

NORTH ESPLANADE RECONSTRUCTION PROJECT

SECTION 4(f) DE MINIMIS FINDING

Butte County, California

03-BUT-Local

Federal Project Number: RPSTPL-5037(042)



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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 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. 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

The City of Chico (City), in cooperation with the California Department of Transportation (Caltrans), proposes to widen and improve the Esplanade Corridor between Eaton Road and the northerly curb returns of the Leora Court/Nord Highway intersection in the City of Chico, Butte County, California.

The North Esplanade Reconstruction Project includes rebuilding Esplanade between Nord Highway and Eaton Road (3,500 linear feet) to rehabilitate the existing road surface, widen the road where needed to have two (2) 12’ wide lanes in each direction, a 12’ wide two-way left turn lane and 5’ wide Class II bike lanes. The project will include curb, gutter and 6’ wide sidewalks with landscaping areas along the road where there are current gaps in those facilities along Esplanade. Raised medians with landscaping will be strategically placed along the corridor.

Due to the new curb, gutter and sidewalks being constructed as part of this project, storm water will be collected and routed to new drainage inlets and new storm drain pipes. The new storm drain pipes will connect to the existing storm drainage system just north of Eaton Road. The project will require the relocation of both overhead and underground utilities found throughout the project area where they are in conflict with the new storm drainage system and widened road. Existing overhead utility poles that can be designed around without compromising the roadway width and sidewalk will remain in place, but some utility poles will be relocated underground or outside the proposed roadway pavement, curb, and gutter.

It is anticipated that excavators, dozers, dump trucks, concrete trucks, and concrete pumps will be required to rehabilitate and widen the existing road surface. Temporary and permanent right of way acquisition will be required for construction. During construction, one lane in each direction will be maintained on Esplanade, with limited reversing 1-lane traffic to allow for underground trenching across the roadway. Individual driveways and side streets will be staged to minimize the time the access is closed. Construction will start as early as 2024 and is anticipated to last 6 months.

This project is included in the 2023 Federal Transportation Improvement Program (FTIP). The project will be primarily funded through the Regional Improvement Program, with additional funding from locally generated funds. As such, the project requires compliance with both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The lead agency for NEPA compliance is Caltrans and the lead agency for CEQA compliance is the County.

LIST AND DESCRIPTION OF SECTION 4(f) PROPERTIES

Park/Recreation Resources

Qualifying Section 4(f) parks and recreational facilities within the project area include DeGarmo Park, which is adjacent to the proposed Project. Table 1 summarizes the potential impacts from the Project on park/recreation resources in the ESL.

Table 1. Park/Recreation Resources in the ESL

| Resource Name | Qualifies as Section 4(f)? | Previous Mitigations | Impact from Proposed Project |
|----------------------|-----------------------------------|-----------------------------|-------------------------------------|
| DeGarmo Park | Yes | No | Yes |

Historic Resources

Dokken Engineering obtained a record search (File #NE23-228) for the Project area and a one-mile radius surrounding the Project area from the Northeast Information Center (NEIC), California State University, Chico on May 15, 2023. A pedestrian survey of the APE took place on June 20, 2023. No historic resources were identified within the project limit.

IMPACTS ON SECTION 4(f) PROPERTIES

Park/Recreation Resources

No Build Alternative

Under the No Build Alternative, the roadway would not be widened and rehabilitated. The pedestrian environment and corridor would not be improved. No construction would occur and therefore, no impacts to 4(f) resources would result from the Project.

Build Alternative

The Build Alternative will require permanent acquisition of approximately 1 acre of DeGarmo Park along Esplanade to accommodate the proposed widened roadway, curb, gutter, sidewalk, and an extension of the Degarmo Drive intersection. The proposed sidewalk would connect with existing pedestrian facilities along Esplanade and fill an existing gap in pedestrian facility connectivity.

The permanent use of a property acquisition of approximately 1 acre of parklands is along the southwestern boundary of the project area which is currently being used as an overflow parking area, although it is not a space officially designated for parking. Therefore, no recreational aspect of DeGarmo Park would be permanently impacted as a result of the Build Alternative. The acquisition will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. No mitigation measure is proposed.

