

# Hilmar Complete Street Project

MERCED COUNTY, CALIFORNIA  
DISTRICT 10-MER-165-PM-32.87/34.44  
10-1P140/1022000075

## U.S. Department of Transportation Act Section 4(f) Draft De Minimis Determination



Prepared by the  
State of California Department of Transportation

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 U.S. Code 326 and the Memorandum of Understanding dated April 18, 2022, and executed by the Federal Highway Administration and Caltrans.

**March 2026**



## General Information About This Document

### ***What's in this document:***

The California Department of Transportation (Caltrans), as assigned by the Federal Highway Administration, has prepared this U.S. Department of Transportation Section 4(f) *de minimis* determination, which examines the potential impacts to Section 4(f) resources in the vicinity of the proposed project in Merced County in California. Caltrans is the lead agency under the National Environmental Policy Act (NEPA). Caltrans is the lead agency under the California Environmental Quality Act (CEQA). This document discusses Section 4(f) resources in the project area, their features and attributes, potential impacts from the proposed project, and proposed measures to avoid impacts to those resources.

### ***What you should do:***

- Please read the document. Additional copies of the document are available for review at the Caltrans District 10 Office at 1976 East Doctor Martin Luther King Junior Boulevard, Stockton, California 95205, Monday through Friday from 8:00 a.m. to 5:00 p.m.; and at Irwin-Hilmar Public Library at 20041 Falke St, Hilmar, CA 95324, Wednesday from 10:00 a.m. to 6:00 p.m., Friday from 10:00 a.m. to 5:00 p.m., and Saturday from 10:00 a.m. to 3:00 p.m. This document may also be downloaded at the following website: <https://dot.ca.gov/Caltrans-near-me/district-10/district-10-current-projects/10-1p140>.
- Tell us what you think. If you have any comments regarding the proposed Section 4(f) impacts, please send your written comments to Caltrans by the deadline. Submit comments via U.S. mail to: Laura Cook, District 10 Environmental, California Department of Transportation, 1976 East Doctor Martin Luther King Junior Boulevard, Stockton, California 95205. Submit comments via email to: Laura Cook at [Laura.Cook@dot.ca.gov](mailto:Laura.Cook@dot.ca.gov).
- Submit comments by the deadline: April 19, 2026.

### ***What happens next:***

After comments are received from the public and reviewing agencies, Caltrans, as assigned by the Federal Highway Administration, would proceed to seek concurrence on the *de minimis* findings made in this document from the official with jurisdiction for each of the Section 4(f) resources as described in Section 3.1 of this document, along with the applicable Federal agencies. If concurrence is provided, Caltrans would proceed with constructing all or part of the project.

### ***Accessibility Assistance***

Caltrans makes every attempt to ensure our documents are accessible. Due to variances between assistive technologies, there may be portions of this document that are not accessible. Where documents cannot be made accessible, we are committed to providing alternative access to the content. Should you need additional assistance, please contact us at the phone number in the box below.

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please write to or call Caltrans, Attention: Laura Cook, District 10 Environmental, 1976 East Doctor Martin Luther King Junior Boulevard, Stockton, California 95205; 209-662-2261 (Voice), or use the California Relay Service 1-800-735-2929 (Teletype to Voice), 1-800-735-2922 (Voice to Teletype), 1-800-855-3000 (Spanish Teletype to Voice and Voice to Teletype), 1-800-854-7784 (Spanish and English Speech-to-Speech), or 711

# Table of Contents

<b>Chapter 1</b>	Introduction .....	1
1.1	Introduction.....	1
1.2	Purpose and Need.....	1
1.2.1	Purpose .....	1
1.2.2	Need.....	1
1.3	Project Description .....	1
1.3.1	Description of Work .....	2
<b>Chapter 2</b>	Section 4(f) .....	5
2.1	Section 4(f) Overview .....	5
2.2	Section 4(f) <i>de minimis</i> Determination(s).....	5
2.2.1	Hilmar Park.....	7
2.2.2	Hilmar Covenant Church .....	8
2.3	Resources Evaluated Relative to the Requirements of Section 4(f): No- Use Determination(s).....	10
2.3.1	Hilmar High School.....	10
2.3.2	Country Living Mobile Home Park .....	10
<b>Chapter 3</b>	Coordination .....	13
3.1	Section 4(f) Officials with Jurisdiction .....	13
3.1.1	Hilmar Park.....	13
3.1.2	Hilmar Covenant Church .....	13
3.1.3	Hilmar High School.....	13
3.2	Public Participation .....	14
<b>Appendix A</b>	Title VI/Non-Discrimination Policy Statement.....	15



