

McBean Park Drive at Auburn Ravine Bridge Replacement Project

Section 4(f) *De Minimis* Finding

Placer County, California



Google Earth Image

Lincoln 7.5-Minute Quadrangle,
Sections 14 and 15, Township 12 North, Range 6 East
Caltrans, District 3
Bridge Number 19C0254



February 2022

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List of Acronyms

APE	Area of Potential Effect
Caltrans	California Department of Transportation
CDFW	California Department of Fish and Wildlife
CFR	Code of Federal Regulations
City	City of Lincoln
CVFPB	Central Valley Flood Protection Board
CWA	Clean Water Act
ESA	Environmentally Sensitive Area
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
HBP	Highway Bridge Program
IS/MND	Initial Study/Mitigated Negative Declaration
NMFS	National Marine Fisheries Service
NRHP	National Register of Historic Places
NEV	Neighborhood Electric Vehicle
Project	McBean Park Drive at Auburn Ravine Bridge Replacement Project
RWQCB	Regional Water Quality Control Board
ROW	Right of Way
USACE	U.S. Army Corps of Engineers
USDOT	U.S. Department of Transportation
USC	U.S. Code
USGS	U.S. Geological Survey

Chapter 1 Introduction

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966, codified into federal law as 49 U.S. Code (USC) §303, declares that “[it] is the policy of the U.S. 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 any publicly owned land from a public park, recreation area, wildlife and waterfowl refuge of national, state, or local significance, or land of a 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:

1. There is no prudent and feasible alternative to using that land; and
2. 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 such use.

In general, a Section 4(f) use occurs when:

1. Section 4(f) land is permanently incorporated into a transportation facility;
2. There is temporary occupancy of Section 4(f) land that is adverse in terms of preservation purposes as determined by specific criteria; or
3. Section 4(f) land is not incorporated into the transportation project, but the Project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for Section 4(f) protection are substantially impaired (constructive use).

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 amendment 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. 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 the California Department of Transportation (Caltrans) pursuant to 23 USC 326 and 327, including *de minimis* impact determinations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

1.1 Section 4(f) Use Definitions

When a proposed project is adjacent to or on a property protected under Section 4(f), the impacts of the proposed project on that property must be evaluated. Section 4(f) defines the impact level by types of “use.” These uses occur when any of the conditions discussed in the following subsections are met.

1.1.1. Permanent/Direct Use

A permanent use of a Section 4(f) resource occurs when property is permanently incorporated into a transportation facility. Permanent use may occur as a result of partial or full acquisition or a permanent easement that allows permanent access onto the property for maintenance or other transportation-related purposes.

1.1.2. Constructive Use

A constructive use of a Section 4(f) resource occurs when a transportation project does not permanently incorporate land from the resource, but the project’s proximity results in impacts so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only if the protected activities, features, or attributes of the resource are substantially diminished.

1.1.3. Temporary Occupancy

A temporary occupancy of a Section 4(f) resource occurs when a Section 4(f) property is required for project construction-related activities, the property is not permanently incorporated into a transportation facility, and the activity is not considered adverse by the agency with jurisdiction in terms of the preservation purpose of Section 4(f).

Temporary impacts to a Section 4(f) property may trigger the application of Section 4(f). 23 CFR 774.13(d) defines the following five temporary occupation exception criteria that must be met to determine that a temporary occupancy does not rise to the level of permanent/direct or constructive use for the purposes of Section 4(f):

- Duration is temporary (i.e., the occupancy is shorter than the time needed for construction of the project, and there is no change in ownership of the property).
- Scope of work is minor (i.e., the nature and magnitude of the changes to the Section 4(f) properties are minimal).
- There are no anticipated permanent adverse physical impacts or permanent interference with the protected activities, features, or attributes of the property.
- The property is restored to the same or better condition that existed prior to the project.

- There is documented agreement from the appropriate federal, state, or local officials having jurisdiction over the property regarding the previously listed conditions.

1.1.4. De Minimis Impact

A *de minimis* impact involves the use of Section 4(f) property that is generally minor in nature after taking into account avoidance, minimization, mitigation, and enhancement measures. *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 those that result in “no adverse effect” or “no historic properties affected” in compliance with Section 106 of the National Historic Preservation Act of 1966 regulations.

Chapter 2 Proposed Project

This Section 4(f) evaluation is being conducted for the McBean Park Drive at Auburn Ravine Bridge Replacement Project (Project), proposed by the City of Lincoln (City). The Project is located near downtown Lincoln, on the northeastern City boundary with unincorporated Placer County (Figure 1). The Project is located within Township 12 North, Range 6 East, Sections 14 and 15 on the *Lincoln* U.S. Geological Survey (USGS) 7.5-minute quadrangle map, (Figure 2).

2.1 Background

The proposed Project would receive federal transportation funding through the Highway Bridge Program (HBP); therefore, it is subject to Section 4(f) analysis. The Section 4(f) Study Area includes all Section 4(f) resources within the maximum disturbance limits (Project Area) (Figure 3). Section 4(f) properties include publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites. These resources are further defined to include existing publicly owned recreation and park properties, including local, regional, state, and federal properties; existing play and sports fields of public schools with public access; publicly owned wildlife and waterfowl refuges and conservation areas; portions of Wild and Scenic Rivers that are publicly owned and designated recreational; and existing off-street public bicycle, pedestrian, equestrian trails, and historic properties. The study area was defined to identify an area large enough to assess the potential for the Project to result in proximity impacts to properties protected under Section 4(f).

2.2 Project Purpose and Need

The Caltrans Bridge Inspection Report (Caltrans 2021), notes that the bridge has a Sufficiency Rating of 67.6, making the bridge eligible for rehabilitation under the HBP. Although the sufficiency rating makes the bridge eligible for rehabilitation, the defects in the bridge cannot be mitigated in place.

The purpose of this Project is to:

1. Address safety concerns associated with the continued use of a functionally obsolete bridge with general structure deterioration and inadequate strength, which is also hydraulically inadequate.
2. Improve freeboard to prevent overtopping during flooding at a critical gateway to downtown Lincoln and improve the hydraulic conveyance beneath the roadway to reduce the risk of flooding at adjacent private properties.
3. Improve roadway, pedestrian, Neighborhood Electric Vehicle (NEV), and bicycle safety by providing a connection between downtown Lincoln and Lincoln Hills.

