



# Oregon

Kate Brown, Governor

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October 27, 2022

Travis Williams  
Riverkeeper and Executive Director  
Willamette Riverkeeper  
403 SE Caruthers Street  
Portland, OR 97214

**Subject: Proposed Section 4(f) *de minimis* Finding for Public Parks, Recreation Areas, and Wildlife and Waterfowl Refuges  
Willamette River Water Trail  
OR34: Van Buren Bridge  
Benton County, Oregon  
ODOT Key No. 20688  
Federal-Aid No. S210(022)**

Dear Mr. Williams:

The purpose of this letter is to request the Willamette Riverkeeper's concurrence with the Federal Highway Administration's Section 4(f) *de minimis* impact determination for the Willamette River Water Trail as part of the OR34: Van Buren Bridge Project.

The OR34: Van Buren Bridge Project requires federal approvals and permits, and therefore the Oregon Department of Transportation (ODOT) is tasked with the responsibility of ensuring that the project complies with relevant federal regulations. Among them, ODOT must ensure that the project satisfies Section 4(f) of the Department of Transportation Act of 1966 ("Section 4(f)"). Therefore, ODOT is seeking written concurrence from the Willamette Riverkeeper to confirm that the OR34: Van Buren Bridge Project would have a *de minimis* impact to the Willamette River Water Trail as defined in the Code of Federal Regulation 23 (CFR) 774.17. *De minimis* impacts for public parks, recreation areas, and wildlife and waterfowl refuges are defined as those that do not "adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f)."

A *de minimis* impact determination is based on the degree or level of impact to a Section 4(f) property, including any avoidance, minimization, mitigation, or enhancement efforts that are included in a project to address the Section 4(f) use. The evaluation takes into account expected positive effects of any measures included in the project to mitigate adverse effects on a park, recreation area, or refuge when determining whether an impact to the resource is *de minimis*. The following information provides justification for a *de minimis* impact finding for the Willamette River Water Trail.

The OR34: Van Buren Bridge Project proposes to build a new two-lane eastbound bridge with multi-use path to replace the existing one-lane Van Buren Bridge (Figures 1 & 2). The bridge is adjacent to downtown Corvallis, Oregon, on the main highway connecting Corvallis to the Interstate (I-5). To minimize traffic impacts during new bridge construction, a temporary detour structure would be constructed immediately downstream (north) of the existing bridge (Figure 3). A temporary work bridge

would be constructed immediately upstream (south) of the existing bridge to facilitate removal of the existing Van Buren Bridge and construction of the new bridge (Figure 4).

Construction is expected to take approximately 4 years in order to accommodate the Oregon Department of Fish and Wildlife Guidelines for Timing of In-Water Work. The first in-water work period (June 1 – October 15) would consist of constructing the detour bridge. The second and third in-water work periods would include work bridge construction, demolition of the existing Van Buren Bridge, and construct the new bridge foundation. The fourth in-water work period would remove the temporary detour and work bridges. Work would generally occur from shore, from temporary work barges, or from temporary work bridges.

After construction, the new Van Buren Bridge would provide a minimum horizontal clearance of 245 feet to river trail users, which is significantly larger than the existing 80 foot horizontal clearance. In addition, the new bridge would have two in-water supports vs. three on the existing bridge, and would be aligned with the downstream Harrison Street Bridge from a river navigation perspective.

A 40-foot temporary navigation channel would be provided throughout construction (Figures 5-7). The temporary navigation channel would be well marked at water level with all US Coast Guard required navigation aids. Signage at the temporary structures and nearby water access points (boat ramps and publically owned recreational areas) would also be provided.

### **Overview of the Willamette River Water Trail**

The Willamette River Water Trail is a nationally recognized water trail and American Heritage River. As a significant recreation area as determined by the Oregon Parks and Recreation Department, the Willamette Water Trail is considered a 4(f) resource. The portion crossed by the Van Buren Bridge is characterized by a single channel both up and downstream. Recreational navigation occurs year round in the stream reach, with personal paddlecraft and “float tubes” being the most frequent type. The Oregon State Rowing Team also uses the river between the mouth of the Mary’s River upstream 0.5 mile, downstream 1.2 miles to the first shallow riffle near the Hewlitt Packard facilities. Their boathouse and dock facilities are located 0.1 mile downstream from the bridge on the east bank.