# **Chapter 1** Introduction

---

## **1.1 Introduction**

This project is exempt from the National Environmental Policy Act (NEPA) by categorical exclusion 771.117(c): activity c(3) under 23 USC 326 and from the California Environmental Quality Act (CEQA) by Class 1(c) categorical exemption under PRC 21084 and 14 CCR 15300 et seq. Section 4(f) of the U.S. Department of Transportation Act of 1966 still applies. 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 determinations and approval of Section 4(f) *de minimis* determinations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project.

## **1.2 Purpose and Need**

### **1.2.1 Purpose**

The purpose of the project is to improve mobility for roadway users and address stormwater issues within the project limits.

### **1.2.2 Need**

The project is needed to address flooding within project limits and to bring the corridor within the project limits up to standard in compliance with the 1990 Americans with Disabilities Act.

## **1.3 Project Description**

The California Department of Transportation (Caltrans) proposes to install Complete Streets elements and address flooding on State Route 165 from postmile 32.87 to postmile 34.4 in the City of Hilmar in Merced County. The project proposes to remove existing culverts and sidewalks and install Class II bike lanes, sidewalks, high visibility crosswalk enhancements, Americans with Disabilities Act-compliant curb ramps, culverts, inlets, a stormwater lift station, a retention basin, and a traffic census station. The project would require the acquisition of right of way. Construction of the project may require utility relocation and a detour.

### 1.3.1 Description of Work

Work off of the paved roadway is anticipated for several project features, including for the construction of the retention basin, culverts, and Complete Street elements, like sidewalk improvements and curb ramp upgrades. Ground disturbance is also anticipated. The retention basin and culverts would require a maximum depth of excavation of four (4) feet. Drainage improvements like culverts would be installed via open trenching.

Project construction is estimated to take place over 200 working days in 2029 and 2030. Night work with eight-hour construction windows is anticipated. A detour on State Route 165/Lander Avenue in the form of a reversible lane with traffic control would be required. No full road closures are anticipated.