COORDINATION

Coordination for DeGarmo Park was done through the Chico Area Recreation & Park District (CARD) since they have jurisdiction over the recreational facilities as a Section 4(f) resource. Caltrans, on behalf of Federal Highway Administration, is proposing a de minimis determination under Section 4(f) for impacts to DeGarmo Park. Impacts to Section 4(f) resources will be considered de minimis given that neither construction activity nor the acquisition of right-of-way would temporarily or permanently adversely affect the activities, features, or attributes qualifying DeGarmo Park for protection under Section 4(f). On **DATE [to be determined after public circulation and review of public comments]**, CARD concurred that the project would only result in minor permanent and temporary impacts to the park as a recreational resource and concurred that the project would result in a de minimis impact to the park as a Section 4(f) resource. A copy of this letter is provided under Attachment B: Records and Correspondence **[to be included after public circulation and review of public comments]**.

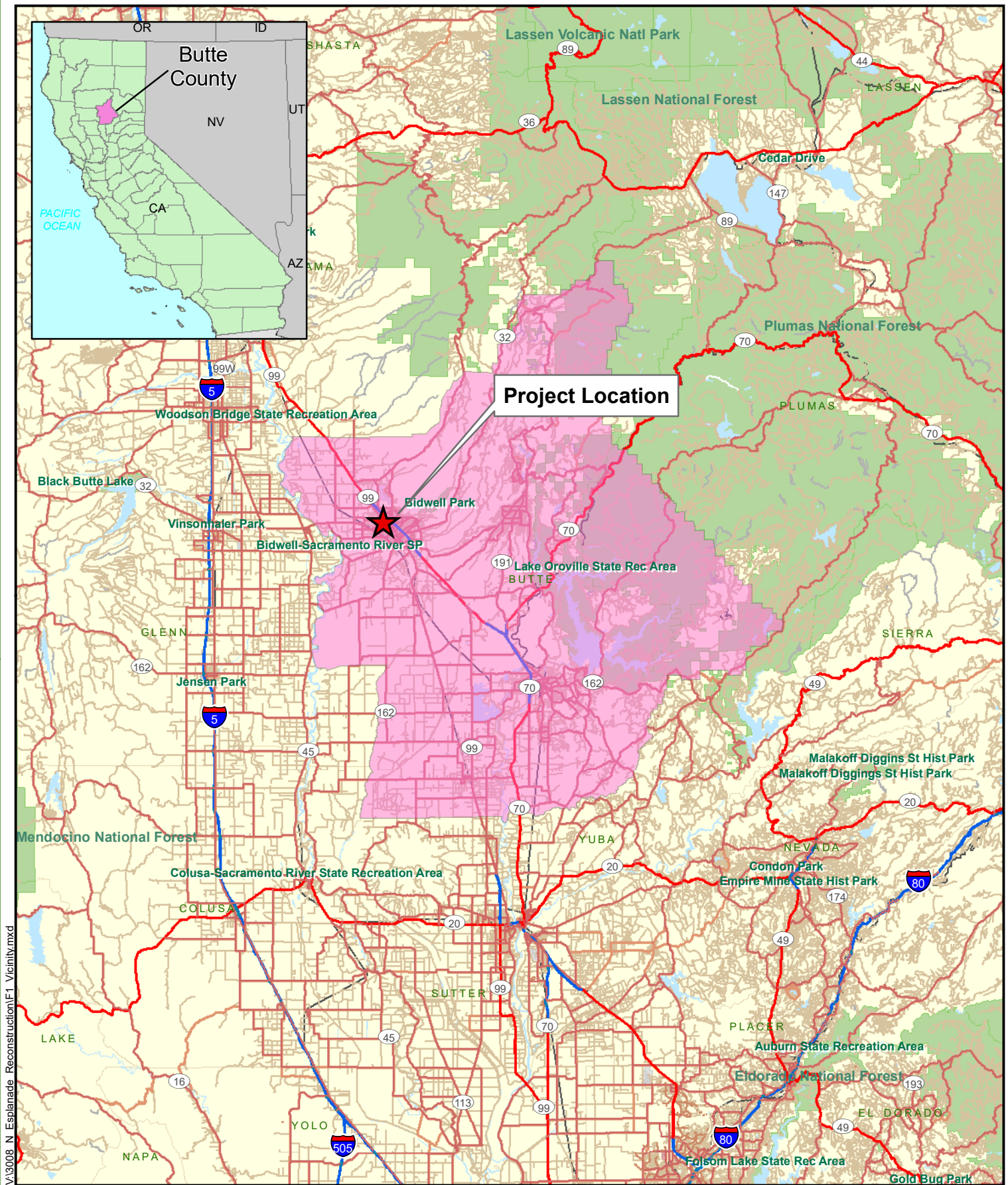
SECTION 4(F) DE MINIMIS DETERMINATION

Section 6009(a) of 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. 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.