The nearest designated access points to the project include the Michaels Landing public river access point 0.25 mile downstream, the Crystal Lake Park boat ramp 1.2 miles upstream, and Willamette Park 2.5 miles upstream. The Benton County Sherriff Marine Patrol operates regularly out of Crystal Lake Park. No reasonably foreseeable changes are expected to the existing river access points during or post-construction.

### **Relevant Project Activities**

The project would temporarily occupy the Willamette River at the existing Van Buren Bridge for four years. There would be a temporary traffic detour bridge immediately downstream and a temporary work bridge immediately upstream of the existing bridge for the duration of construction. A minimum 40 foot wide navigation channel through the work zone would be maintained at all times and include US Coast Guard required signage and lighting. Adjacent river access points would also have project information signage installed informing river users of the construction zone. After construction, the new bridge would have a much wider navigational opening, less supports in the water, and align with the supports for the adjacent Harrison Street Bridge.

### De Minimis Finding

A Section 4(f) *de minimis* impact determination is based on the degree or level of impact to a Section 4(f) property, including any avoidance, minimization, mitigation, or enhancement measures included in the project to address the Section 4(f) use. A project with a *de minimis* impact to a Section 4(f) property should result in no adverse effects to the property's qualifying activities, features, or attributes. The evaluation also takes into account the expected positive effects of any measures to mitigate the adverse effects on a historic site, park, recreational area, or refuge when determining whether the impact to the Section 4(f) property is *de minimis* in nature.<sup>1</sup>

The OR34: Van Buren Bridge Projects temporary occupancy of the river is limited to the duration of construction, with no reasonably foreseeable negative impacts post-construction. The restricted navigational opening through the work zone would be well signed and demarcated for Water Trail users during construction. . Since the new bridge will be establishing bents in the river, thereby converting a recreational resource into a transportation one, the Section 4(f) use could not be called a temporary occupancy even though less of a footprint will ultimately benefit Water Trail users. For these reasons, the project would result in a *de minimis* use of the Willamette River Water Trail.

In the signature box below, please indicate the Willamette Riverkeeper's concurrence with the finding that the OR34: Van Buren Bridge Project would have a *de minimis* impact to the Willamette River Water Trail, and email a signed copy of the form to me at Christopher.S.Bell@odot.oregon.gov. If you have any questions regarding this finding or the proposed project, feel free to contact me by phone or email.

Thank you,

*Chris Bell*

Chris Bell  
ODOT Architectural History Program Coordinator  
Email: Christopher.S.Bell@odot.oregon.gov  
Phone: 541.515.0175

The Willamette Riverkeeper, as the Official with Jurisdiction for the Willamette River Water Trail, concurs that the OR34: Van Buren Bridge Project would have a *de minimis* impact to the Water Trail, a Section 4(f) property, as described in 23 CFR 774.17.

*Travis Williams*

11-07-2022

Travis Williams, Riverkeeper and Executive Director  
Willamette Riverkeeper

Date

<sup>1</sup> U.S. Department of Transportation, Federal Highway Administration, "Section 4(f) Properties: Parks, Recreation Area, and Refuges: Defining Criteria," *Section 4(f) Tutorial*, accessed November 2, 2021, at [https://www.environment.fhwa.dot.gov/env\\_topics/4f\\_tutorial/properties\\_parks.aspx](https://www.environment.fhwa.dot.gov/env_topics/4f_tutorial/properties_parks.aspx).

**Copies to:**

Christine Hildebrant, ODOT Project Manager  
Adam Roberts, ODOT Region 2 Environmental Coordinator

