

# WALDO ROAD OVER DRY CREEK BRIDGE REPLACEMENT PROJECT

## SECTION 4(f) DE MINIMIS FINDING

Yuba County, California

03-YUB-Local

Federal Project Number: BRLO-5916(092)



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## BACKGROUND

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 United States Code (USC) 303, declares that “it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.”

Section 4(f) specifies that the Secretary [of Transportation] may approve a transportation program or project . . . requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- there is no prudent and feasible alternative to using that land; and
- the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the involved offices of the Department of Agriculture and the Department of Housing and Urban Development in developing transportation projects and programs that use lands protected by Section 4(f). If historic sites are involved, then coordination with the State Historic Preservation Officer is also needed.

Section 6009(a) of SAFETEA-LU amended Section 4(f) legislation at 23 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. FHWA’s 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 the Department 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.

## PROJECT DESCRIPTION

### *Build Alternative*

Yuba County (County) is proposing to implement the Waldo Road over Dry Creek Bridge Replacement Project (Project), which would build a new bridge to carry Waldo Road over Dry Creek, approximately 100 feet upstream from the existing bridge (Bridge No. 16C0006). The Project is located in rural Yuba County, roughly 14 miles northeast of Wheatland (**Figure 1. Project Vicinity** and **Figure 2. Project Location**). Waldo Road is a generally north/south road and the bridge crosses Dry Creek on a generally north/south alignment. Waldo Road and connecting roads Spenceville Road and Camp Far West Road, are all lightly traveled routes passing through rolling Sierra foothills terrain. The bridge is located within the Spenceville Wildlife Area, a 11,900-acre wildlife preserve and public outdoor recreation area administered by the California Department of Fish and Wildlife (CDFW).

The existing bridge is currently classified as structurally deficient, with a sufficiency rating of 9.3. A new bridge is necessary to meet current design and safety standards which can safely convey vehicles, including emergency response vehicles, and pedestrians across Dry Creek. The replacement bridge will meet current applicable County, America Association of State Highway and Transportation Officials, and Caltrans design standards.

The proposed new bridge is a continuous three-span, post-tensioned concrete box girder bridge (**Figure 3. Project Features**). The spans are 72 feet, 96 feet, and 72 feet respectively. It will have two, twelve-foot travel lanes and two, four-foot shoulders and provide a clear width between barrier rails of 34 feet. A vehicular railing will be attached to the edge of deck of the new structure. The piers supporting the intermediate spans will be two, four-foot diameter columns pinned at their bases with end spans supported by seat type abutments with wingwalls protected by rock slope protection. Abutments 1 and 4 (the end supports) will be founded on spread footing foundations, both embedded and doweled into intact rock at each support.

The new bridge will require a realignment of the roadway, which will correct the existing substandard curves on roadway approaches to the bridge. The vertical profile of the new bridge will be raised slightly to provide sufficient water conveyance beneath the bridge during flood events. This will also require a slight rise in the approach roadway elevation, which will gradually decrease until the realigned roadway conforms to the existing roadway elevations.

Once the new bridge has been constructed, the existing bridge would be demolished. Preservation and maintenance of the bridge is not possible due to the presence of hazardous lead paint throughout the structure, the non-standard design components, substandard curves, unprotected pedestrian access, and on-going timber and steel maintenance issues.

Acquisition of permanent right-of-way or roadway easement will be required for this Project. Since the proposed alignment is shifting the new bridge to the east along with new approach alignments, Yuba County will no longer need a portion of the existing right-of-way along the existing alignment, which can be given to CDFW for use in the Spenceville Wildlife Area. Determination of whether the new bridge and roadway alignment will require right-of-way acquisition or a roadway easement will be determined through coordination of CDFW and the County during final design of the Project.

### ***No Build Alternative***

Under the No Build alternative, the existing bridge would not be rehabilitated or replaced. The existing bridge would continue to be classified as structurally deficient. This would result in continued deterioration of the bridge which would likely result in an adverse effect/significant impact under both Section 106 of the National Historic Preservation Act and the California Environmental Quality Act (CEQA). Further, the bridge would continue to have hazardous lead paint and fail to meet current applicable County, America Association of State Highway and Transportation Officials, and Caltrans design standards.