It is anticipated all impacts to Section 4(f) properties will be *de minimis*.

Attachment A: Project Figures



V:\3008 N Esplanade Reconstruction\F1 Vicinity.mxd

Source: ESRI 2008; Dokken Engineering2/14/2023; Created By: rramirez



0 5 10 15
Miles

FIGURE 1
Project Vicinity

North Esplanade Reconstruction Project
City of Chico, Butte County, California






Source: ESRI World Street Maps Online; Dokken Engineering 8/8/2023; Created By: ahale

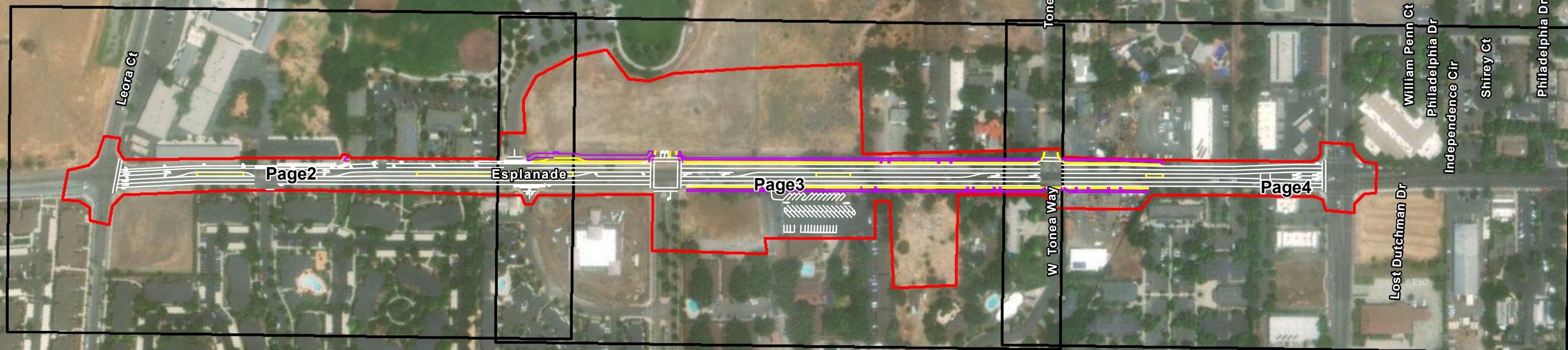
FIGURE 2
Project Location

North Esplanade Reconstruction Project
City of Chico, Butte County, California

 Project Area (19.03 acres)

Proposed Project Features

-  Sidewalk
-  Curb and Gutter
-  Pavement Striping



V:\3008 N Esplanade Reconstruction\F3 Project Features.mxd

Source: ESRI Maps Online; Dokken Engineering 8/31/2023; Created By: ahale



1 inch = 300 feet

0 300 600 900 1,200 1,500 Feet

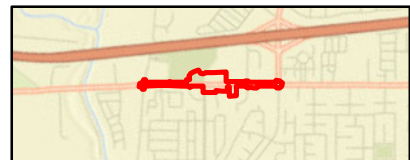


Figure 3
Project Features
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North Esplanade Reconstruction Project
City of Chico, Butte County, California

Project Area (19.03 acres)

