

RESOURCES EVALUATED RELATIVE TO THE REQUIREMENTS OF SECTION 4(F)

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 Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327.

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 U.S.C. 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: (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 the use.

Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the involved offices of the Departments of Agriculture and 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 (SHPO) is also needed.

Proposed Action

The California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) propose to widen State Route (SR) 16 between Brooks and Interstate 505 (I-505) in Yolo County (postmiles 18.6-31.7). This project was initiated in response to a high number of collisions in the project area. The project proposes to improve the safety of this section of highway by constructing 8-foot (ft) shoulders and a 20-ft clear recovery zone (CRZ) on both sides of the highway for the length of the project (excluding the towns of Esparto and Capay). The project will also provide left-turn channelization, intersection improvements at public road connections, vertical and horizontal alignment improvements, and improved flood protection between Esparto and I-505. The project is broken into six segments.

A Draft EIR/EA was circulated for public review and comment from December 8, 2005 to January 23, 2006 (2006 DEIR/EA). Comments were received from members of the public and reviewing agencies regarding this project's alternatives and environmental impacts. Caltrans evaluated the comments made and reexamined the project. A new Draft EIR/EA was prepared that presents a refined project alternative and additional discussions of environmental impacts.

Section 4(f) properties

Caltrans has determined, and SHPO has concurred, that the Taber's ranch complex (CA-YOL-205H), located along the south side of SR 16, between PM 21.66 and 22.1 (in segment 3), is eligible for listing in the National Register of Historic Places (NRHP) as a

historic district. The Taber's Corner Historic District is an outstanding representation of a late 19th and early 20th century family-run farming operation that strongly conveys a sense of the Capay Valley's agricultural history. The property retains a very high level of integrity and is the best surviving example of its type in the valley. Since Taber's Corner is eligible for listing in the NRHP and warrants preservation in place, it is a Section 4(f) resource.

Avoidance Alternatives

The original alignment for Segment 3 was developed to avoid impacts to Taylor Creek, which is situated on the opposite side of SR 16 from Taber's Corner. This alternative was presented in the 2006 DEIR/EA as Segment 3, Option 1 (Avoid Taylor Creek). This alternative would impact a garage, a portion of the orchard and historic archaeological deposits, all of which are contributing elements to the historic property.

In order to minimize impacts to the Taber's Corner property, four avoidance alternatives were considered in the 2006 DEIR/EA:

- Impact Taylor Creek (Segment 3, Option 2). This alternative minimizes the project impacts to Taber's Corner by keeping the proposed highway alignment as close to the existing alignment as possible while still improving the safety of the curve. This option would require a retaining wall placed adjacent to Taylor Creek. This option would not fully avoid the use of the Taber's Corner property but would reduce the amount of property acquisition required. It was determined that this alternative was the most prudent and feasible alternative and was selected as the preferred alternative for Segment 3.
- Avoid 4(f) to the north (Segment 3, Option 3). This alternative would shift the alignment to the north of SR 16 and would avoid any right-of-way acquisition from the Taber's Corner property. This alternative would require two new bridges over Taylor Creek. Due to the extraordinary costs of building two bridges and the increased impacts to biological resources, this alternative was not considered prudent or feasible.
- Avoid 4(f) to the south (Considered but withdrawn alternative). This alternative would realign SR 16 around the entire Taber's Corner property to the south and would avoid any right of way acquisition. This alternative would result in a substantially longer roadway and would greatly increase the impacts to agricultural and biological impacts and was not considered prudent or feasible.
- No Build Alternative-The "No Build" alternative would not build the project and would have no effect on Taber's Corner. This alternative would perpetuate the existing safety deficiencies and would not meet the projects purpose and need of reducing the collision rate and severity of collisions within the project limits.

Impacts on Section 4(f) property

This project requires the acquisition of a portion of the Taber's Corner Historic District property and will therefore result in the "use" of a Section 4(f) resource.

The SHPO concurred with Caltrans finding that Taber's Corner Historic District (CA-YOL-205H) would be adversely affected by the proposed project on January 10, 2006.

A Section 4(f) evaluation was sent to the Department of the Interior (DOI) for review in August 2006. Caltrans did not receive a response from the DOI. After the circulation of

the 2006 DEIR/EA, the project alternative was refined which resulted in reduced impacts to the Taber's Corner Historic District. Although some minor features (removal of a maximum of 5 trees) of the property would still be affected, Caltrans has determined that these effects are minor and would not diminish the integrity of the historic property as a whole. Consequently, Caltrans proposed that the project would not adversely affect the Taber's Corner Historic District. The SHPO concurred with this finding on January 15, 2008. The FHWA notified the SHPO on August 11, 2006, that when the SHPO concurs with "no adverse effect" finding, FHWA intends to make a *de minimis* impact finding if the subject property is a 4(f) property (Concurrence letters can be found in Appendix G).

Based on the "No Adverse Effect" finding for the Taber's Corner Historic District, Caltrans has determined that the proposed project would have a *de minimis* impact on this Section 4(f) resource.

Measures to Minimize Harm to the Section 4(f) Property

Caltrans has refined the design to avoid the Taber's Corner Historic District as much as possible without greatly increasing the impacts to Taylor Creek and other resources. As a result, less of the historic property would be affected, but impacts cannot be avoided altogether while still meeting the purpose and need of the project.

The FHWA, the SHPO, and Caltrans signed a Memorandum of Agreement (MOA) on June 28, 2006, that detailed the mitigation measures to be taken in order to mitigate for the adverse effect to the Taber's Corner Historic District. Due to the revised finding of "No Adverse Effect," the MOA will be amended per the SHPO. No mitigation would be required for the impacts to the Taber's Corner Historic District.