### ***Project Purpose***

The purpose of the Project is to replace the structurally deficient bridge in order to:

- Enhance safety by providing a crossing sufficient for both pedestrian and vehicular use, including emergency vehicles;
- Provide a transportation facility consistent with County and Caltrans Standards, as well as local and regional plans; and
- Remove an environmentally hazardous structure with lead paint.

***Project Need***

The existing bridge is currently classified as structurally deficient, with a sufficiency rating of 9.3. A new bridge is necessary to meet current design and safety standards which can safely convey vehicles, including emergency response vehicles, and pedestrians across Dry Creek. Full replacement of the bridge is needed because the current structures do not meet structural design standards, which include substandard curves on both bridge roadway approaches and insufficient width to safely provide crossing by both vehicular and pedestrian users.

**LIST AND DESCRIPTION OF SECTION 4(f) PROPERTIES**

**Parks, Recreation Areas, and Refuges**

Qualifying Section 4(f) resources within the Project area include the Spenceville Wildlife Area. The entirety of the Project area is within the Spenceville Wildlife Area (**Figure 4. Section 4(f) Resources**). Table 1 summarizes the potential impacts from the Project on Section 4(f) resources in the Project area.

**Table 1: Park/Recreation Resources in the Project area**

<b>Resource Name</b>	<b>Qualifies as Section 4(f)?</b>	<b>Previous Mitigations</b>	<b>Impact from Proposed Project</b>
Spenceville Wildlife Area	Yes	No	ROW Easement or ROW Acquisition

The Spenceville Wildlife Area is considered a 4(f) resource as it is publicly owned, open to the public, and its major purpose is for recreational activity. Recreational activities that occur within the project vicinity include fishing, wildlife viewing, hiking, dog training, equestrian trail riding, bicycling, seasonal camping, and hunting. CDFW has jurisdiction over the Spenceville Wildlife Area. The anticipated use of this resource is discussed in this document.

**Historic Sites**

The Project will impact two cultural sites, the Waldo Road Bridge (Caltrans Bridge No. 16C-0006) and archaeological site CA-YUB-1924/H / P-58-003066. The Waldo Road Bridge was previously determined to be eligible for listing on the National Register of Historic Places (NRHP) and is therefore considered a historic property, as defined under Section 106 of the National Historic Preservation Act (NHPA). The bridge is also listed on the California Register of Historical Resources (CRHR). Caltrans consulted with the State Historic Preservation Office (SHPO) regarding the anticipated adverse effects to the bridge, due to its proposed demolition. The SHPO concurred that the demolition constitutes an adverse effect under Section 106 of the NHPA. Caltrans is continuing consultation with the SHPO regarding proposed mitigation. Due to the adverse effect, a Programmatic 4(f) is currently being prepared to evaluate potential impacts as a Section 4(f) resource. This Section 4(f) resource is not further discussed in this memorandum.

The Project will also impact CA-YUB-1924/H / P-58-003066, an archaeological site that has components of both a historic townsite and an indigenous use area. It was determined through the Section 106 NHPA process that while the overall site may be considered eligible for listing on the NRHP, the portion of the site that would be impacted by the Project has minimal value for preservation in place; therefore, it is not considered a Section 4(f) resource.

## IMPACTS ON SECTION 4(f) PROPERTIES

### Parks, Recreation Areas, and Refuges

#### No Build Alternative

No construction would be associated with the No Build Alternative. Therefore, no direct impact to the Waldo Road Bridge would result from the Project. The current bridge is a significant hazard to emergency response time and access if the proposed bridge is not constructed. Due to this potential the No Build Alternative could result in potentially significant impacts to recreational access within the Spenceville Wildlife Area.

#### Build Alternative

The Spenceville Wildlife Area is a Section 4(f) resource that encompasses 11,900 acres total. The County currently owns right-of-way for the roadway and existing bridge through the Spenceville Wildlife Area. After the Project demolishes the existing bridge and constructs the new bridge, the County may relinquish approximately 0.97 acres of the existing right-of-way to CDFW, should CDFW wish to obtain this additional acreage. The County will coordinate with CDFW to obtain a new easement for approximately 1.4 acres to accommodate for the new Waldo Road Bridge and realigned Waldo Road (permanent use), which accounts for less than 0.1 percent of the entire Spenceville Wildlife Refuge Area. The total impacted acreage would be lower should the County and CDFW agree that approximately 0.97 acres of County right-of-way be relinquished to CDFW.