Proposed Project Features

Sidewalk

Curb and Gutter

Pavement Striping

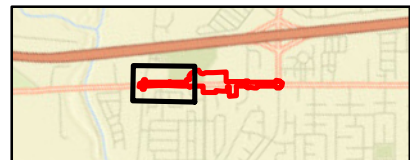


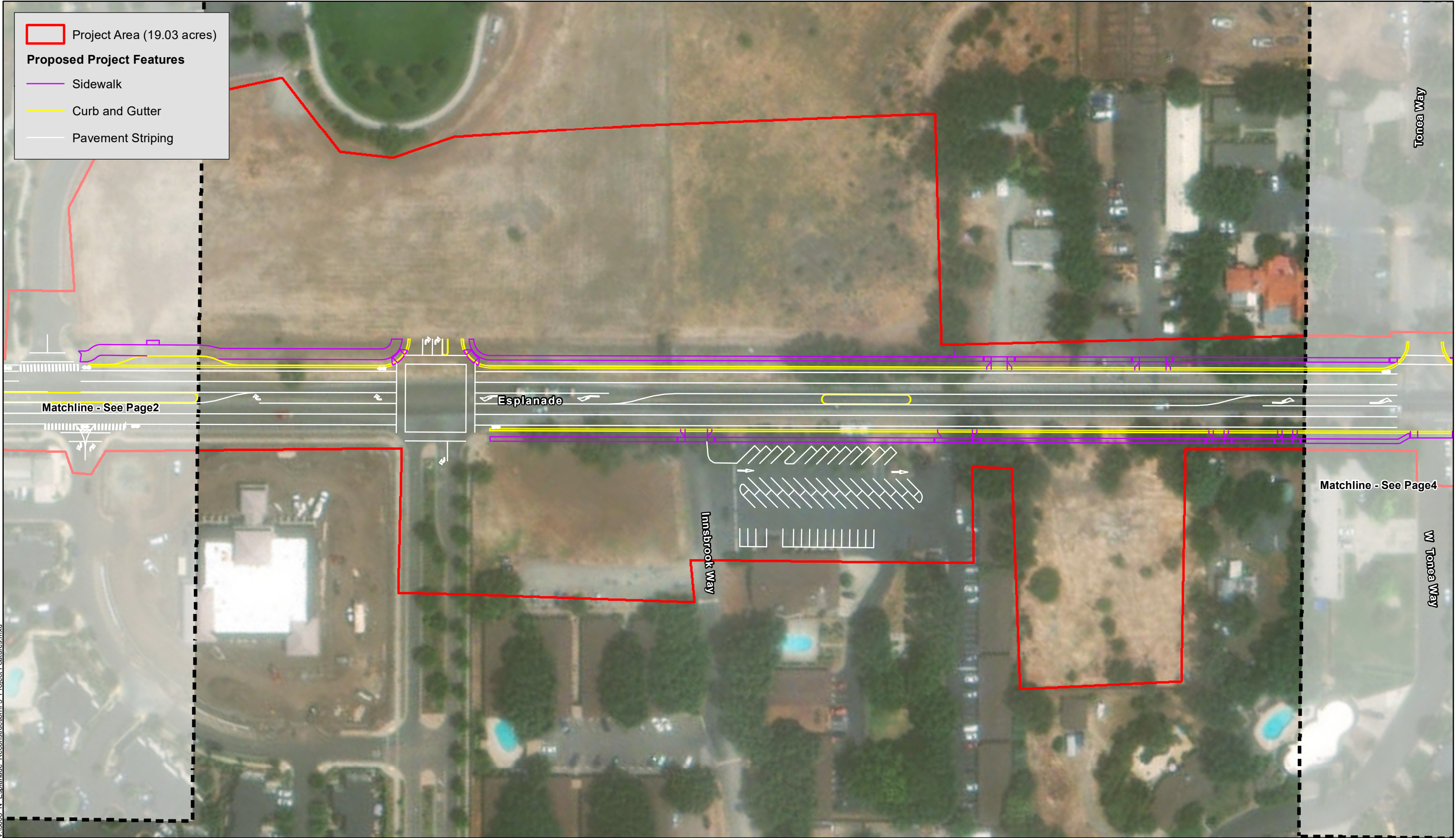
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Source: Aerial Imagery; GIS Maps Online; Dokken Engineering 8/31/2023; Created By: ahale



1 inch = 100 feet





Project Area (19.03 acres)