Figure 1-1 Project Vicinity Map

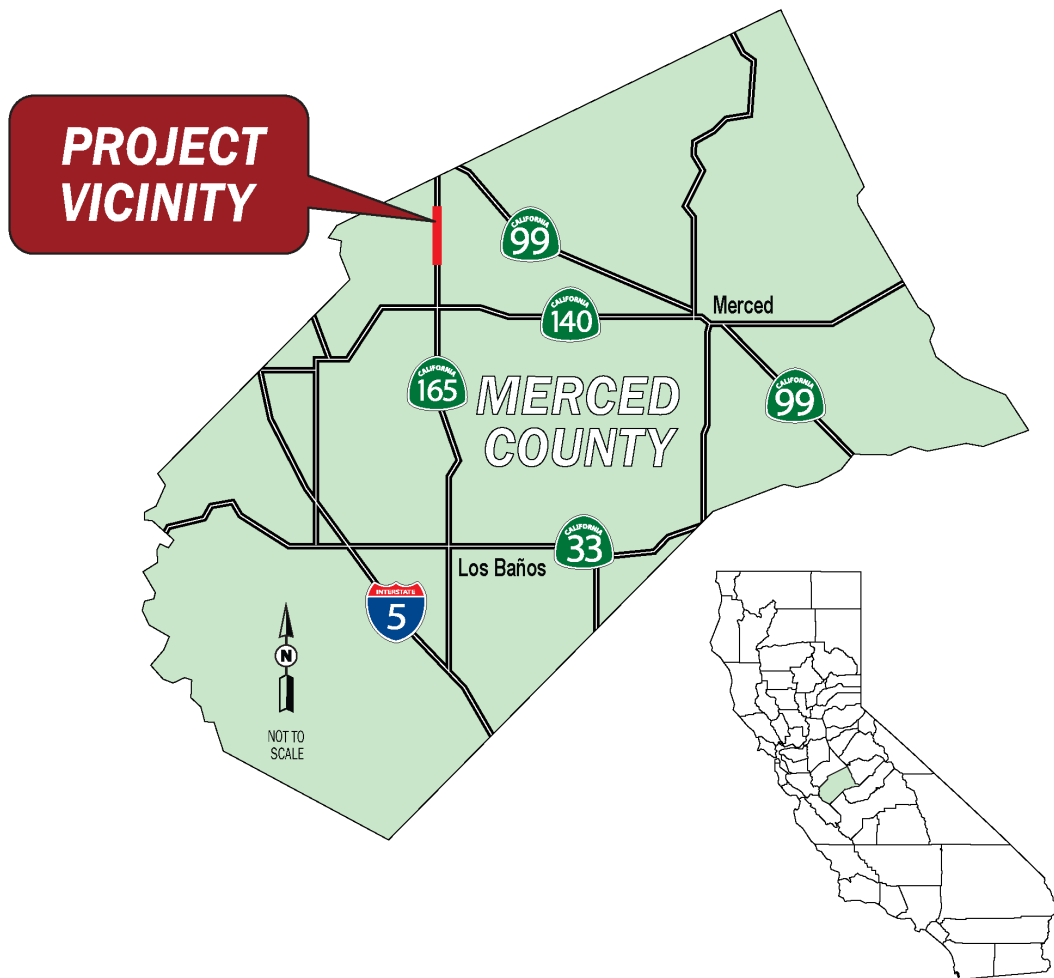
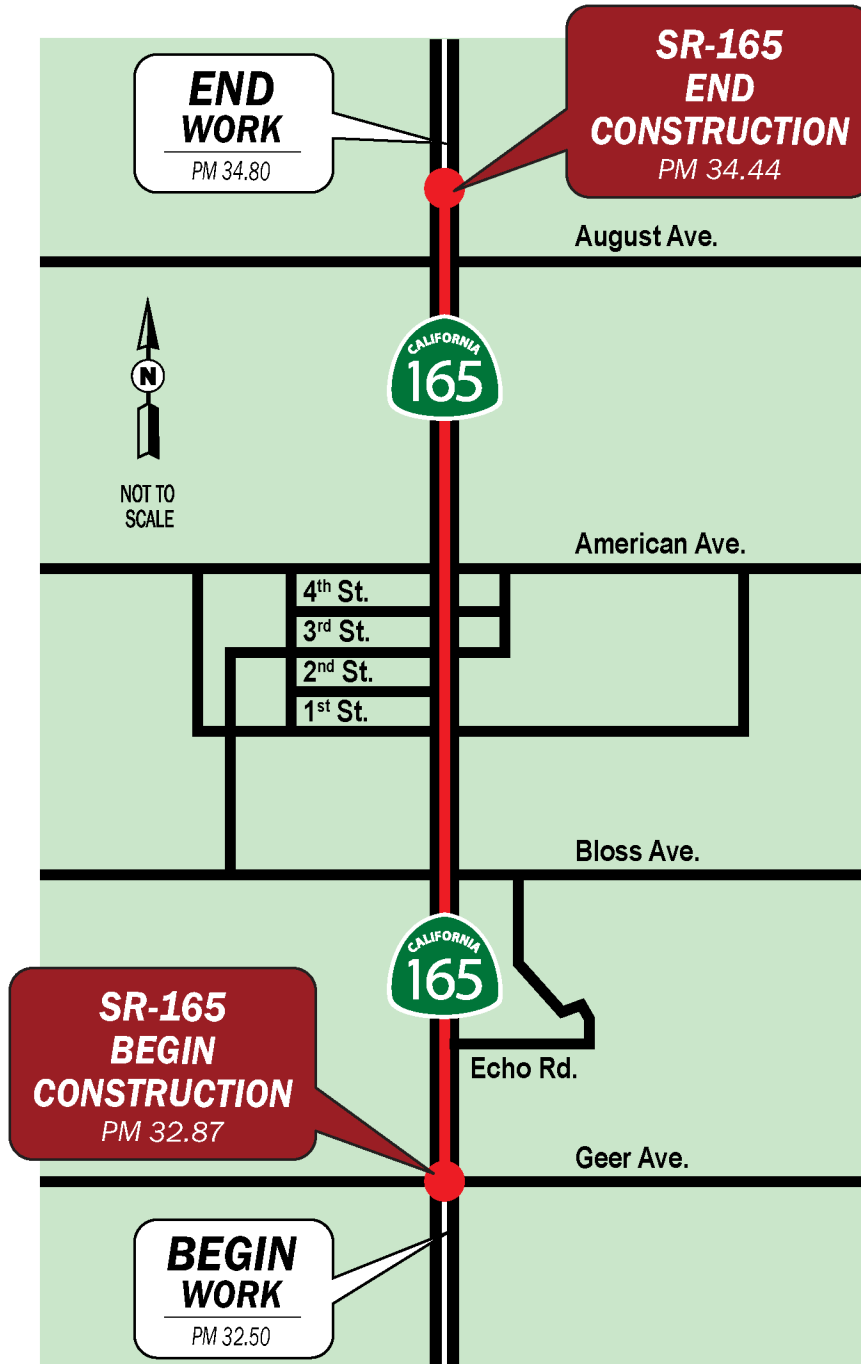