Currently, Waldo Road Bridge and Waldo Road provide access for pedestrians, recreationalists, and traffic over Dry Creek within the Spenceville Wildlife Area. The existing Waldo Road and bridge will remain open to traffic during the construction; therefore, access will not be restricted. Upon completion of Project activities, the new bridge and realigned road will be functionally equivalent to pre-Project conditions. Additionally, according to CDFW, there are equestrian trails which traverse the Project area. Public access to these trails would remain open throughout construction and would not be altered as part of the Project. For these reasons, there will be no adverse impacts to the activities, features, and attributes available to recreationalists within the Spenceville Wildlife Area as a result of the proposed Project. Accordingly, the proposed Project will be a de minimis impact on the publicly owned Spenceville Wildlife Area.

**Table 2** presents the list of resources and Section 4(f) use by the Build Alternative.

**Table 2: List of Resources and Section 4(f) use by Build Alternative**

Resource	Build Alternative	Coordination
Spenceville Wildlife Area	Easement or ROW acquisition of approximately 1.4-acre area (less than 0.1 percent of total acreage).	CDFW

### COORDINATION

The land within the Spenceville Wildlife Area is managed by CDFW. Therefore, coordination with CDFW is required on the findings of this Section 4(f) resource. Caltrans, on behalf of Federal Highway Administration, is proposing a de minimis determination under Section 4(f) for impacts to the Spenceville Wildlife Area. Impacts to Section 4(f) resources will be considered de minimis given that neither construction activity nor the obtaining an easement would temporarily or permanently adversely affect the activities, features, or attributes qualifying the Spenceville Wildlife Area for protection under Section 4(f). On [insert date here after circulation of the CEQA document], CDFW

concluded that the Project would not adversely affect the features, attributes or activities qualifying the Spenceville Wildlife Area for Section 4(f) protection as and concluded that the Project would result in a de minimis impact. The concurrence letters are provided under **Attachment B: Records and Correspondence**.