Proposed Project Features

Sidewalk

Curb and Gutter

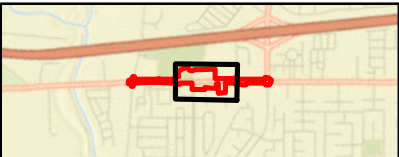
Pavement Striping

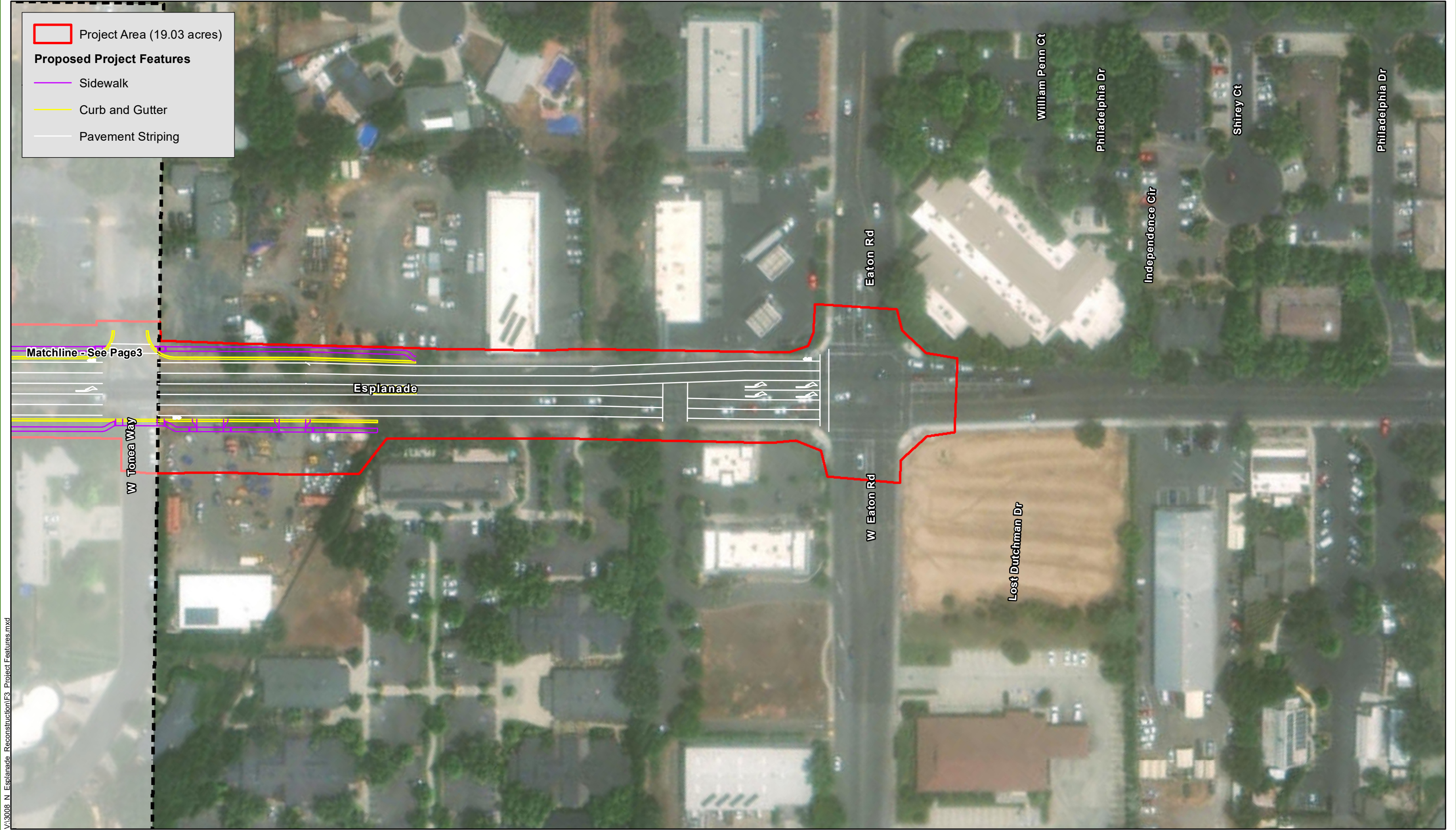
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Source: ESRI Maps Online; Dokken Engineering 8/31/2023; Created By: ahale



1 inch = 100 feet





V:\3008 N Esplanade Reconstruction\F3 Project Features.mxd

Source: Google Maps Online; Dokken Engineering 8/31/2023; Created By: ahale



1 inch = 100 feet

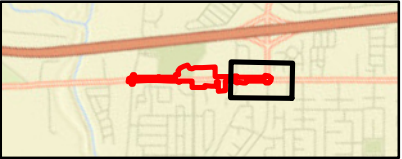


Figure 3
Project Features
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North Esplanade Reconstruction Project
City of Chico, Butte County, California



Attachment B: Records and Correspondence

Records and correspondence will be included after public circulation and review of public comments.