

DRAFT Section 4(f) *de minimis* finding for

Middle Fork Wall

EA: 01-0B320

01-DN-199 PM 24.7

The environmental review, consultation, and any other action required in accordance with applicable federal laws for this project is being, or has been, carried out by the California Department of Transportation (Caltrans) under its assumption of responsibility pursuant to 23 USC 326.

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 Proposed Project

The proposed Middle Fork Wall project would install a retaining wall at post mile (PM) 24.7 on U.S. Route 199 in Del Norte County. The purpose for this project is to maintain the current roadway. The need for the project is that storm damage is undermining the highway at this location. The proposed solution is to build a retaining wall below the roadway.

This site is located along the Middle Fork Smith River, just downstream from Monkey Creek. A failing wall will be encased with a new soldier pile wall or viaduct, approximately 160 feet long and 40 feet high. Construction will require a temporary access road below the wall and removal of some riparian vegetation. Construction will require temporarily blocking one lane of travel.

List and Description of Section 4(f) Properties

The Smith River National Recreation Area (SRNRA) in coastal northern California is managed by the Gasquet Ranger District of the Six Rivers National Forest, and is a public resource which qualifies for review under Section 4(f). The SRNRA has public trails, ecological resources, scenic values and the Wild and Scenic Smith River. As such, Caltrans has determined that the SRNRA qualifies as a “significant” resource under 23 CFR 774.11(c). The SRNRA is managed under the Smith River NRA Management Plan. The project is within the Middle Fork/Hwy 199 Management Area #3.

The management direction for this area is:

1. Provide visitor services for the visiting public including: developed campgrounds, vista points, river access, river-oriented day-use facilities, and natural and historical resource interpretation.
2. Incorporate National Scenic Byway management direction when it is completed.
3. Manage for wildlife and scenic values consistent with the objectives of the NRA.

Significant resources present within this area are recreational opportunities (river access, boating, swimming, fishing, camping, trails), scenic views, and ecological resources (wildlife and fisheries). The SRNRA has various trail systems, and there are numerous vantage points offering scenic river views within its boundaries. There are threatened species (salmonids, northern spotted owl and marbled murrelet) which depend upon the river and adjacent mature forests for habitat.

The Smith River at the project locations is designated Recreational under the federal Wild and Scenic Rivers Act {16 U.S.C. 1271}. The Smith River is also designated a California Wild and Scenic River, and the project areas are designated Recreational. Resources relevant to the Wild and Scenic River, under state and federal designations, are the free flowing nature of the river, scenic views and recreational access.

Route 199 in the project areas is listed as the Smith River Scenic Byway by the United States Forest Service and Federal Highway Administration.

Impacts on Section 4(f) Property

The project sites are within the National Recreation Area on Route 199. The Smith River is designated as “recreational” at all of these locations.

This site is located along the Middle Fork Smith River, across from its confluence with Monkey Creek. The existing wall is not visible from the road, although there is an existing metal beam guardrail on its top. The wall would be visible from the river and will have aesthetic features, likely timber lagging, and a faux rock/timber railing. A temporary access road will be constructed along the base of the wall, and will be above the Ordinary High Water of the Middle Fork Smith River. Approximately 0.02 acres of riparian habitat will be permanently lost. Approximately 0.08 acres of riparian vegetation will be temporarily removed, then revegetated, to construct the wall and access road, consisting of alder and big leaf maple. There will be no permanent or temporary impacts below the Ordinary High Water mark on the Smith River. The project will not negatively visually affect the byway, and will not affect the highway’s designation as a Scenic Byway. The project will not impact the free flowing character of, or limit access to, the Smith River.

Avoidance, Minimization and Mitigation Measures

To avoid impacts to the SRNRA's 4(f) resources, the project will implement the following measures:

1. Vegetation will be removed outside the migratory bird breeding season (March 1 to September 15).
2. No suitable northern spotted owl or marbled murrelet nest trees will be removed or altered.
3. If the need for any other vegetation trimming or ground disturbance arises, a qualified biologist must first evaluate and clear the areas for work to occur.
4. Appropriate Best Management Practices will be employed to protect water quality.
5. An aesthetic treatment will be applied to the constructed wall, similar to other nearby walls within the National Recreation Area.

Coordination

The District Ranger of Smith River National Recreation Area/Gasquet Ranger District was notified of this proposed project in June 2014. This Section 4(f) Analysis was made available to the SRNRA prior to circulation to the public.