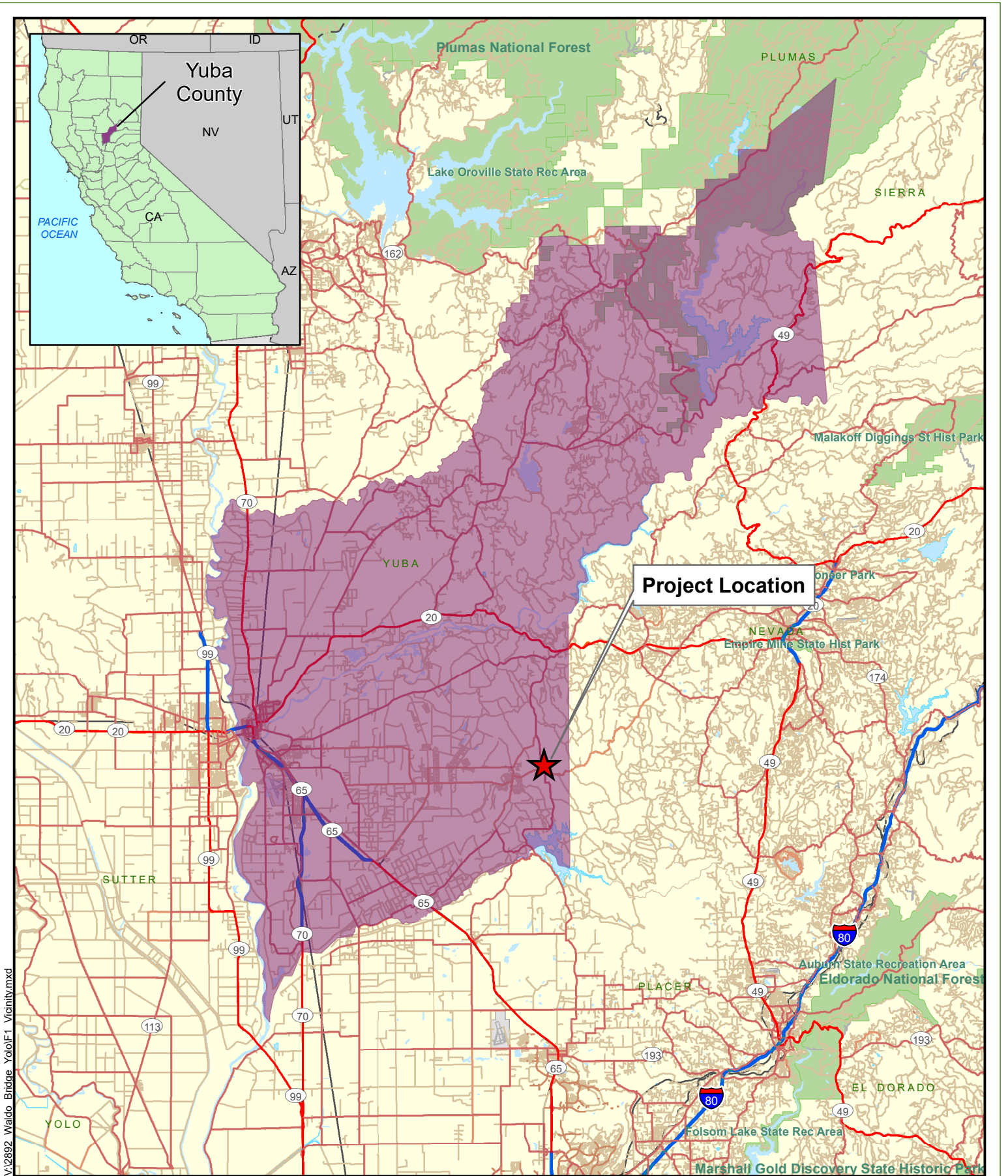
## **SECTION 4(F) DE MINIMIS DETERMINATION**

Section 6009(a) of SAFETEA-LU amended Section 4(f) legislation at 23 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 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. FHWA's final rule on Section 4(f) de minimis findings is codified in 23 CFR 774.3 and CFR 774.17.

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It is anticipated all impacts to the Spenceville Wildlife Area as a Section 4(f) property will be *de minimis*.