Figure 1-2 Project Location Map





# Chapter 2      Section 4(f)

---

## 2.1      Section 4(f) Overview

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 U.S. Code 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) requires coordination 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.

Responsibility for compliance with Section 4(f) has been assigned to 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.

## 2.2      Section 4(f) *de minimis* Determination(s)

This section of the document discusses *de minimis* impact determinations under Section 4(f). The Section 4(f) statute and regulations allow for a simplified approval process for projects that have only *de minimis* impacts on lands protected by Section 4(f). Once it is determined 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 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 *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.

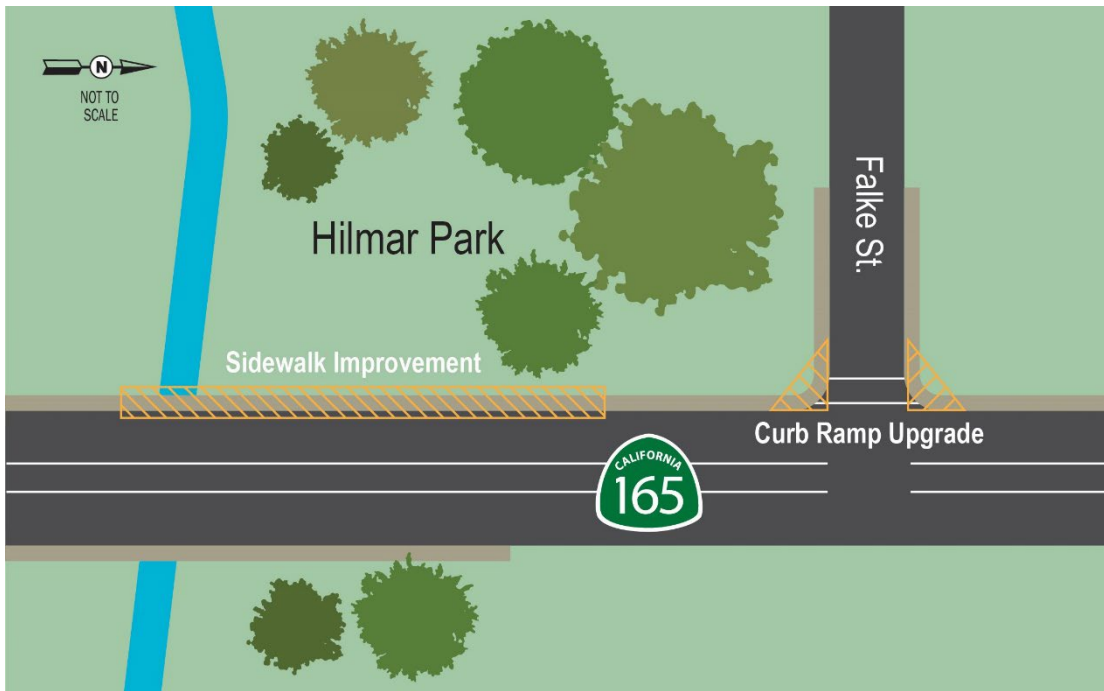
The project footprint has been analyzed for the presence of Section 4(f) resources, including publicly owned parks, recreation areas, and wildlife and waterfowl refuges, as well as archaeological and historic sites. Three (3) Section 4(f) resources were identified adjacent to the project: Hilmar Park, Hilmar High School, and Hilmar Covenant Church. They are described in the table below.