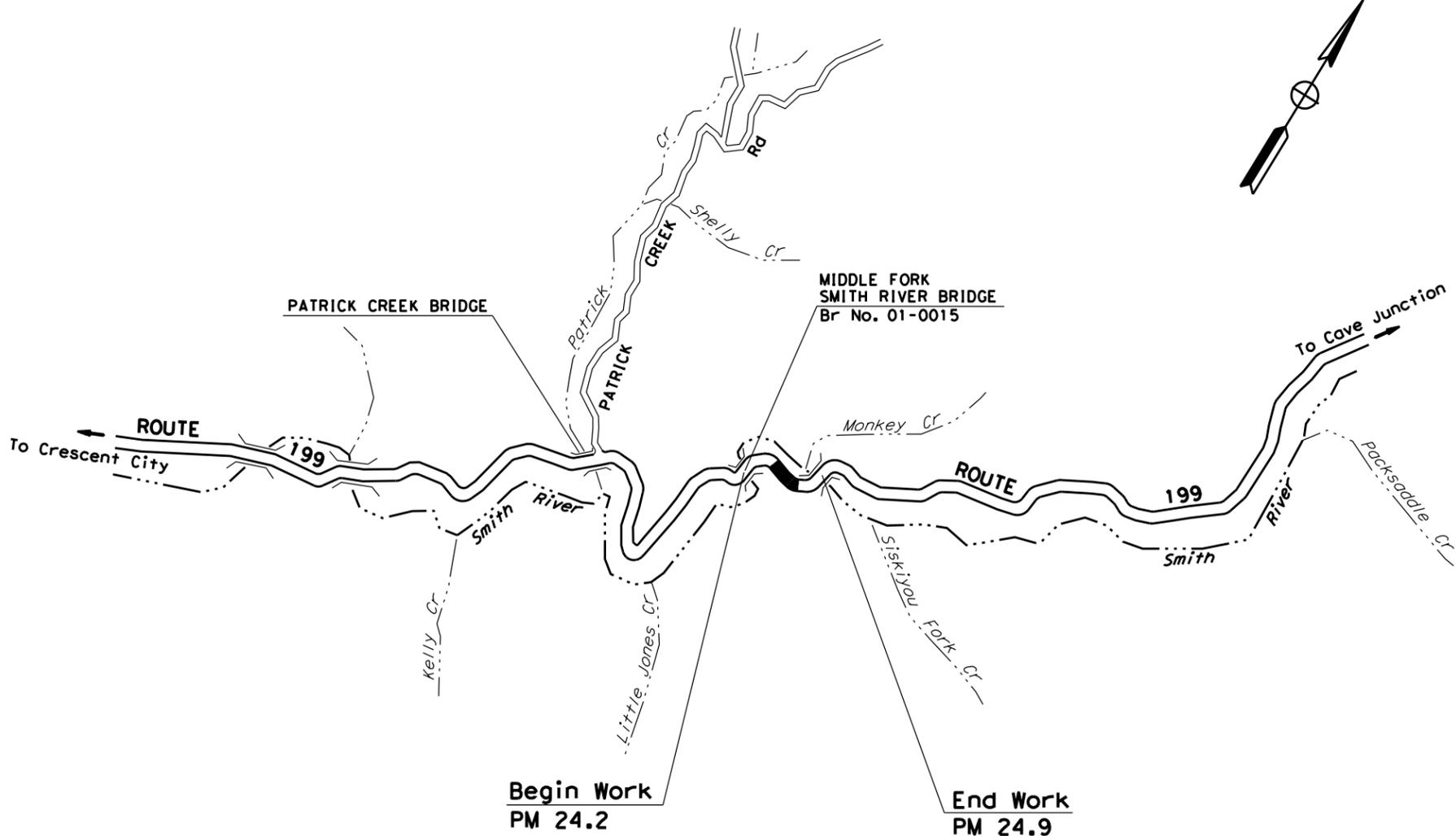
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
PROJECT PLANS FOR CONSTRUCTION ON
STATE HIGHWAY
IN DEL NORTE COUNTY

NEAR PATRICKS CREEK AT 0.6 MILES NORTH
OF MIDDLE FORK SMITH RIVER
BRIDGE No. 01-0015

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2010

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
01	DN	199	24.50/24.84		

LOCATION MAP



LOCATION OF CONSTRUCTION

Loc	COUNTY	ROUTE	PM	DESIGNATION
①	DEL NORTE	199	24.50/24.84	MIDDLE FORK SMITH RIVER BRIDGE, NORTH RETAINING WALL

\$FREQUENT DESIGN ENGINEER **L. R. ASHLEY**
 PROJECT MANAGER **KEVIN CHURCH**

PROJECT ENGINEER _____ DATE _____
 REGISTERED CIVIL ENGINEER



PLANS APPROVAL DATE _____
 THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

CONTRACT No.	01-0B3204
PROJECT ID	0112000116

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

NO SCALE



USERNAME => \$USER
 DGN FILE => \$REQUEST

DATE PLOTTED => \$DATE
 TIME PLOTTED => \$TIME
 LAST REVISION 09-09-13