## **Attachment A: Project Figures**



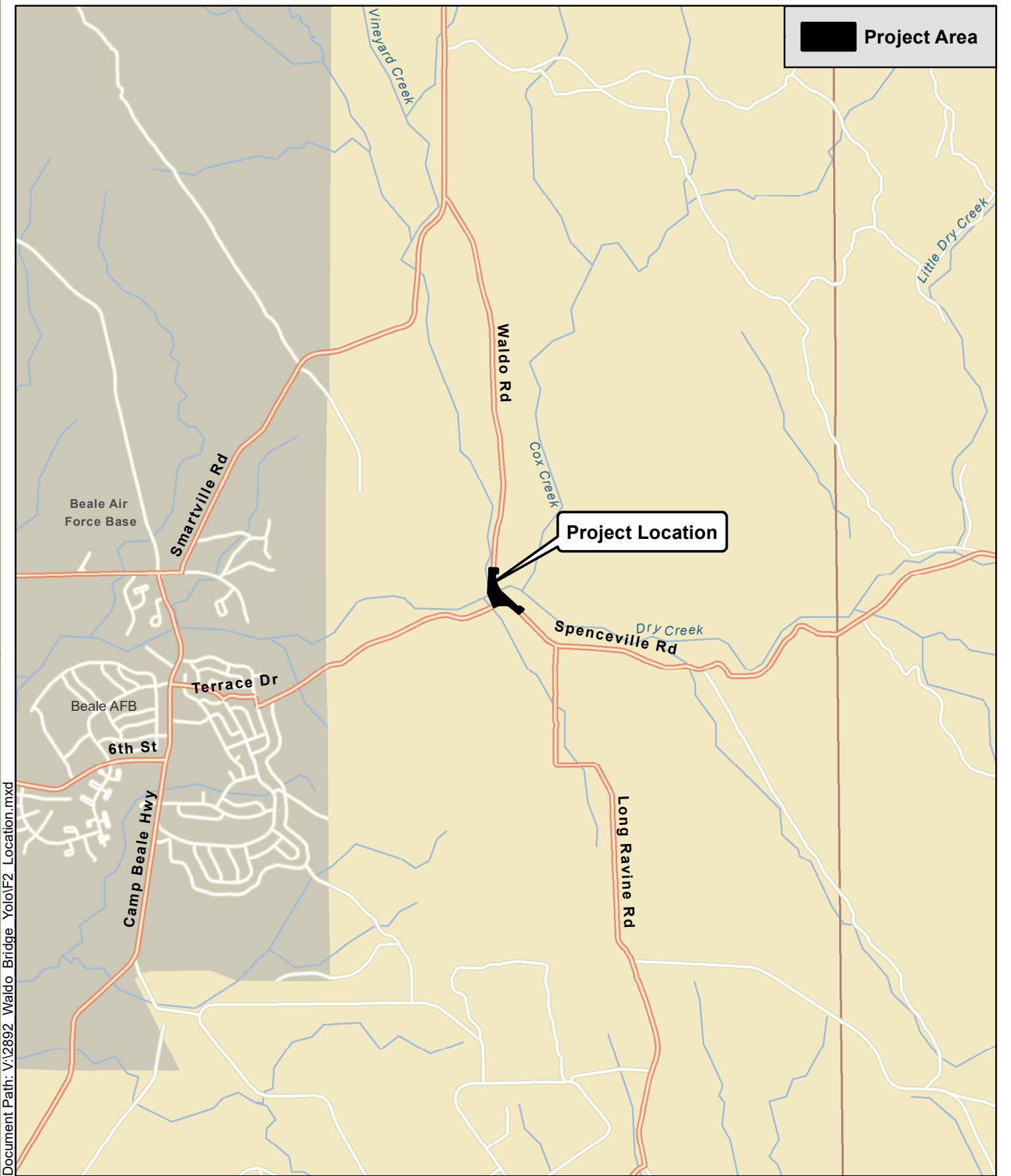
V:\2892\_Waldo\_Bridge\_Yolo\F1\_Vicinity.mxd

Source: ESRI 2008; Dokken Engineering 6/28/2022; Created By: amyd



0 5 10 15 Miles

**Figure 1**  
**Project Vicinity**  
 Waldo Road Bridge over Dry Creek Replacement Project  
 BRLO-5916(092)  
 Yuba County California

