

4.8 Department of Transportation Act, Section 4(f) - [Recodified at 49 USC Section 303]

Overview

Section 4(f) of the Department of Transportation Act of 1966 requires federal agencies to identify and avoid impacts to parklands, recreation areas, historic sites, and wildlife and waterfowl refuges. Specifically, Section 4(f) precludes “use” of these resources, either directly through a physical taking or indirectly through “constructive use” unless there are no prudent and feasible alternatives, and the project incorporates all possible planning to minimize harm. In addition, parks that received federal funds through the Land and Water Conservation Fund may not be converted from recreational use without specific approval from the U.S. Department of Interior.

The analysis in this section has been performed in the context of these two federal laws. However, all of the resources addressed in this section have been analyzed in expanded detail in their respective sections of this Draft EIS/EIR. Please see the *Related Topics* section below for the relevant sections.

Key Conclusions

An initial inventory identified 32 public park and recreation areas, one wildlife refuge, and seven historic properties within the Section 4(f) study area. The FAA’s determination of historic properties and consultation with the California State Historic Preservation Officer and the Federal Highway Administration is currently ongoing and the results of the consultation will be included in the Final EIS/EIR. Evaluation of the Master Plan alternatives and their effects on these resources identified a use under Section 4(f) for Alternatives A and B due to displacement of habitat within the El Segundo Blue Butterfly Habitat Restoration Area, and under Alternative B the use and constructive use of two historic properties. There would be no “use” or “constructive use” of any properties protected under Section 4(f) for Alternative C.

None of the three Department of the Interior Land and Water Conservation Fund, Section 6(f) resources identified within the study area would be affected by the Master Plan build alternatives.

The following table identifies Section 4(f) resources potentially affected by the Master Plan build alternatives and the type of the effect:

Section 4(f) Resources	Type of Effect Alternative A	Type of Effect Alternative B	Type of Effect Alternative C
Hangar One	--	Relocation	--
Merle Norman Headquarters Complex	--	Acquisition and Demolition	--
Archaeological Sites	Potential Discoveries During Construction/ Excavation	Potential Discoveries During Construction/ Excavation	Potential Discoveries During Construction/ Excavation
El Segundo Blue Butterfly Habitat Restoration Area	Installation of Navigational Aids/Loss of Habitat	Installation of Navigational Aids/Loss of Habitat	--
Centinela Adobe ¹	Encroachment and Visual Effects ²	--	Encroachment and Visual Effects ²
Randy’s Donuts	Visual and Vibration Effects ²	--	Visual and Vibration Effects ²

¹ Based on preliminary engineering plans proposed for the LAX Expressway and improvements to State Route 1, it is possible that additional land acquisition may occur. The environmental consequences of these proposed transportation improvements are discussed in Appendix K, *Supplemental Environmental Evaluation for LAX Expressway and State Route 1 Improvements*.

² Only under the LAX Expressway Split Viaduct Alternative (see Appendix K).

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Hangar One: Alternative B would require the relocation of Hangar One, a National Register listed historic property. Although retention of the setting, design, materials and feeling of Hangar One and its listing on the National Register are expected to be maintained through the proposed relocation process, relocation of a historic property would still constitute a use under Section 4(f). Alternatives A and C would not require relocation of Hangar One.

Merle Norman Headquarters Complex: The Merle Norman Headquarters Complex appears eligible for listing in the National Register. Alternative B would require the acquisition and demolition of this property in order to accommodate a proposed airport ring road. This action would result in a use under Section 4(f). Roadway configurations under Alternatives A and C avoid acquisition and demolition of the Merle Norman Headquarters Complex.

Centinela Adobe: The Centinela Adobe is listed in the National Register. Under Alternatives A and B, the LAX Expressway would encroach onto this historic property. The encroachment and associated visual and noise effects would result in both a use and constructive use of the property.

Randy's Donuts: Randy's Donuts appears eligible for listing in the National Register. Under Alternatives A and C, an elevated section of the LAX Expressway would be located in close proximity to the property, resulting in a constructive use due to visual impacts on the resource.

Archaeological/Cultural Resources: None of the alternatives would affect significant known archaeological/ cultural resources identified in the study area.

El Segundo Blue Butterfly Habitat Restoration Area: Alternatives A and B would affect the El Segundo Blue Butterfly Habitat Restoration Area due to the placement of navigational aids within the area, which would result in a use under Section 4(f).

Environmental Action Plan

LAWA has adopted a Master Plan Commitment that ensures any noise insulation conducted on historic properties will be undertaken with the supervision of a qualified architectural historian or historic architect. Enforcement of this policy by LAWA would avoid any Section 4(f) effects on the Academy Theatre in Inglewood, which is considered a National Register eligible property.

Mitigation Measures: Under Section 4(f), mitigation can be used to avoid the constructive use of a resource. If a Section 4(f) resource is used and there are no prudent and feasible alternatives to that use, mitigation can serve to minimize harm to the resource. Affects on Hangar One under Alternative B would be mitigated by relocating the structure to an appropriate site within the original Mines Field boundary and by ensuring that the majority of its character-defining features would be preserved. It is anticipated, as a result of this Mitigation Measure, that Hangar One would retain its National Register listing and eligibility. Despite mitigation, the relocation would still result in a use under Section 4(f), which would require a full evaluation of avoidance alternatives. Full Section 4(f) evaluations would also be required to address potential use and constructive use of the Merle Norman Headquarters Complex, the Centinela Adobe, and Randy's Donuts.