**Table 2-1 Section 4(f) Resources**

<b>Property and Assessor's Parcel Number (APN)</b>	<b>Section 4(f) Features</b>	<b>Official with Jurisdiction</b>	<b>Proposed Right of Way Needs</b>	<b>Anticipated Use</b>
Hilmar Park (APN: 017-043-006-000)	Public playground, community pool, and picnic area	Merced County	0.0415 acres	<i>de minimis</i> Use
Hilmar High School (APN: 017-050-001-000)	Athletics field	Hilmar Unified School District	None	No Use
Hilmar Covenant Church (APN: 015-010-010-000 and 015-010-036-000)	Historic church	State Historic Preservation Office (SHPO)	0.103 acres	<i>de minimis</i> Use

## 2.2.1 Hilmar Park

Figure 2-1 Hilmar Park Map



### **Activities, Features, and Attributes**

Hilmar Park is a 2.86-acre public lot (APN: 017-043-006-000) located adjacent to the project at 20079 Falke Street. It houses the Hilmar Community Hall, Hilmar Fire Station, Irwin-Hilmar Public Library, as well as a public picnic area, playground, and swimming pool. Hilmar Park is considered a significant, publicly owned community park and protected resource for the purposes of Section 4(f).

### **Use**

The project proposes sidewalk improvements and curb ramp upgrades on State Route 165 (Lander Avenue) between postmiles 32.87 and 34.44, including at Hilmar Park. These improvements would require a total of 0.0415 acres, or 1,841 square feet, of permanent easements across two locations at Hilmar Park:

- One permanent easement for sidewalk improvements at the parcel along State Route 165/Lander Avenue. The maximum potential area required for sidewalk improvements at this location is 0.036 acres or 1,600 square feet.
- One permanent easement for curb ramp upgrades at the parcel at the southwest corner of the State Route 165/Lander Avenue and Falke

Street intersection. The maximum potential area required for curb ramp upgrades at this location is 0.0055 acres or 241 square feet.

The proposed permanent easements are needed to replace and upgrade (widen) the existing sidewalk and curb ramp at Hilmar Park to current State and Federal safety standards. The proposed permanent easements are located adjacent to existing Caltrans right of way along State Route 165/Lander Avenue. They would not adversely affect the activities, features, or attributes qualifying Hilmar Park for protection under Section 4(f), as there would be no impact to the public picnic area, swimming pool, or playground, or to the Hilmar Community Hall, Hilmar Fire Station, or Irwin-Hilmar Public Library, as a result of the project. Additionally, access to the park would be maintained during project construction.

Per 23 CFR § 774.17, for parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f). Caltrans considers the permanent easements proposed at Hilmar Park for the purpose of sidewalk improvements and curb ramp upgrades to be minor; therefore, Caltrans anticipates making a *de minimis* finding for Hilmar Park, pursuant to 23 CFR 774.17, following public review.

### ***Avoidance and Minimization Measures***

The following avoidance and minimization measures would be included in the project to protect this Section 4(f) resource during construction:

- Caltrans would avoid construction staging at Hilmar Park.
- Caltrans would maintain access to Hilmar Park during project construction.

## **2.2.2 Hilmar Covenant Church**

### ***Activities, Features, and Attributes***

Hilmar Covenant Church is a historic religious site located adjacent to the project at 20056 American Avenue. The property consists of a Gothic Revival-style church building from 1921 with an attached Sunday school annex. Two parcels are associated with the property (APNs: 015-010-010-000 and 015-010-010-000).

Hilmar Covenant Church is considered a historic property under Section 106 and a historical resource under CEQA. It is eligible for listing in the National Register of Historic Places (NRHP) under Criterion C and in the California Register of Historical Resources (CRHR) under Criterion 3 as an excellent local example of Gothic Revival ecclesiastical architecture. Character-defining features include its cruciform plan, steeply pitched cross-gable roof, stucco walls textured to resemble stone, gable parapets, pilasters and buttress-like

elements, lancet and pointed arch stained-glass windows, and a prominent square bell tower with crenelated parapet and Gothic detailing. Associated secondary features, such as the parking lots, gazebo, gymnasium and office building, garage, and signage are all non-contributing.

### **Use**

The project proposes sidewalk improvements and curb ramp upgrades on State Route 165 (Lander Avenue) between postmiles 32.87 and 34.44, including at Hilmar Covenant Church. These improvements would require a total of 0.103 acres, or 4,486 square feet, of permanent easements at Hilmar Covenant Church across two locations:

- One permanent easement for sidewalk improvements and curb ramp upgrades along State Route 165/Lander Avenue at the southern parcel (APN: 015-010-010-000). The maximum potential area required for sidewalk improvements and curb ramp upgrades at this location is 0.034 acres, or 1,473 square feet.
- One permanent easement for sidewalk improvements along State Route 165/Lander Avenue at the northern parcel (APN: 015-010-036-000). The maximum potential area required for sidewalk improvements at this location is 0.069 acres, or 3,013 square feet.