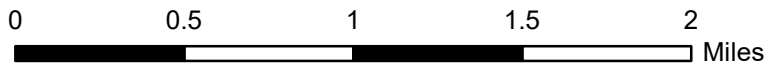


 Project Area

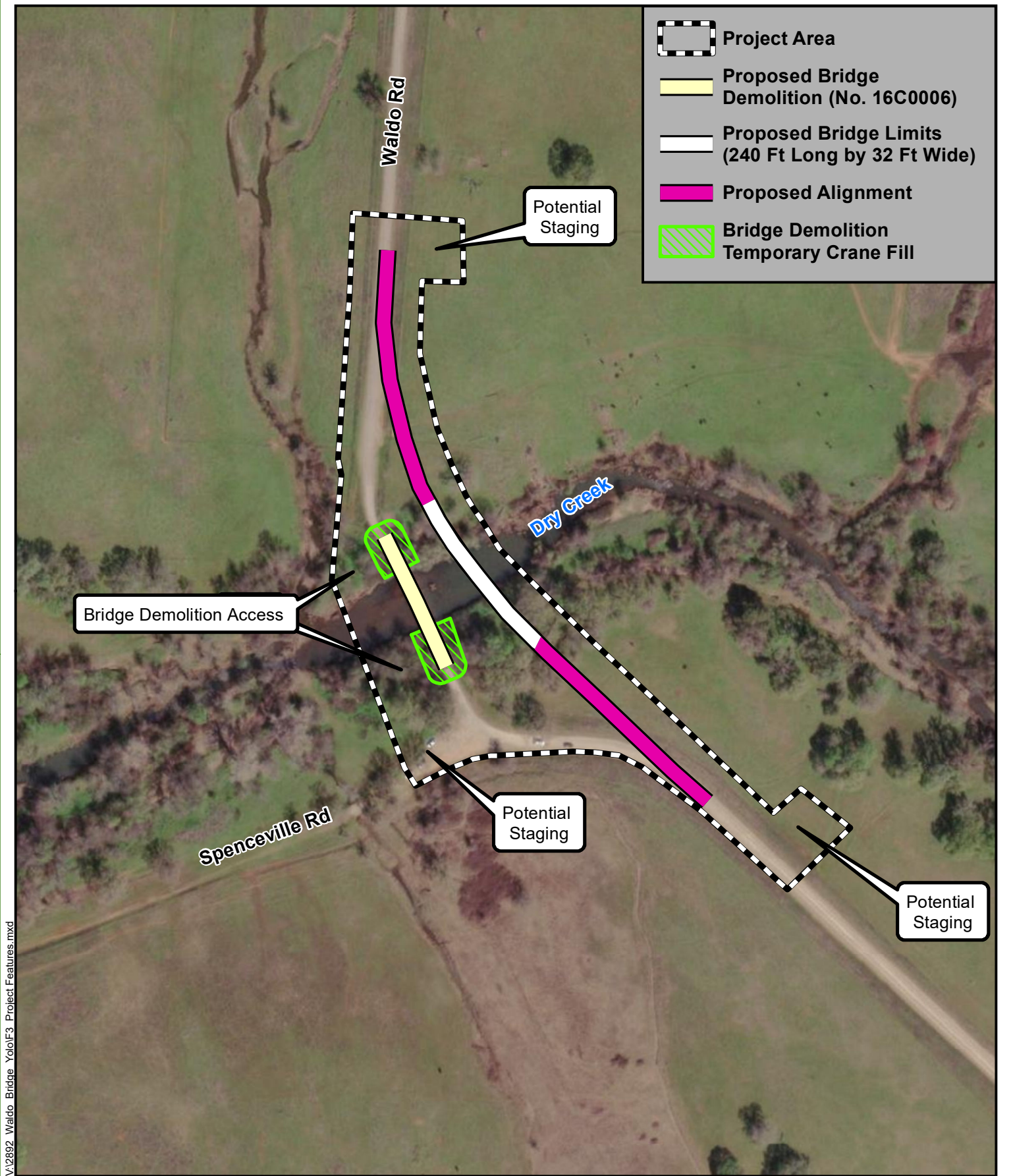
**Project Location**

Document Path: V:\2892 Waldo Bridge\_Yolo\F2\_Location.mxd

Source: ESRI World Street Maps Online; Dokken Engineering 6/28/2022; Created By: amyd

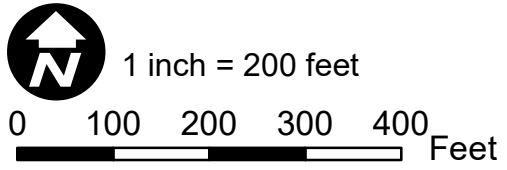


**Figure 2**  
**Project Location**  
 Waldo Road Bridge over Dry Creek Replacement Project  
 BRLO-5916(092)  
 Yuba County California