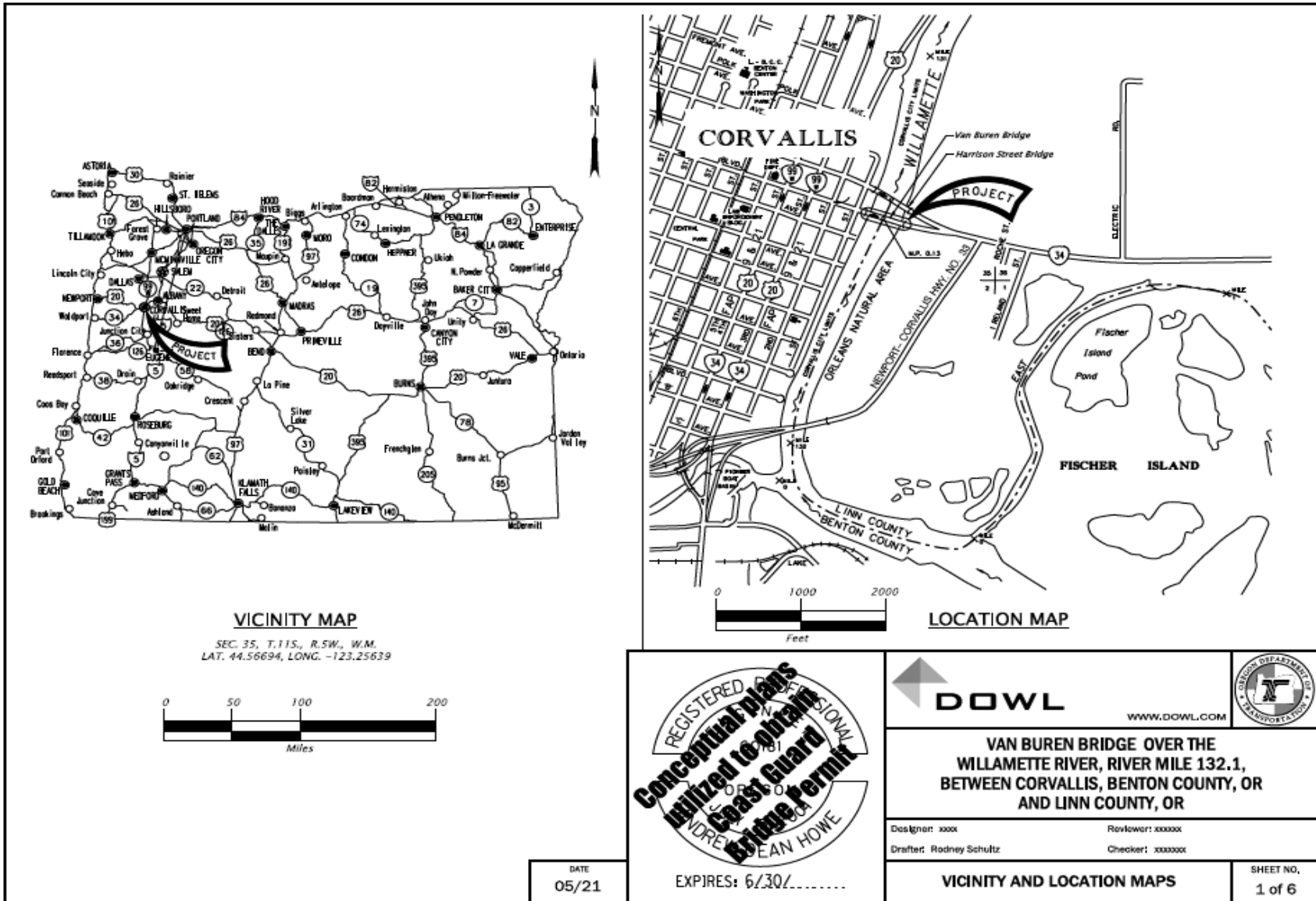


Figure 1. OR34: Van Buren Bridge Project Location Map

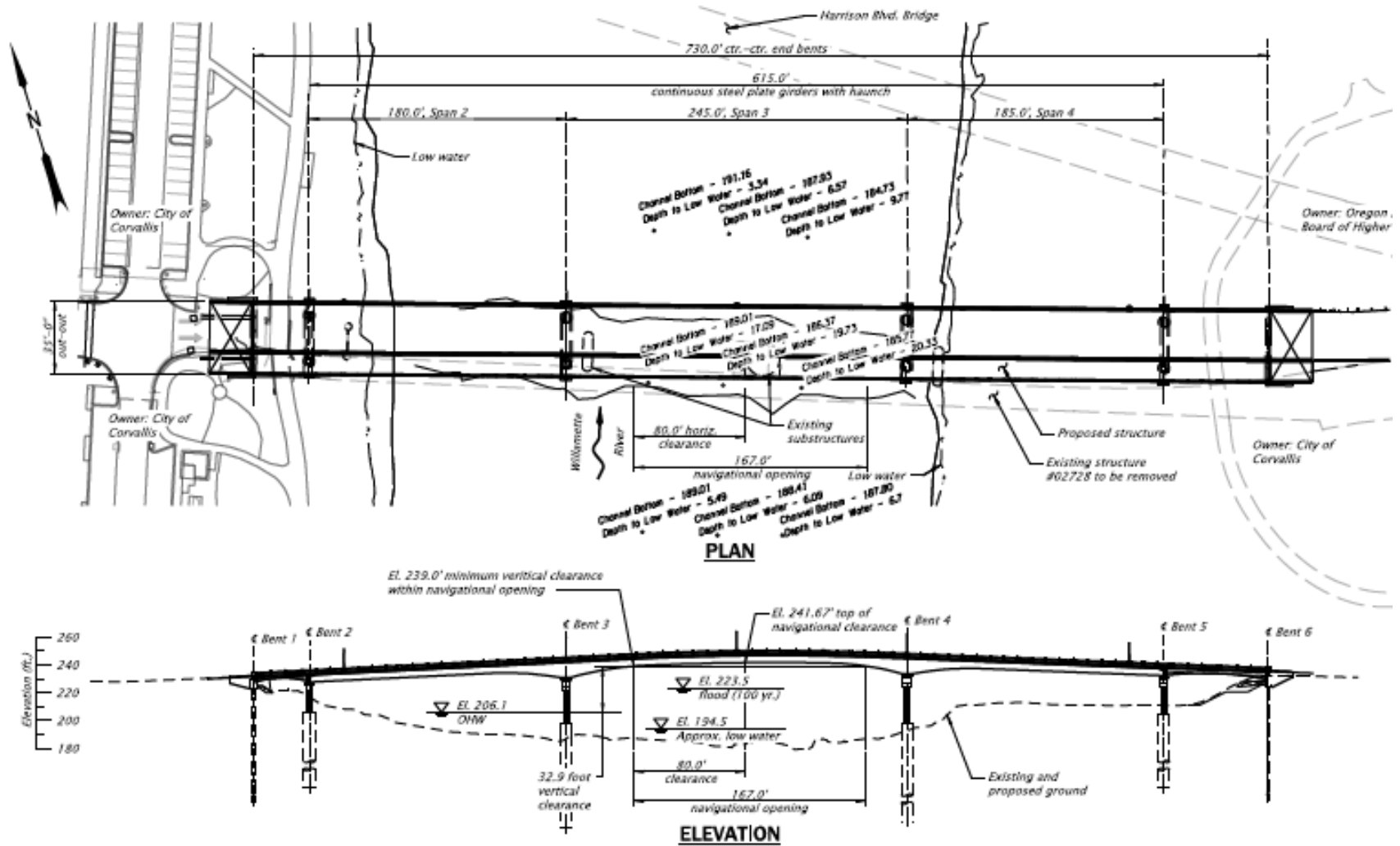