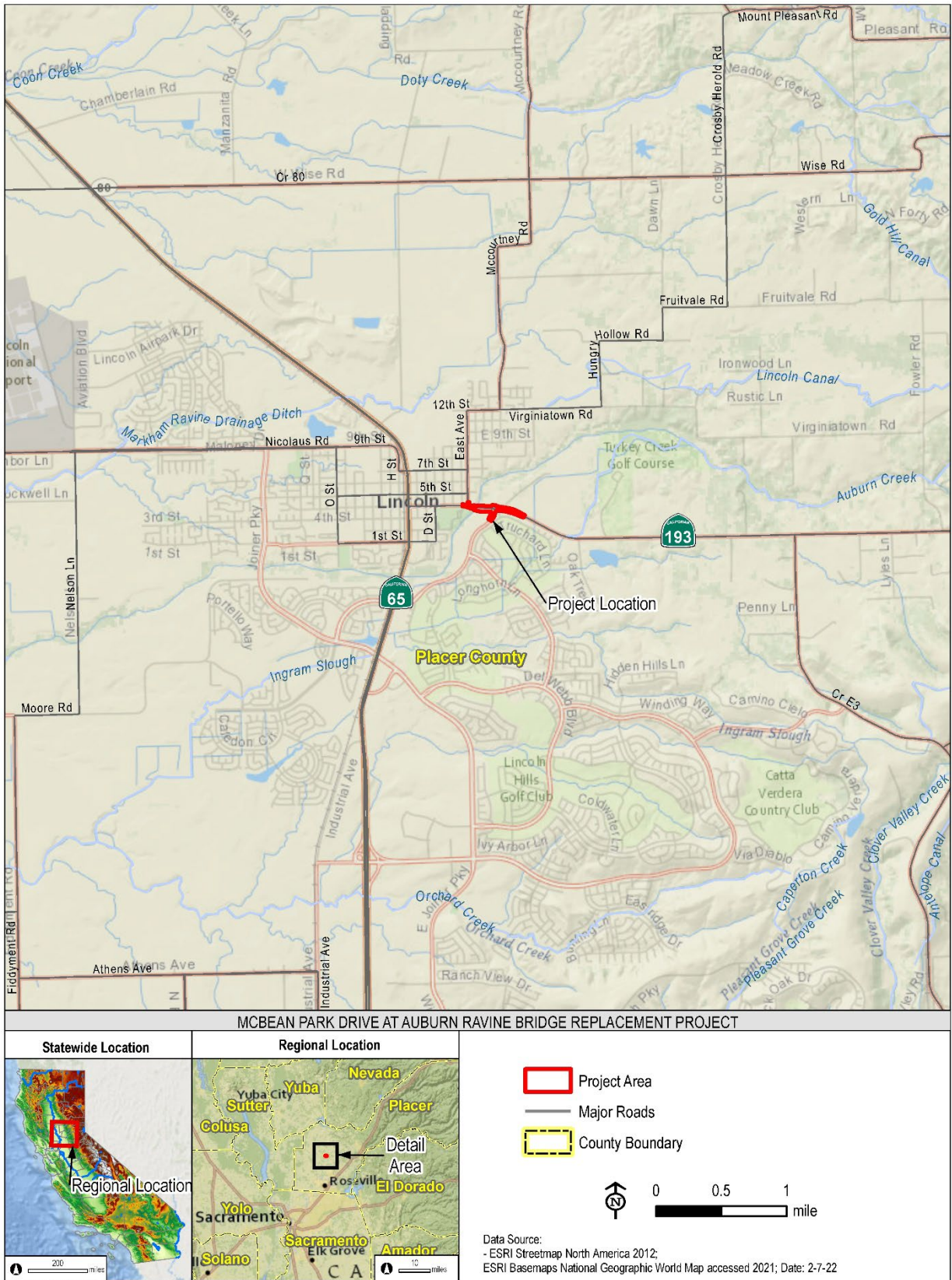


Figure 1. Project Vicinity

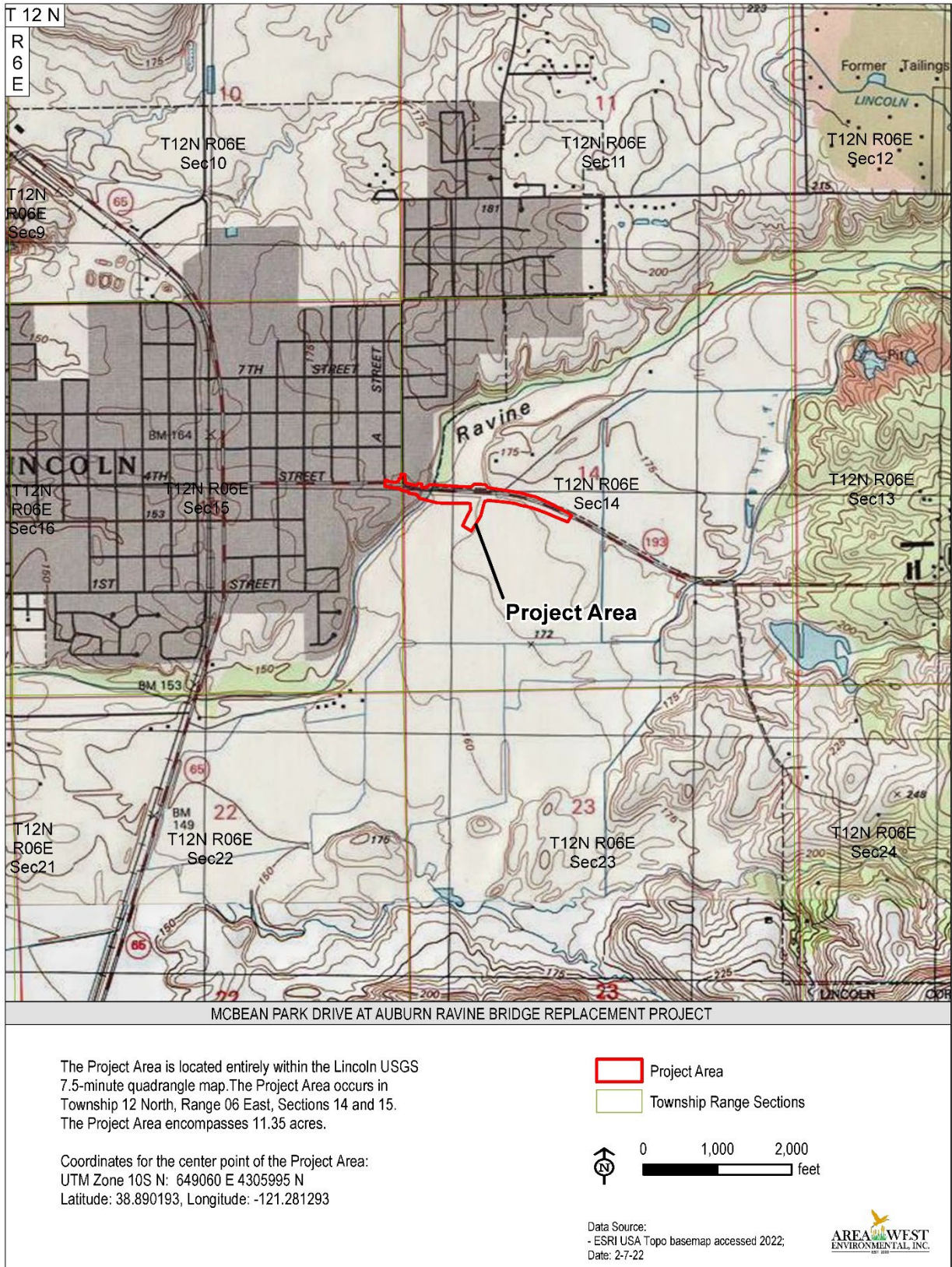
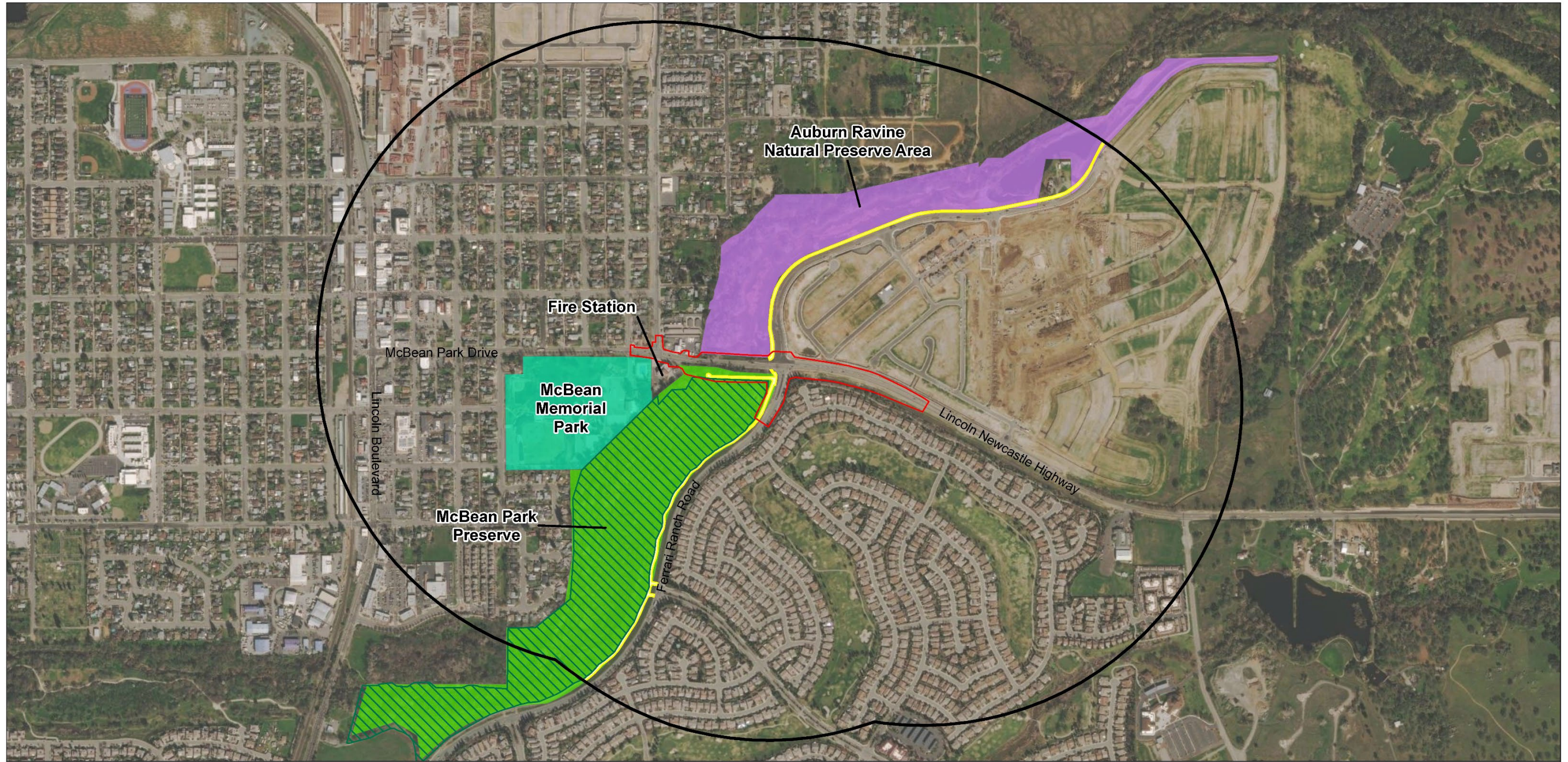
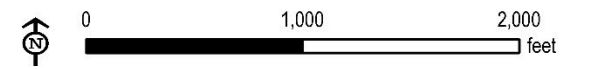


Figure 2. Project Location



MCBEAN PARK DRIVE AT AUBURN RAVINE BRIDGE REPLACEMENT PROJECT

- | | |
|---------------------------------|-------------------------------------|
| Project Area | 4(f) Property |
| 0.5-Mile Buffer of Project Area | McBean Memorial Park |
| Conservation Area | McBean Park Preserve |
| Recreation Trail | Auburn Ravine Natural Preserve Area |



Data Source:
- ESRI USA Topo basemap accessed 2022;
Date: 2-17-22



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Figure 3. Section 4(f) Resources

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2.3 Project Description

The existing bridge, constructed in 1923 and widened in 1963, is a five-span, 148-foot-long, 43-foot-wide, concrete T-beam structure. The bridge contains two 12-foot travel lanes and two 9-foot shoulders. The existing right of way at the bridge approaches is approximately 100 feet wide. The McBean Park Preserve, located south of McBean Park Drive and west of Ferrari Ranch Road, is an open space area owned by the City of Lincoln and managed by the Wildlife Heritage Foundation under a conservation easement. The Auburn Ravine Natural Preserve Area, located north of McBean Park Drive and west of Ferrari Ranch Road, is owned and managed as an open space preserve by Taylor Morrison of California, LLC, a developer (Figure 3).

