 4(f) Resources with *de minimis* Findings
Use of a 4(f) resource occurs when (1) the property is acquired for a transportation project, (2), there is an occupancy of land that is adverse to the preservationist purpose of 4(f), or (3), there are proximity impacts that substantially impair the purpose of the land.

While the Pacific Crest Trail, Indian Springs Trail, and the Yellow Creek Trail will remain open to pedestrian and equestrian use during construction, the Safety Roadside Rest Area facilities and parking will be used as a staging area, and will not be available to trail users and/or motorists during construction activities. Parking for the trails will be temporarily relocated to the southeast of the Belden Bridge, on land owned by PG&E. Traffic control in place on the bridge during construction will allow for safe pedestrian passage. Use of the Indian Springs Trail, Pacific Crest Trail, and Yellow Creek Trail/Pack Trail is considered to be *de minimis* because the use is temporary in nature, and will not adversely affect the activities, features, and attributes of the resource.

In accordance with FHWA guidance, use of the FRHHD would occur based on the fact that the Yellow Creek Bridge, a contributing element to the FRHHD, would be removed and replaced with a new bridge. However, as Section 106 consultation resulted in a Finding of No Adverse Effect, impacts to the FRHHD are considered to be *de minimis*.

In accordance with FHWA guidance, use of the Yellow Creek Bridge would occur based on the fact that the Yellow Creek Bridge, a contributing element to the FRHHD, would be removed and replaced with a new bridge. However, as Section 106 consultation resulted in a Finding of No Adverse Effect, impacts to the Yellow Creek Bridge are considered to be *de minimis*.

Public Notice Process

As stated above, Section 4(f) is a federal process and must comply with National Environmental Policy Act (NEPA) requirements. The appropriate NEPA approval for this project is a Categorical Exclusion, which does not require public circulation. Typically, for projects that do not require public circulation, a public notice and opportunity for review and comment would be needed; however, for historic properties the Section 106 consultation process fulfills this requirement and nothing additional is needed. In accordance with Section 4(f) requirements, the SHPO Section 106 consultation has been completed for this project.

In addition, as the Indian Springs Trail, Pacific Crest Trail, and Yellow Creek Trail/Pack Trail are considered to be recreational resources, a Notice of Availability of *de minimis* Determination will be posted in the local newspaper, online, and at the project site. Following public circulation of the *de minimis* Determination, the U.S. Forest Service will be contacted and written concurrence requested.

Avoidance and Minimization Measures

To avoid impacts to Section 4(f) resources in the project vicinity, the project will include implementation of the following measures:

- Construction documents will include specifications related to environmentally sensitive area requirements, including Caltrans preparation of an Environmentally Sensitive Area (ESA) Action Plan. The ESA Action Plan will include placement of ESA fencing to protect area trails from construction activities. ESA fencing will most likely be placed along the edge of the PG&E Safety Roadside Rest Area parking area and along the edge of the project area. The trails will remain accessible.
- To offset the temporary loss of trails parking at the PG&E Safety Roadside Rest Area, project design includes temporary parking facilities for recreation users located to the east of Belden, on PG&E-owned property.
- Signs will be placed in both directions of State Route 70 informing motorists of the PG&E Safety Roadside Rest Area closure, starting one week prior to construction. Trail users will be notified of the PG&E Safety Roadside Rest Area closure via appropriate USFS and Pacific Crest Trail websites, as well as signs located in the project vicinity.
- Traffic control methods during project construction will be outlined in a Traffic Management Plan. Project design includes use of the One Way Reversing Traffic Control method, including signals and a push button for pedestrians.