Figure 2. Plan and Elevation View for Proposed New Van Buren Bridge

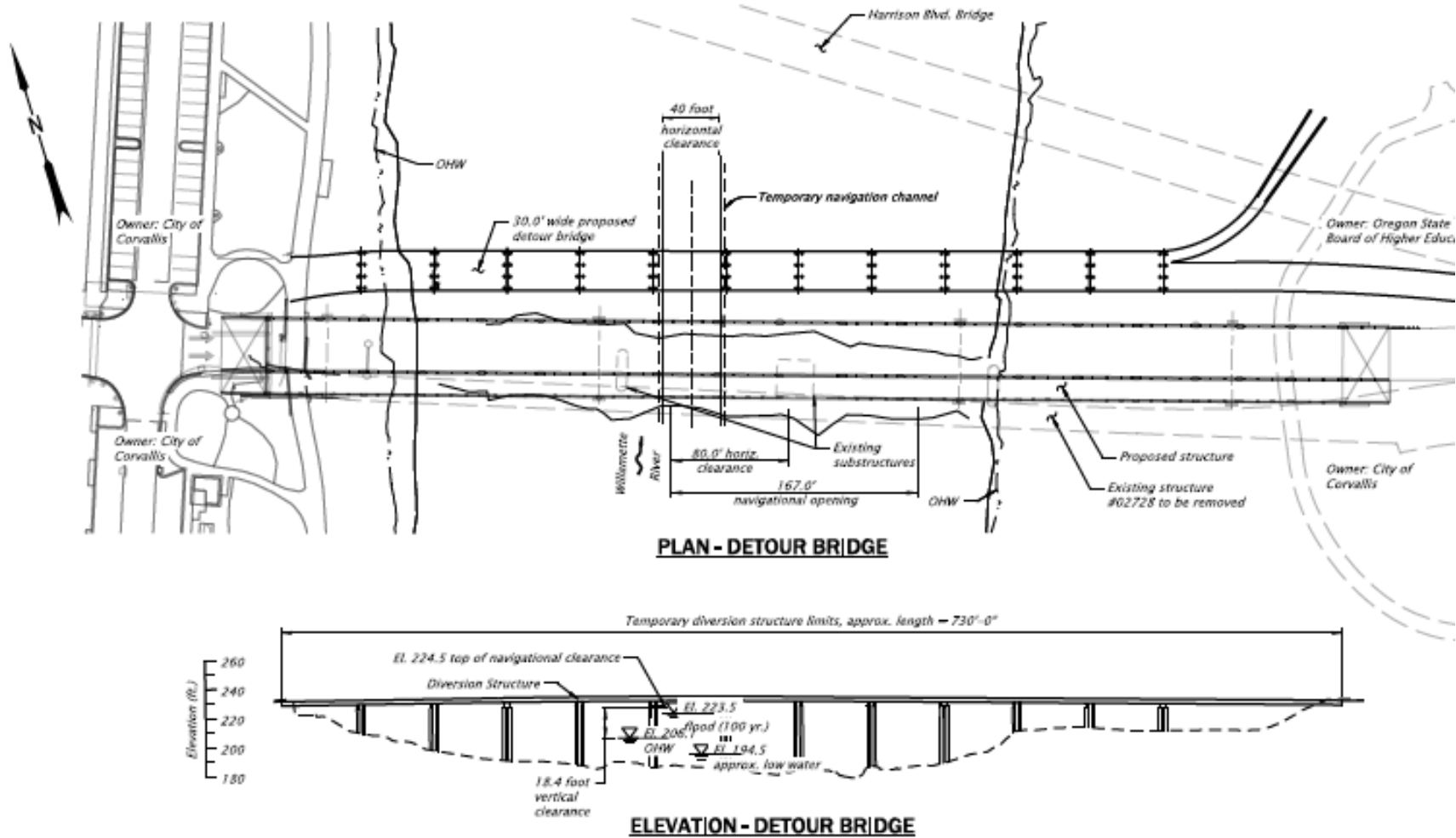