The proposed Project would replace the existing bridge with a new longer and wider bridge and raise the vertical roadway profile approximately 5 feet for hydraulic adequacy (Figure 4). The replacement bridge would increase the length of the bridge to 220 feet and the width of the bridge to 68 feet, with three 12-foot traffic lanes, two 8-foot shoulders, and two 6-foot sidewalks. The new bridge would shift the alignment of the existing bridge slightly south to minimize impacts to the parcels north and west of the bridge. Minor retaining curbs and retaining walls may be needed around the driveway connections on the northwest side of the bridge and along the south side of the road, west of the bridge and east of the fire station driveway.

The Project improvements also include widening through, along, and beyond the intersection east of the bridge at Ferrari Ranch Road. The Project would require widening McBean Park Drive to allow two thru lanes in the westbound direction and one thru lane in the eastbound direction through the intersection of Ferrari Ranch Road as well as accommodate lane transition widening along Ferrari Ranch Road to conform to the intersection widening improvements. No improvements would be made to the intersection north of McBean Park Drive; however, the existing traffic signal would need to be modified. The intersection of East Avenue with McBean Park Drive would also require improvements, including modifications to the existing traffic signal and existing storm drain. These improvements would allow one thru lane, one left-turn lane, and one right-turn lane in the westbound direction of McBean Park Drive. Improvements would not affect the fire station property to the south of the McBean Park Drive/East Avenue intersection. Since the Project proposes to widen and the raise the roadway profile, it would introduce minor impacts to the parcels on the north side of McBean Park Drive between East Avenue and the bridge, however, access to the existing driveways would be maintained after the Project is completed.

Existing utilities would need to be relocated including the overhead utilities and poles along the south side of McBean Park Drive from East Avenue to Ferrari Ranch Road. The Project would also involve the temporary installation of water diversion structures, sediment removal and fill, and vegetation and tree removal.

The Project includes the following elements (Figure 4):

- Removal of some of the constricting earthen fill prism from the floodway.
- Demolition and removal of the hydraulically inadequate and functionally obsolete existing bridge.
- Construction of a new longer and wider bridge with enhanced seismic integrity.
- Increasing the vertical profile of the bridge and roadway approaches to improve hydraulic conveyance and mitigate flooding events.
- Widening the bridge approaches on McBean Park Drive to accommodate three travel lanes, two shoulders, and two sidewalks, which would provide connections for NEVs, golf carts, bicycles, and pedestrians.
- Restriping of McBean Park Drive and East Avenue intersection with a phased signal to allow separate movement of golf carts through the intersection.
- Relocation of overhead power and telecommunications, as well as underground electrical and telecommunication facilities. Gas lines may also require relocation in the westerly roadway approach.
- Acquisition of right of way to accommodate the new wider road alignment.

2.3.1 Right of Way

Right of way (ROW) acquisition is necessary to accommodate the new bridge alignment. The existing ROW is not sufficient with the shift in horizontal and vertical bridge alignment. ROW would be acquired from adjacent parcels north of McBean Park Drive from East Avenue to Ferrari Ranch Road and south of McBean Park Drive from East Avenue to approximately 1,000 feet east of Ferrari Ranch Road (Figure 4). Additional ROW would be required on both sides of Ferrari Ranch Road, south of the intersection with McBean Park Drive. The horizontal shift in bridge alignment would focus more impacts on City-owned parcels located south of McBean Park Drive.

2.3.2. Construction Schedule

Construction is currently planned for 2023 and is expected to be completed in two construction seasons, although unexpected delays during construction may require additional time. Construction activities would be permitted Monday through Friday between 7:00 A.M. and 7:00 P.M., with evening construction prohibited. However, extended work periods and weekend operations may be necessary and would be permitted on Saturdays and Sundays between 8:00 A.M. and 7:00 P.M. In-water construction activities would be done within the protective windows for sensitive species between June 15 and October 15. Specific dates of in-water construction would be determined through consultation with resource agencies.

2.3.3 Staging Areas and Access Routes

The proposed Project contains 0.93 acre of staging areas within the Project limits. Staging areas may include, but are not limited to, a paved access trail that extends from the west side of Ferrari Ranch Road and runs parallel to the south side of McBean Park Drive.