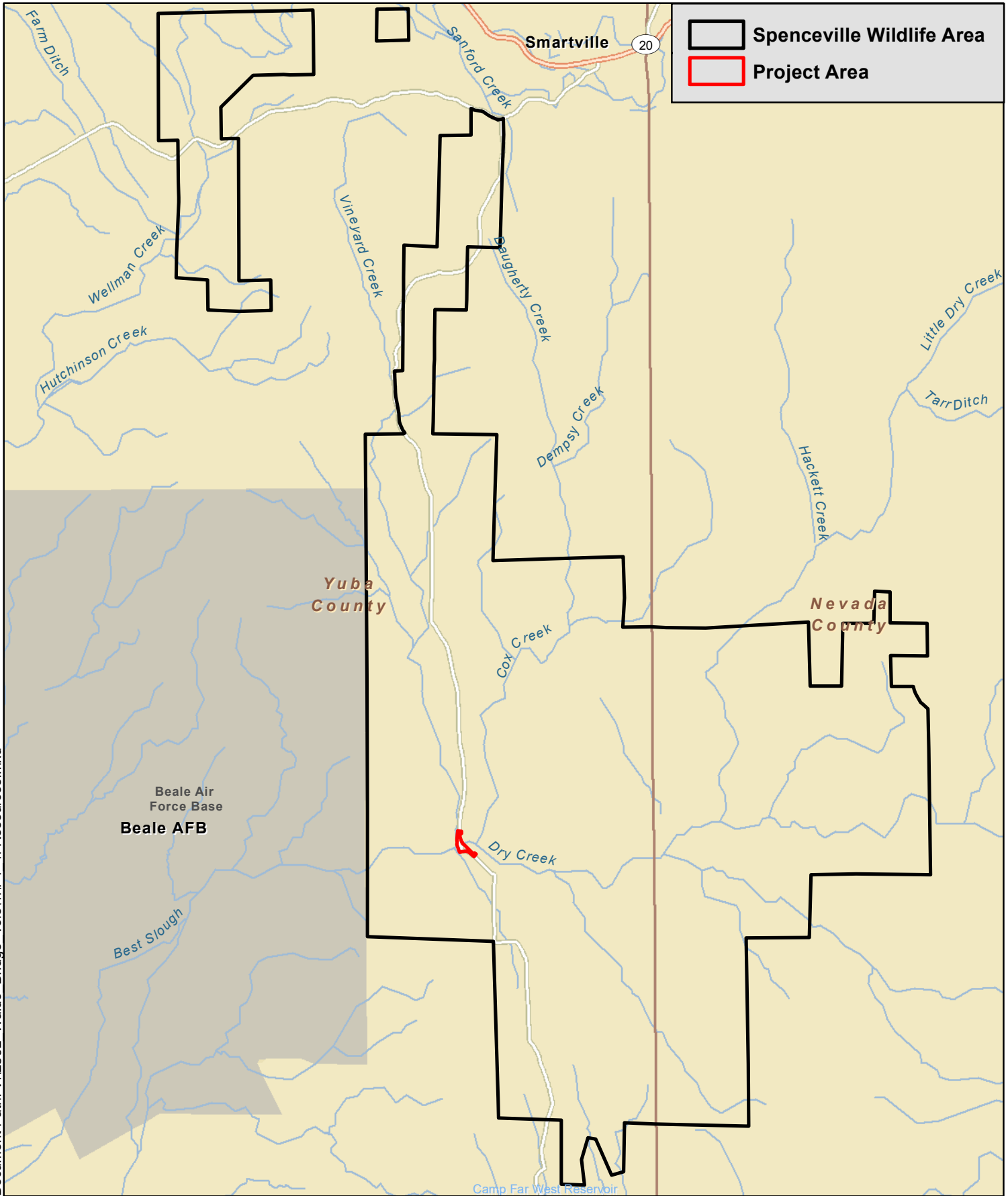
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Source: USA Topo Maps Online; Dokken Engineering 5/25/2023; Created By: amyd



**Figure 3**  
**Project Features**  
 Waldo Road Bridge over Dry Creek Replacement Project  
 BRLO-5916(092)  
 Yuba County California

Document Path: V:\2892\_Waldo\_Bridge\_Yolo\F4\_4f Resources.mxd

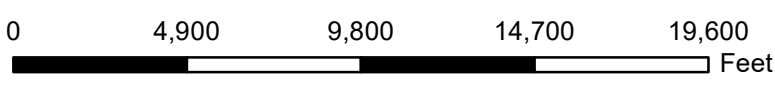


Spenceville Wildlife Area  
 Project Area

Source: ESRI World Street Maps Online; Dokken Engineering 9/18/2024; Created By: ahale



1 in = 1 mile



**Figure 4**  
**Section 4(f) Resources**  
 Waldo Road Bridge over Dry Creek Replacement Project  
 BRLO-5916(092)  
 Yuba County California

**Attachment B: Records and Correspondence**  
**[UPDATED AFTER CEQA**  
**CIRCULATION]**