Figure 3. Plan and Elevation View of Proposed Temporary Detour Bridge

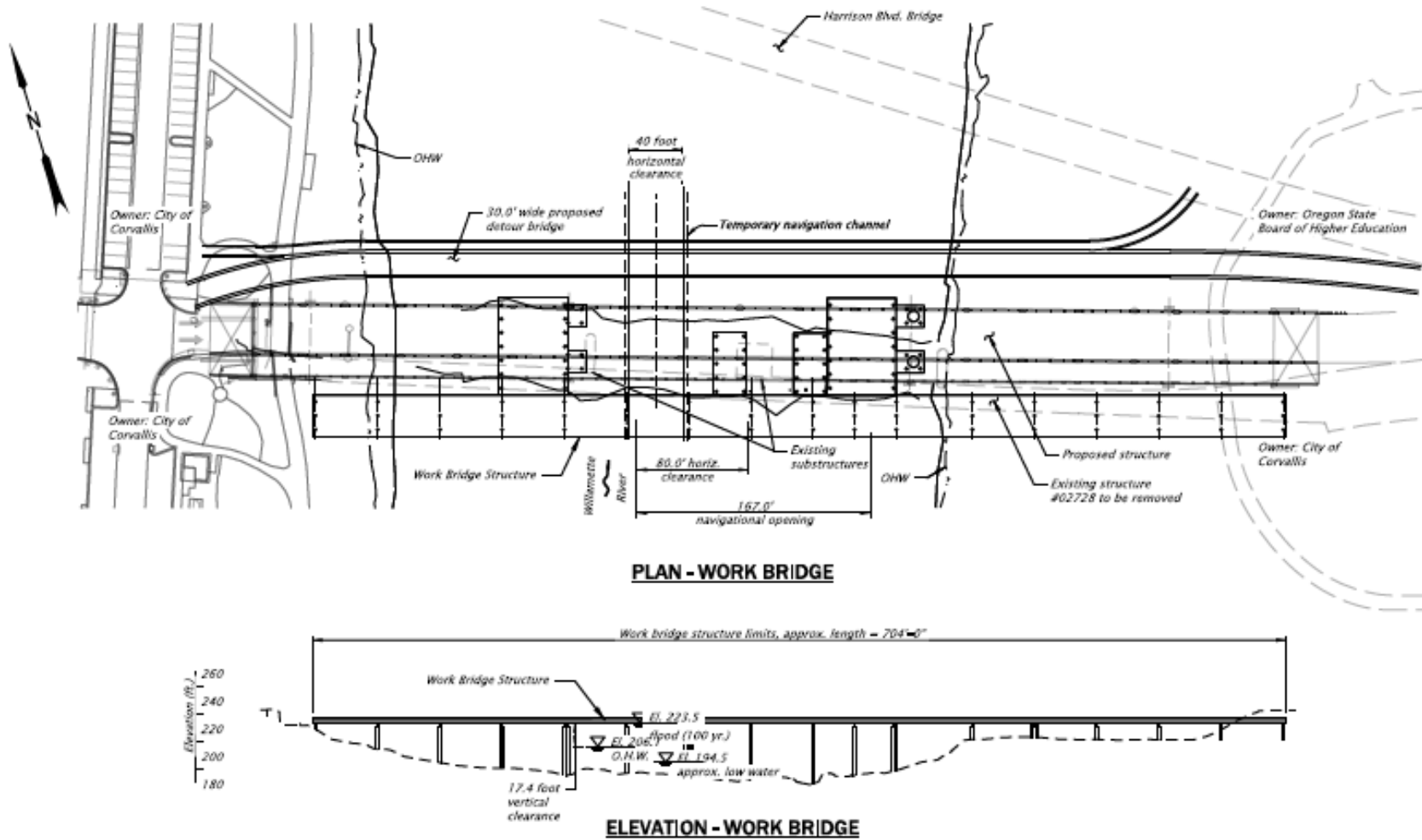