2.3.4 Construction Sequence and Methods

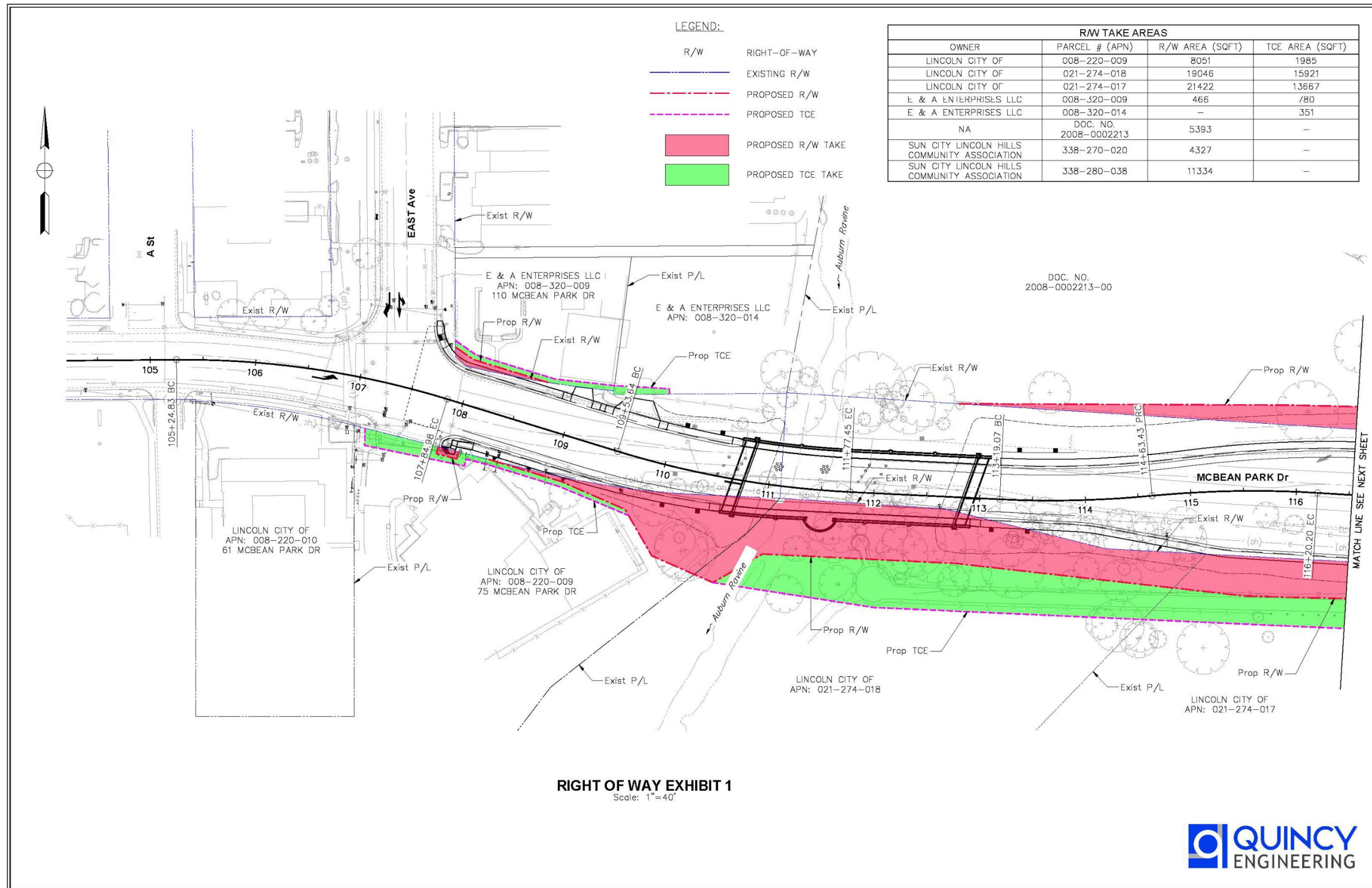
Construction activities would begin with clearing and grubbing of the Auburn Ravine banks, to include all vegetation, non-salvageable trees, and debris. Water diversion would be installed to temporarily dewater the Project site, during which creek flows would be diverted to a pipe for controlled enclosed conveyance through the construction zone. The bridge would be constructed in two phases to accommodate maintaining traffic on McBean Park Drive during construction. The existing bridge would be used to carry traffic during the first phase of construction while the southerly portion of the new bridge and roadway approaches sufficient to accommodate two lanes of traffic would be constructed. Traffic would then be shifted to the newly constructed southerly bridge portion and the existing bridge would be demolished and removed. The northerly portion of the bridge and remaining roadway approaches would be constructed in the second phase. Ultimately, traffic would be shifted to the new lane locations and open to all traffic, including vehicular, pedestrian, bicycle, and NEV lanes. Utilities would be relocated, including a natural gas line, aerial electrical and telecommunications lines, and underground electrical and telecommunications facilities.

2.3.5 Revegetation and Plant Establishment

After all construction materials are removed, the site would be restored to a natural setting by grading, installing erosion control on the sloped banks in front of the bridge abutments, and replanting with native vegetation. All areas of temporary disturbance would be revegetated by hydroseeding using a species list approved by CDFW. Replanting may be subject to a plant establishment period as defined by permits, which would require the City to monitor successful revegetation of disturbed areas.

2.3.6. Public Access during Construction

McBean Park Drive would remain open during construction. One-way traffic control may occur intermittently during construction, causing temporary delays of limited duration. Pedestrian access would be maintained during construction.



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Figure 4. Proposed Project and Preliminary Right of Way Estimate