The proposed permanent easements are needed to replace and upgrade (widen) the existing sidewalk and curb ramp at Hilmar Covenant Church to current State and Federal standards. The proposed permanent easements would be located adjacent to existing Caltrans right of way along State Route 165/Lander Ave and would not impact the church building itself. Therefore, a Finding of No Adverse Effect is anticipated for the permanent easements at Hilmar Covenant Church, as the proposed alterations are limited to sidewalk and curb ramp improvements which would not impair the church's historic character.

For historic sites, *de minimis* impact means no historic property is affected by the project or that the project would have "no adverse effect" on the historic property in question in accordance with 36 CFR part 800. Caltrans PQS have deemed that the permanent easements proposed at Hilmar Covenant Church for the purpose of the sidewalk improvements and curb ramp upgrades would have no adverse effect on the historic property; therefore, Caltrans anticipates making a *de minimis* finding for Hilmar Covenant Church, pursuant to 23 CFR 774.17, following State Historic Preservation Office (SHPO) concurrence.

### **Avoidance and Minimization Measures**

The following avoidance and minimization measures would be included in the project to protect this Section 4(f) resource during construction:

- Caltrans would avoid staging construction at Hilmar Covenant Church.

- Caltrans would maintain access to Hilmar Covenant Church during project construction.

## **2.3 Resources Evaluated Relative to the Requirements of Section 4(f): No-Use Determination(s)**

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 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.”

This section of the document discusses parks, recreational facilities, wildlife refuges, and historic properties found within or next to the project area that do not trigger Section 4(f) protection because: 1) they are not publicly owned, 2) they are not open to the public, 3), or 4) the project does not permanently use the property and does not hinder the preservation of the property.

### **2.3.1 Hilmar High School**

Hilmar High School, located at 7807 Lander Ave in the city of Hilmar, CA, is a 19.38-acre governmental/public lot (Merced County parcel APN: 045-290-013-000) that holds the Hilmar High School, gymnasium, administrative buildings, and a large athletics field. The Hilmar High School athletics field is a Section 4(f) resource, as it is a significant recreational area in the community that is open to the public during non-school hours.

The project proposes sidewalk improvements and curb ramp upgrades on State Route 165/Lander Avenue adjacent to Hilmar High School, but not within property limits. No temporary or permanent easements or acquisitions are proposed at this resource. Additionally, access to its parking facilities would be maintained during project construction. The project would not result in any temporary or permanent Use of Hilmar High School.

Caltrans has deemed that Hilmar High School is a Section 4(f) property, but no use would occur. Therefore, the provisions of Section 4(f) do not apply.

### **2.3.2 Country Living Mobile Home Park**

Country Living Mobile Home Park, located at 19960 American Avenue in the city of Hilmar, is a commercial/residential property in the project area. This property was evaluated for historical significance as part of the environmental review for this project, as it includes two single-family residences dating to approximately 1925 and 1972, along with approximately 70 mobile homes installed between 1983 and 1984. It was also evaluated for eligibility for listing

in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR).

In its evaluation, Caltrans found that Country Living Mobile Home Park is not a significant historic property and, therefore, not an eligible Section 4(f) resource. The mobile home park is not eligible for listing in the NRHP or in the CRHR under any criteria, and it does not qualify as a historic property under Section 106 nor as a historical resource under CEQA. The property lacks architectural distinction and does not represent a cohesive historic design, construction method, or association with significant historical events or persons. The presence of numerous mobile homes, phased development, and extensive alterations has resulted in a loss of integrity, particularly in design, setting, materials, workmanship, feeling, and association. Country Living Mobile Home Park is, therefore, not eligible for protection under Section 4(f) as a historic site. It is also not eligible for protection under Section 4(f) as a park, recreational area, or wildlife or waterfowl refuge, as the park is not publicly owned or significant as a recreational resource in the community.

Caltrans has deemed that Country Living Mobile Home Park is not a Section 4(f) property. Therefore, the provisions of Section 4(f) do not apply.