Figure 4. Plan and Elevation View of Conceptual Work Bridge



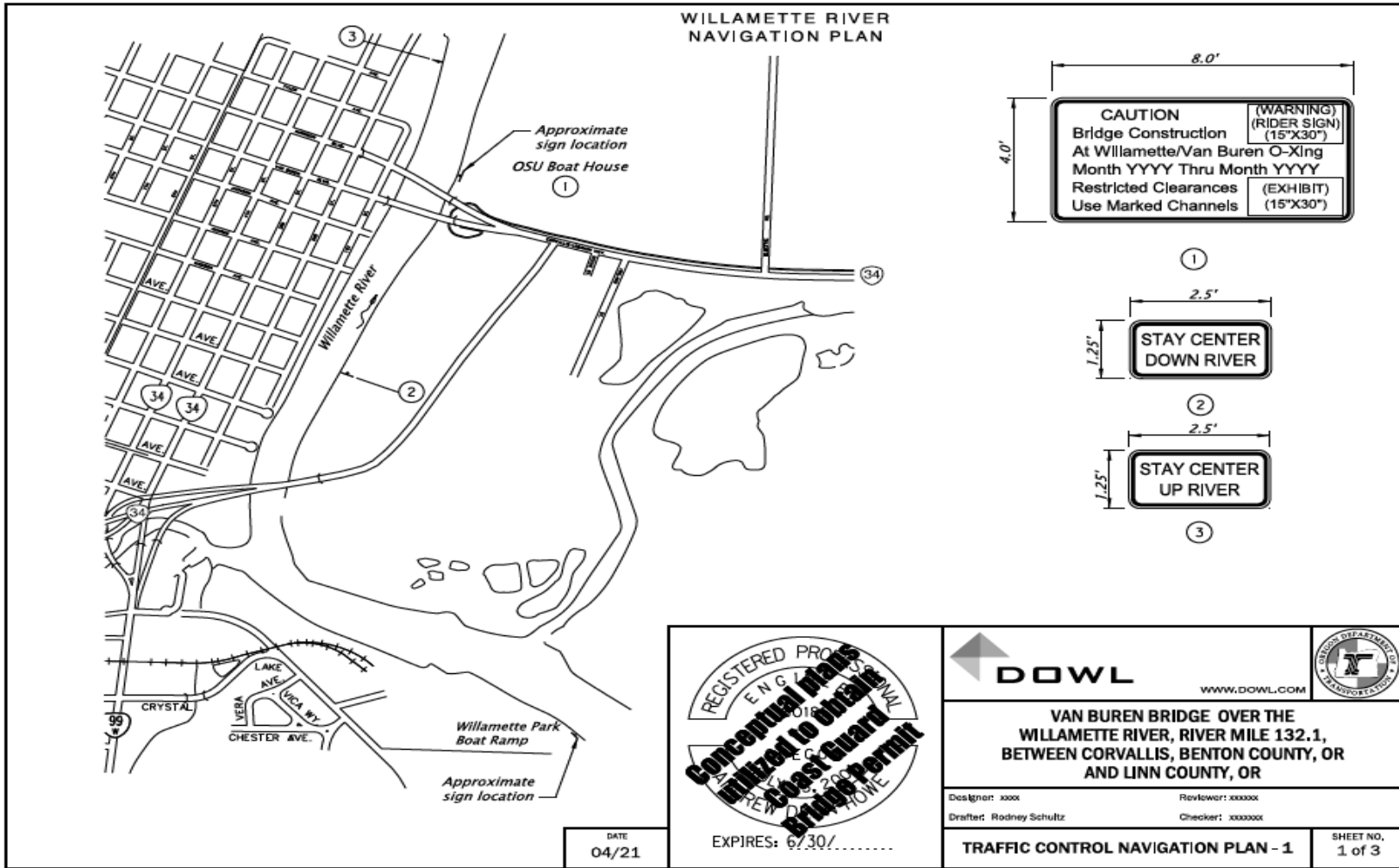