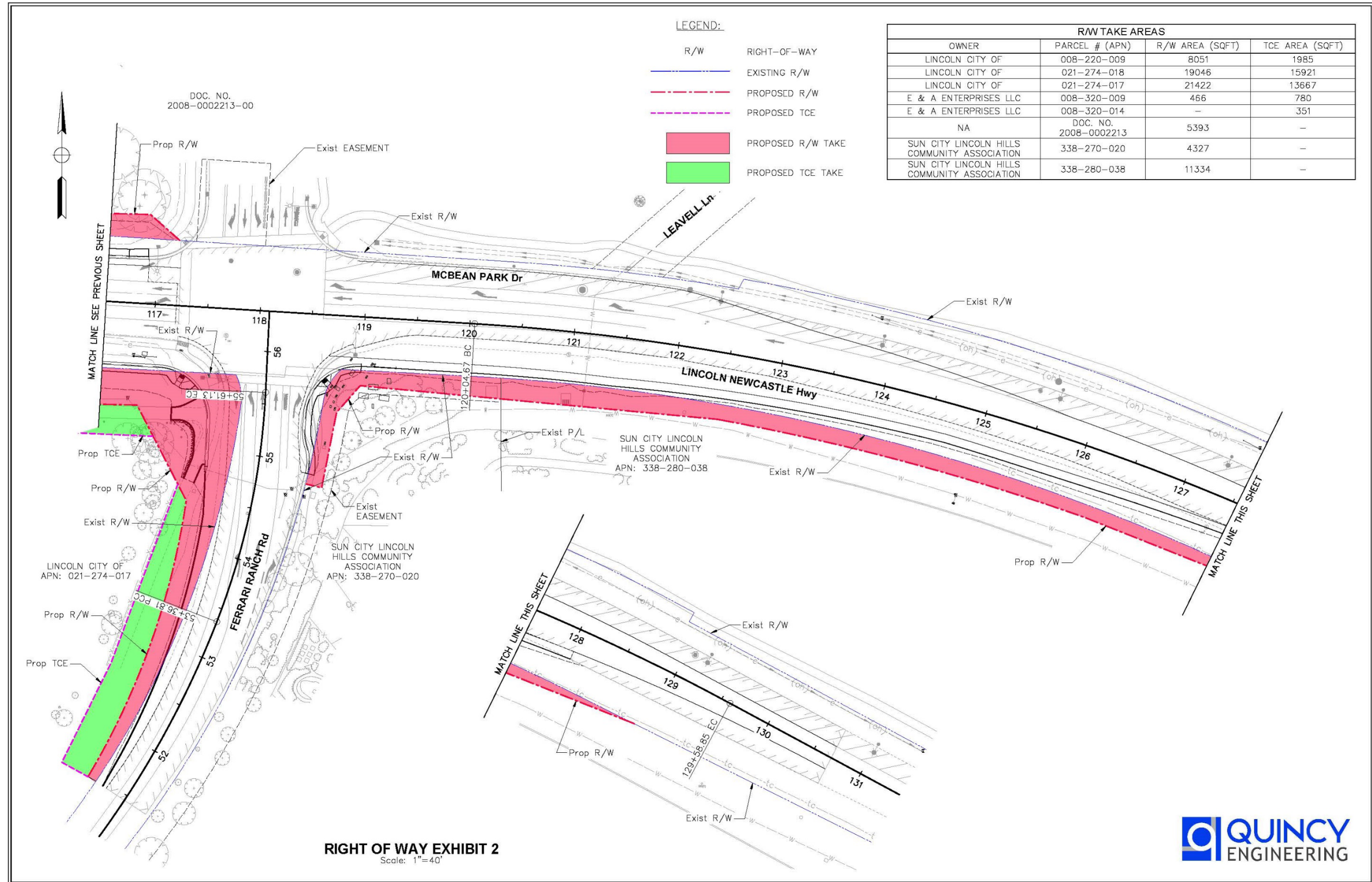


Figure 4. Proposed Project and Preliminary Right of Way Estimate (continued)

Chapter 3 Section 4(f) Property Description and Impacts

3.1 Section 4(f) Resources in the Project Vicinity

There are three potential Section 4(f) resources located within the Section 4(f) study area (Figure 3):

- McBean Park Preserve,
- Auburn Ravine Natural Preserve Area, and
- McBean Memorial Park.

Table 1. Section 4(f) Properties in the Study Area

Section 4(f) Property	Location	Current Ownership/ Management
<i>Public Parks, Recreational Facilities, and Wildlife Refuges</i>		
McBean Park Preserve	Along Auburn Ravine, adjacent to Project, south of McBean Park Drive and west of Ferrari Ranch Road	City of Lincoln, conservation easement area managed by Wildlife Heritage Foundation
Auburn Ravine Natural Preserve Area	Along Auburn Ravine, adjacent to Project, north of McBean Park Drive and west of Ferrari Ranch Road	Taylor Morrison of California, LLC (Developer)
McBean Memorial Park	West of the Project. Park entrance is adjacent to western limit of Project improvements	City of Lincoln

These resources are described below, along with an evaluation of potential Project impacts and justification for a *de minimis* finding. Representative photographs are provided in Attachment A.

3.2 McBean Park Preserve

3.2.1 Description of Activities, Features and Attributes

The McBean Park Preserve consists of 61 acres of undeveloped land located south of the Project and owned by the City. Most of this open space area is managed by the Wildlife Heritage Foundation under a conservation easement established in June 2004 (Figure 3). The preserve is bounded to the north by McBean Park Drive, to the east and south by Ferrari Ranch Road, and to the west by the Lincoln Fire Station, McBean Memorial Park, and single-family residential properties. Auburn Ravine, a perennial stream that flows generally north to south through the Project area, is located within the western portion of the McBean Park Preserve. The majority of the preserve consists of wetlands, some of which were constructed as compensatory mitigation by

Sun City Lincoln Hills, a senior residential development in Lincoln. Recreational uses of this space are limited to bird watching, wildlife viewing, and picnicking.

The McBean Park Preserve includes formal and informal trails. The Ferrari Ranch Trail, a Class I multi-use paved trail, borders the eastern side of McBean Park Preserve. The trail is located outside the conservation easement and runs parallel to Ferrari Ranch Road. Used by bicyclists and pedestrians, the Ferrari Ranch Trail includes interpretive signs about the preserve. On the northern side of McBean Park Preserve, a wide, paved public access and viewing trail runs parallel to McBean Park Drive and ends in a cul-de-sac near Auburn Ravine. This access trail is located outside the conservation easement. Two concrete picnic tables are provided along the access trail, and a metal gate prevents motorized vehicles from entering the area. In addition to the formal paved trails, there are numerous informal and unauthorized dirt trails located on both sides of Auburn Ravine. According to Wildlife Heritage Foundation representative Gaylene Tupin, the informal trails east of Auburn Ravine are primarily used by a homeless population with illegal campsites within the preserve.

3.2.2 Proposed “Use”

Direct Use: The Project would acquire a small strip of property between the existing public access trail that parallels McBean Park Drive and the existing road ROW (Figure 4). This approximately 0.79-acre portion of the McBean Park Preserve is north of (outside) the conservation easement limits and represents less than 1.3 percent of the total 61-acre preserve. The Ferrari Ranch Trail and the Public Access Trail are located within the temporary construction easement area.

Constructive Use: The McBean Park Preserve, Ferrari Ranch Trail, and public access trail are located adjacent to the existing McBean Park Drive and Ferrari Ranch Road ROW and are therefore currently subject to proximity impacts of the roadways, including indirect air quality and noise impacts. Changes in the alignment and width of McBean Park Drive would not adversely affect the attributes, features, and activities that define the McBean Park Preserve, Ferrari Ranch Trail, and associated public access trail. Therefore, the Project would not result in a constructive use of the McBean Park Preserve and associated trails.

Temporary Occupancy: A temporary construction easement would be located on the McBean Park Preserve open space, north of (outside) the conservation easement limits. The public access trail that parallels McBean Park Drive would be used as construction access to the bridge over Auburn Ravine. The northernmost portion of the Ferrari Ranch Trail and all of the public access trail are located in the temporary construction easement area (Figure 4). The public access trail would be used by equipment and personnel during construction. During the two construction seasons, the public access trail would be closed to recreationists, temporarily limiting bird watching, wildlife viewing, and picnicking at this location. This approximately 0.65-acre portion of the McBean Park Preserve is north of the conservation easement limits and would be restored to pre-project

conditions after construction. The temporary use of this area for construction access and staging meets the definition of temporary occupancy because:

- the duration of the occupancy is temporary;
- no change in ownership of the property would occur;
- changes to the preserve during construction would be minimal;
- there would be no permanent interference with the protected activities, features, or attributes of the preserve; and
- the property would be restored to the same or better condition that existed prior to the Project.