## **Chapter 3**      Coordination

---

### **3.1 Section 4(f) Officials with Jurisdiction**

Caltrans (as assigned by the FHWA) is required to coordinate with the agency with jurisdiction for a Section 4(f) resource prior to finalizing a *de minimis* finding for the resource. In the case of public parks, recreation areas, and wildlife and waterfowl refuges, the official with jurisdiction is the agency that owns or administers the property and who are empowered to represent the agency on matters related to the property. In the case of historic properties, the official with jurisdiction is the State Historic Preservation Office (SHPO) for the state wherein the property is located.

#### **3.1.1 Hilmar Park**

The official with jurisdiction for Hilmar Park is the County of Merced. Caltrans will seek concurrence on the anticipated Section 4(f) *de minimis* finding for Hilmar Park from the County of Merced following the public comment period and prior to making a definitive finding.

#### **3.1.2 Hilmar Covenant Church**

The official with jurisdiction for Hilmar Covenant Church as a historic property is the State Historic Preservation Office (SHPO). Caltrans will seek concurrence from SHPO on the anticipated Finding of No Adverse Effect for Section 106 and Section 4(f) *de minimis* finding for Hilmar Covenant Church prior to finalizing the finding.

#### **3.1.3 Hilmar High School**

The official with jurisdiction for Hilmar High School is the Hilmar Unified School District. Caltrans initiated correspondence with the Hilmar Unified School District via email on January 8, 2026, to determine whether the Hilmar High School athletics field is eligible for protection under Section 4(f). The Hilmar Unified School District's Superintendent responded in the affirmative on January 8, 2026, confirming that Hilmar High School's athletic field meets the criteria for a Section 4(f) protected property. The corresponding emails are available for public review upon request.

Caltrans has found that the project would have No Use on the Hilmar High School athletic field as a Section 4(f) resource, and no further correspondence is required.

### 3.2 Public Participation

Prior to finalizing the Section 4(f) *de minimis* findings proposed in this document, Caltrans would prepare a public notice and provide the public an opportunity to review and comment on the preliminary *de minimis* findings during a 30-day public review period. A Public Notice of Availability would be published in the Merced County Times and Merced Sun-Star, and this document would be available for review in-person at the Caltrans District 10 Office and Irwin-Hilmar Public Library, and for download on the Caltrans project webpage. ADA compliant copies of this document would also be made available upon request. Comments from the public would be welcomed from March 19, 2026, to April 19, 2026.

If there are no major comments, Caltrans would proceed to seek concurrence on the *de minimis* findings made in this document from the official with jurisdiction for each of the Section 4(f) resource as described in Section 3.1 above. If concurrence is provided, Caltrans will proceed with the project.

# Appendix A Title VI/Non-Discrimination Policy Statement

---

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

## California Department of Transportation

OFFICE OF THE DIRECTOR  
P.O. BOX 942873, MS-49 | SACRAMENTO, CA 94273-0001  
(916) 654-6130 | FAX (916) 653-5776 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)




September 2025

### TITLE VI/NON-DISCRIMINATION POLICY STATEMENT

It is the policy of the California Department of Transportation (Caltrans), in accordance with Title VI of the Civil Rights Act of 1964 and the assurances set forth in the Caltrans' Title VI Program Plan, to ensure that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Related non-discrimination authorities, remedies, and state law further those protections, including sex, disability, religion, sexual orientation, age, low income, and Limited English Proficiency (LEP).

Caltrans is committed to complying with 23 C.F.R. Part 200, 49 C.F.R. Part 21, 49 C.F.R. Part 303, and the Federal Transit Administration Circular 4702.1B. Caltrans will make every effort to ensure nondiscrimination in all of its services, programs, and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin (including LEP). In addition, Caltrans will facilitate meaningful participation in the transportation planning process in a non-discriminatory manner.

The overall responsibility for this policy is assigned to the Caltrans Director. The Caltrans Title VI Coordinator is assigned to the Caltrans Office of Civil Rights Deputy Director, who then delegates sufficient responsibility and authority to the Office of Civil Rights' managers, including the Title VI Branch Manager, to effectively implement the Caltrans Title VI Program. Individuals with questions or requiring additional information relating to the policy or the implementation of the Caltrans Title VI Program should contact the Title VI Branch Manager at [title.vi@dot.ca.gov](mailto:title.vi@dot.ca.gov) or at (916) 639-6392, or visit the following web page: <https://dot.ca.gov/programs/civil-rights/title-vi>.

  
[Dina El-Tawansy \(Sep 12, 2025 16:52:12 PDT\)](#)  
DINA A. EL-TAWANSY  
Director

"Improving lives and communities through transportation."