Figure 5. Willamette River Navigation Plan Overview

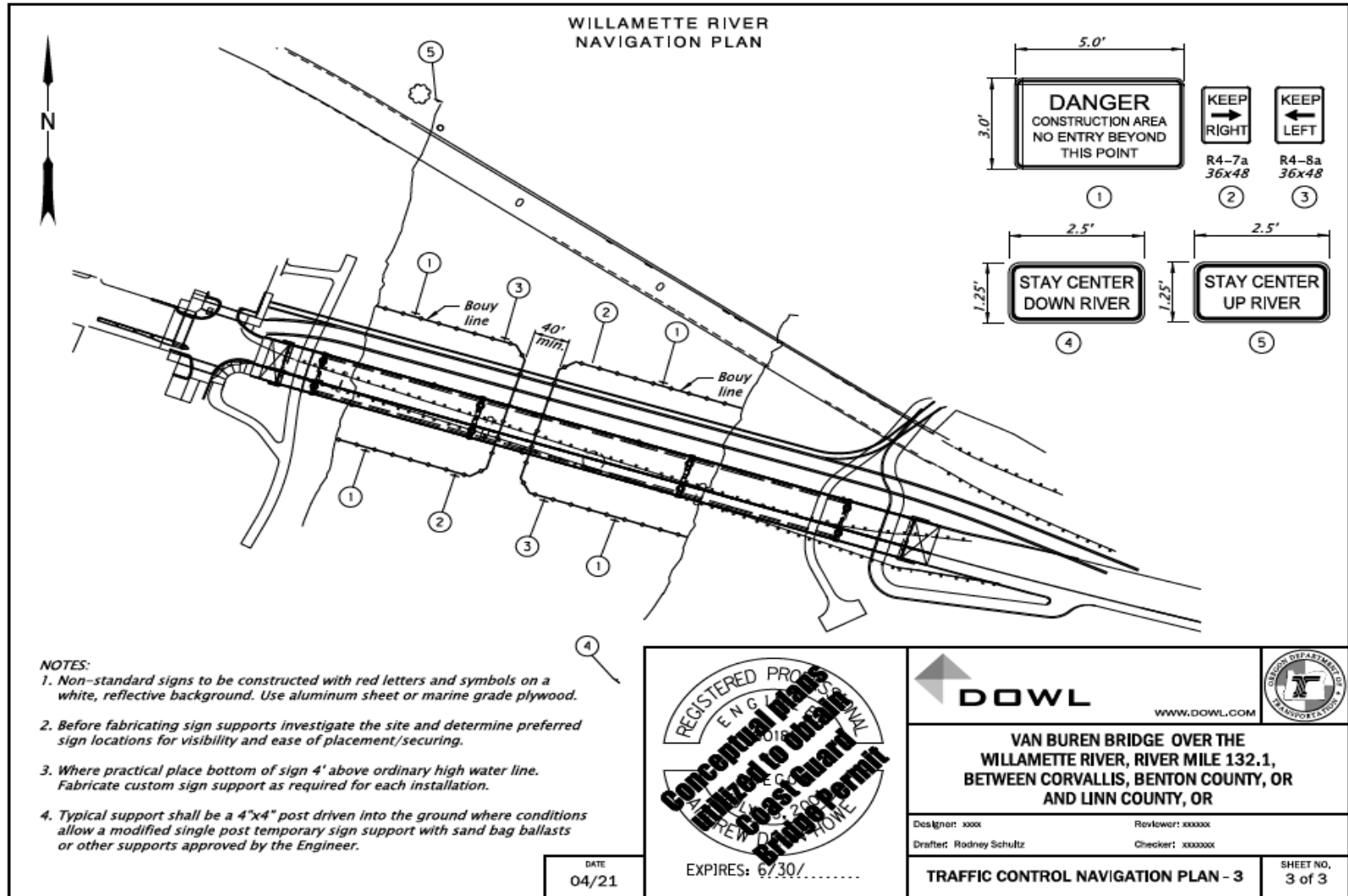


Figure 6. Willamette River Navigation