The City has been coordinating with the Wildlife Heritage Foundation regarding the proposed Project; see Chapter 5.

3.3 Auburn Ravine Natural Preserve Area

3.3.1 Description of Activities, Features and Attributes

The Auburn Ravine Natural Preserve Area consists of 66 acres of undeveloped land located north of McBean Park Drive and west of Ferrari Ranch Road. This portion of the preserve is owned by the developer Taylor Morrison of California LLC. It is bound by McBean Park Drive to the south, by Ferrari Ranch Road and residential property under development to the east, and by a mix of commercial, residential, and undeveloped property to the west and north (Figure 3). Auburn Ravine flows through the western portion of the Auburn Ravine Natural Preserve Area. The Auburn Ravine Natural Preserve Area was set aside to remain open space as part of the Village 1 General Development Plan. This open space area is intended for passive and active recreation uses such as wildlife viewing, bird watching, resource management, and flood control management. The portion of the Auburn Ravine Natural Preserve Area located adjacent to the Project site consists of wetlands and flood control features. The previously identified Ferrari Ranch Trail is located on the eastern side of the Auburn Ravine Natural Preserve Area and runs parallel to Ferrari Ranch Road.

3.3.2 Proposed “Use”

Direct Use: The Project would acquire a strip of property from the Auburn Ravine Natural Preserve Area, parallel to McBean Park Drive, to construct the new road approaches (Figure 4). This approximately 0.06-acre portion of the Auburn Ravine Natural Preserve Area represents less than 0.1 percent of the total 66-acre preserve.

Constructive Use: The Auburn Ravine Natural Preserve Area is located adjacent to McBean Park Drive and Ferrari Ranch Road and is therefore currently subject to indirect air quality and noise impacts from roadway use. Changes in the alignment or width of the roadway would not adversely affect the attributes, features, and activities that define the Auburn Ravine Natural Preserve Area. Therefore, the Project would not result in a constructive use of the Auburn Ravine Natural Preserve Area or the adjacent Ferrari Ranch Trail.

Temporary Occupancy: The Project would not require a temporary construction easement within the Auburn Ravine Natural Preserve Area. During construction, public access to the Auburn Ravine Natural Preserve Area and Ferrari Ranch Trail immediately adjacent to the work area would be prohibited. If temporary closure of a portion of the Ferrari Ranch Trail north of McBean Park Drive is required during construction, temporary pedestrian access would be provided and may include using the newly completed separated sidewalk on the east side of Ferrari Ranch Road. Temporary closures of the trail and open space area would not permanently interfere with the protected activities, features, or attributes of the preserve.

3.4 McBean Memorial Park

3.4.1 Description of Activities, Features and Attributes

McBean Memorial Park, located approximately 500 feet west of the proposed Project, is a large community park, 24 acres in size, with a swimming pool, tennis courts, skateboard park, horseshoe courts, basketball courts, a baseball/football stadium, bandstand (pavilion), gazebo, playground, picnic areas, and open turf. The park is generally bordered by McBean Park Drive/4th Street to the north, D street to the west, and the McBean Park Preserve and Auburn Ravine to the south and east (Figure 3). The City of Lincoln Fire Station #33 at 17 McBean Park Drive abuts McBean Memorial Park, east of the swimming pool.

3.4.2 Proposed “Use”

Direct Use: The Project would not directly use McBean Memorial Park. The park is west of the proposed Project limits. Once constructed, the Project would improve access and circulation on MC Bean Park Drive for park users.

Constructive Use: The proposed Project would not change existing setting, access, or facilities at McBean Memorial Park. The activities, features, and attributes of the park would not be diminished by the proposed Project. There would be no constructive use of McBean Memorial Park property and the Project would not preclude or substantially impede the use of the property.

Temporary Occupancy: The Project would not require a temporary construction easement within McBean Memorial Park. During construction, temporary road detours would be in place but access to McBean Memorial Park will be maintained. Temporary traffic control may inconvenience park users and construction noise could annoy park users. However, any temporary

inconvenience to park users from access and construction noise would not permanently interfere with the protected activities, features, or attributes of the park.

3.5 Other Historic Properties Evaluated Relative to the Requirements of Section 4(f)

As recommended in the FHWA Section 4(f) checklist, all National Register-eligible historic and archaeological sites within the area of potential effects (APE) were included in the evaluation. Identification efforts included a review of existing literature and historical maps, a review of a record search conducted at the North Central Information Center of the California Historical Resources Inventory System, and an intensive pedestrian survey following tribal consultation. No prehistoric or historic archaeological resources have been previously recorded or were observed within the APE during the pedestrian survey.

McBean Park Drive was formerly known as State Highway 193 and was relinquished to the City in 2011; McBean Park Drive does not meet the requirements of an eligible historic resource. The existing McBean Park Drive bridge over Auburn Ravine (Bridge No. 19C0254) has been determined not eligible for listing in the National Register of Historic Places. No National Register-eligible historic or archaeological sites were identified as potentially affected Section 4(f) properties.

3.6 De Minimis Determination

The proposed Project would result in direct use of 0.79 acre from the McBean Park Preserve and 0.06 acre from the Auburn Ravine Natural Preservation Area. The conversion of these small strips of open space land to a transportation use would not adversely affect the features and attributes that qualify these properties for protection under Section 4(f).

Temporary disruption of public access and restrictions on trail use at the McBean Park Preserve and Auburn Ravine Natural Preserve Area would occur during the anticipated two-year construction duration. Project construction would temporarily increase ambient noise levels at adjacent open space lands in the McBean Park Preserve and Auburn Ravine Natural Preserve Area. These activities would be scheduled to minimize disturbance to area residents.

McBean Park Drive would remain open during construction with only intermittent one-way traffic control that would result in short-term traffic delays. The traffic management plan would include elements such as one-way traffic controls, flag workers, and phasing, to reduce impacts to local residents and recreation users, and to maintain access for police, fire, and medical services in the area. The Project would not impede access to the McBean Memorial Park during construction.

All areas used for temporary access or disturbed during construction would be restored to their pre-project condition. During construction, removal of riparian vegetation would change the visual

character of the Project Area until replanted trees and vegetation mature. Areas disturbed by construction would be revegetated with regionally appropriate native plant materials to the extent possible.

The proposed architectural treatments on the new bridge are consistent with the recreational and aesthetic goals for the McBean Park Preserve and Auburn Ravine Natural Preserve Area. Standard measures and design features of the new bridge and associated structures would preserve visibility and visual quality.

Once the new bridge is constructed, conditions for nearby recreation uses would be improved. The new bridge would include pedestrian sidewalks, bike lanes, NEV lanes, and a viewing area which would improve the ability of recreators to enjoy views of the McBean Park Preserve and Auburn Ravine Natural Preserve Area and to cross Auburn Ravine safely to access trail and amenities in these open space areas. Hence, the proposed Project would not adversely affect the activities, features, and attributes of the McBean Park Preserve, Auburn Ravine Natural Preserve Area, or McBean Memorial Park that qualify these properties for protection under the requirements of Section 4(f). Therefore, the Project would have a *de minimis* impact on these properties.

Chapter 4 Measures to Minimize Harm

The City of Lincoln would implement avoidance and minimization measures to minimize harm to Section 4(f) resources during and after construction. The following minimization measures would be implemented to inform the traveling public of temporary closures of the Ferrari Ranch Trail and public access trail located within or adjacent to the McBean Park Preserve and the Auburn Ravine Natural Preserve Area. Avoidance and minimization measures identified in the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Project (QK, Inc., 2021) would minimize short-term, construction-related impacts to sensitive biological resources that contribute to the attributes of the McBean Park Preserve and Auburn Ravine Natural Preserve Area.

Public Outreach. Outreach would be conducted to ensure the public is aware that open space access would be limited during construction activities. Closures would be posted onsite using electronic message boards or other signage. Access restrictions would also be posted online at the City of Lincoln website. Alerts would be mailed (via email and U.S. postal mail) to land managers such as the Wildlife Heritage Foundation regarding construction schedules and access restrictions.

Minimize Construction Noise. The following would be implemented to minimize construction noise under direction from the Resident Engineer: changing the location of stationary construction equipment, turning off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing acoustic barriers around stationary construction noise sources.

Maintain Access to Driveways and Public Roads. The contractor would be required to minimize any access delays to driveways or public roadways within or near the work zones. In particular, ingress/egress to the City of Lincoln Fire Station #33, located at 17 McBean Park Drive, and the McBean Memorial Park, located at 65 McBean Park Drive, would not be interrupted.

Traffic Management Plan. McBean Park Drive would remain open during construction with intermittent one-way traffic control that would result in short-term traffic delays. The traffic management plan would include elements such as one-way traffic controls, flag workers, and phasing, to reduce impacts to local residents and to maintain access for police, fire, and medical services in the area. Temporary pedestrian access would be provided during construction.

Construction Best Management Practices (BMPs). Construction BMPs, such as installation of straw wattles, would be implemented to avoid impacts to the quality of water features located within the McBean Park Preserve and Auburn Ravine Natural Preserve Area. Erosion and sediment controls would be installed when rain is forecast to occur within 48 hours.

Exclusion and Construction Fencing. Construction fencing would be placed around work areas that occur within 50 feet of Auburn Ravine and exclusion fencing would be placed around wetland

features in the McBean Park Preserve and Auburn Ravine Natural Preserve Area that occur within 100 feet of construction activities.

Bridge Aesthetic Treatment. Local Heritage Concept Architecture was selected by the public following community outreach in 2016. Aesthetic treatments would include an Eastern Gateway Tower with a clay tile roof, a Western Tower Column with themed lighting, banner poles, an Auburn Ravine Overlook, and themed emblems/tile inlay with the City of Lincoln seal.

Bridge Railing Design. Wrought iron rail mounted to Type 80 concrete banner to provide more visibility to the surrounding natural elements. Railings would be painted or stained with a color that enhances visual character and memorability of the bridge.

Avoid and Minimize Tree Removal. The removal of established trees and vegetation would be avoided and minimized, where feasible. Existing trees of significant size and maturity would be preserved and protected during construction, where feasible. Environmentally Sensitive Area (ESA) fencing would be installed to demarcate areas where vegetation would be preserved, and root systems of trees would be protected. No activity would be conducted within the protected zone of a native oak tree or landmark tree without an approved grading permit issued in conformance with Tree Permit Conditions.

Replant Riparian and Restore Temporary Staging Areas. Any temporary access roads or staging areas would be restored to a natural contour and revegetated with appropriate native plants. Riparian areas would be replanted with regionally appropriate native trees and shrubs. Plant species and methods for installation would be developed by the Project landscape architect and revegetation specialist during the final design phase.

Reestablish Open Space Access. Pedestrian access to the McBean Park Preserve, Auburn Ravine Natural Preserve Area, and associated trails would be reestablished after Project construction is complete.

Chapter 5 Coordination and Consultation with Section 4(f) Property Managers

The City of Lincoln initiated consultation with the Wildlife Heritage Foundation and Taylor Morrison of California (officials with jurisdiction) for concurrence with the characterization of effects in the context of this Section 4(f) analysis, consistent with 49 USC 303(d)(3)(B). The City sent a copy of this draft report and coordination letters via email on November 13, 2023. This Section 4(f) De Minimis Analysis will be posted on the City’s website for a 30-day public review period. After circulation of the analysis, a request will be sent to the Wildlife Heritage Foundation and Taylor Morrison of California LLC for concurrence on this *de minimis* determination.

Attachment A: Representative Photographs



Photo 1. McBean Park Preserve wetlands, viewed from the Public Access Trail, facing south



Photo 2. Picnic Table at McBean Park Preserve Public Access Trail, facing southwest



Photo 3. McBean Park Preserve Public Access Trail, facing west, barrier gate in foreground



Photo 4. Ferrari Ranch Trail east of McBean Park Preserve, facing south



Photo 5. McBean Park Drive over Auburn Ravine Bridge, facing northwest



Photo 6. McBean Park Drive at Auburn Ravine, facing west



Photo 7. Ferrari Ranch Trail east of Auburn Ravine Natural Preserve Area, facing south toward McBean Park Drive/Ferrari Ranch Road intersection



Photo 8. Auburn Ravine Natural Preserve Area, facing west



Photo 9. McBean Park Drive, facing east;
McBean Memorial Park entrance on the right



Photo 10. Informal trails from McBean
Memorial Park into the McBean Park
Preserve, facing northeast