Plan – Plan View

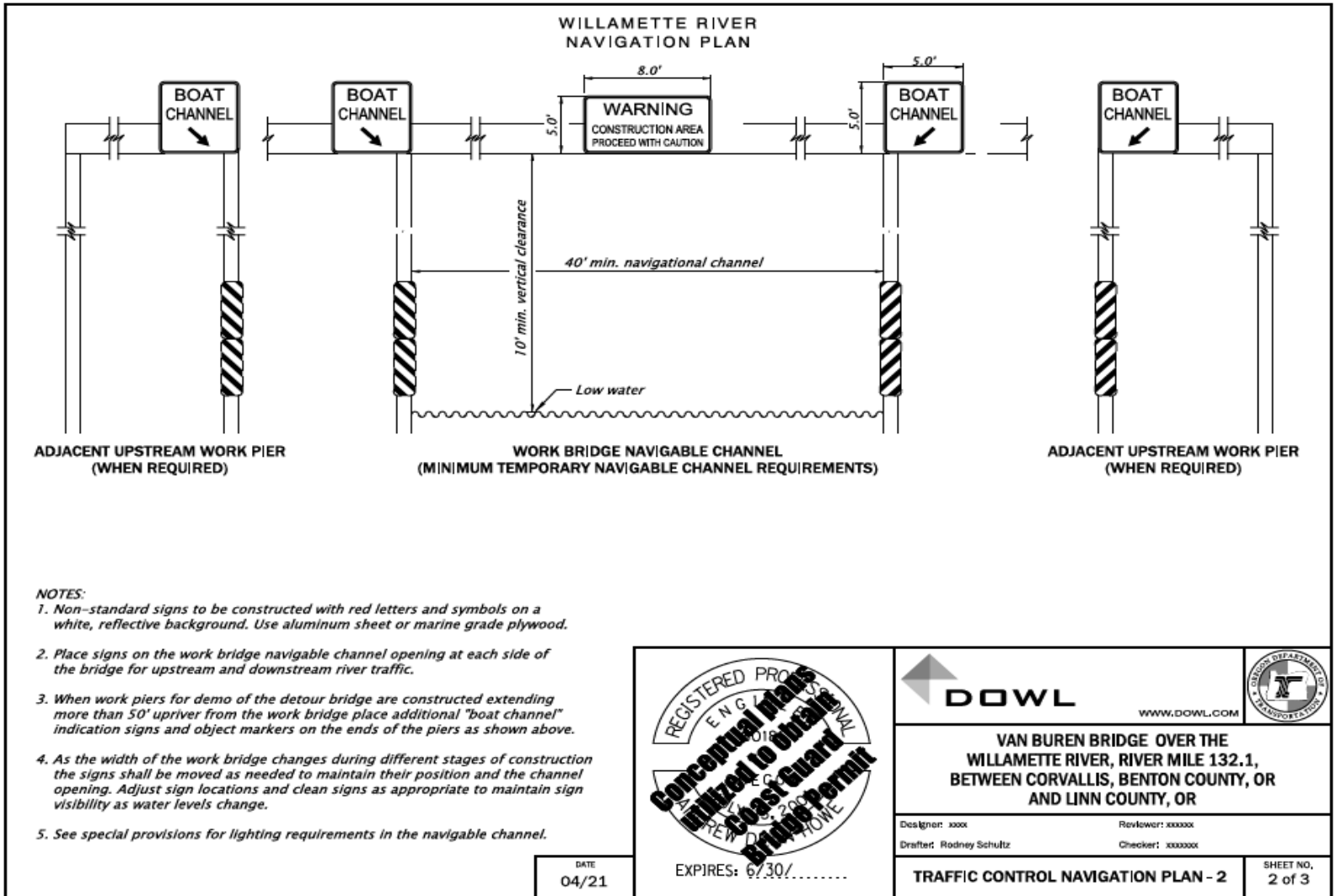


Figure 7. Willamette River Navigation Plan – Elevation View