The disturbance or destruction of potentially significant undiscovered archaeological resources resulting from development of Alternative A, B, and C would be minimized through archaeological monitoring and several other archaeological mitigation measures identified in Section 4.9.1, *Historic/Architectural, Archaeological/Cultural Resources*.

Mitigation Measures MM-BC-8, Replacement of State-Designated Sensitive Habitats for Alternative A, and MM-BC-9, Replacement of State-Designated Sensitive Habitats for Alternative B, provide for the replacement of the lost habitat.

Related Topics

For more information on noise insulation at sensitive sites, please see Section 4.1, *Noise*. Section 4.2, *Land Use*, contains information on the Aircraft Noise Mitigation Program.

Further details addressing historic resources is contained in Section 4.9, *Historic/Architectural, Archaeological/Cultural and Paleontological Resources*.

Additional information regarding parks and recreation is presented in Section 4.26.3, *Parks and Recreation*. Section 4.14, *Coastal Zone Management and Coastal Barriers*, addresses coastal access.

Section 4.10, *Biotic Communities* and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*, present additional information regarding wildlife habitat and preservation.

4.8.1 Introduction

This DOT 4(f) analysis addresses the potential for the Master Plan build alternatives to result in a “use” of public parks and recreation lands, wildlife and waterfowl refuges, and any historic sites, as defined by Department of Transportation Act, Section 4(f). This section also assesses whether the proposed Master Plan alternatives would result in the conversion of public park and recreation lands funded through the Department of the Interior Land and Water Conservation Fund Act of 1965 (L&WCF Act).²⁹³ Appendix H, *Department of Transportation Act Section 4(f) Report*, contains comprehensive information addressing the applicability of Section 4(f) of the DOT Act and 6(f) of the L&WCF Act to the proposed Master Plan build alternatives. More detailed descriptions of historically significant and environmentally sensitive properties are provided in Section 4.9, *Historic/Architectural, Archaeological/Cultural and Paleontological Resources*, Section 4.10, *Biotic Communities*, Section 4.11, *Endangered and Threatened Species of Flora and Fauna*, and Section 4.26.3, *Parks and Recreation*. Section 4.1, *Noise*, and Section 4.2, *Land Use*, contain detailed discussions of noise. Section 4.14, *Coastal Zone Management and Coastal Barriers*, addresses bicycle lanes and paths relative to coastal access.

4.8.2 General Approach and Methodology

Section 4(f) Resources

Section 4(f) of the Department of Transportation Act of 1966 (recodified as amended at 49 USC Section 303) permits use of a publicly owned park, recreation area, wildlife or waterfowl refuge, or public or privately owned historic site of national, state, or local significance²⁹⁴ for a transportation project only when the Secretary of Transportation has determined that there is no feasible and prudent alternative to such use and the project includes all possible planning to minimize harm to the property resulting from such use.

The Master Plan alternatives were evaluated to determine whether use of Section 4(f) resources would occur. If it is determined that LAWA’s Preferred Alternative (Alternative C) would result in a use or constructive use of a Section 4(f) resource, then a Section 4(f) evaluation would be completed.

“Use,” within the meaning of Section 4(f), occurs when the project requires a physical taking or other direct control of the land for the purpose of the project. For example, acquiring and developing a portion of a park or a historic site to build a road would be considered a use.

Use, pursuant to Section 4(f), also includes adverse indirect impacts or what is termed “constructive use.” A constructive use may occur when impacts substantially impair or diminish the activities, features, or attributes of the resource that contribute to its significance or enjoyment.²⁹⁵ For example, if building a roadway in the area would significantly increase noise levels at a park with an outdoor amphitheater and would substantially impair the use of the amphitheater, the roadway may represent a constructive use, even though there would be no acquisition or development within the park.

A project would result in a use under Section 4(f) if it would:

- ◆ Require the physical taking of any Section 4(f) resource.
- ◆ Result in a constructive use of a Section 4(f) resource through noise, visual intrusions, or other indirect effects that substantially impair the value of the site, in terms of its environmental, recreational, ecological, or historical significance.

The study area for the Section 4(f) analysis includes areas adjacent to existing and proposed LAX boundaries as well as areas adversely affected by project noise levels as defined in FAR Part 150. These resources are shown in **Figure 4.8-1**, Section 4(f) and 6(f) Resources Within Study Area. The

²⁹³ 16 U.S.C. Section 4601-8.

²⁹⁴ For purposes of this analysis, publicly owned parks, recreation areas, wildlife and waterfowl refuges, and public or privately owned historic sites of national, state, or local significance are collectively referred to as “Section 4(f) resources.”

²⁹⁵ Federal Aviation Administration, “Policies and Procedures for Considering Environmental Impacts”, FAA Order 1050.1D, Change 4, Attachment 2, Section 5(b)(4), December 5, 1986.

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following describes the specific methodology used to identify Section 4(f) resources and evaluate their potential use in accordance with applicable guidance and regulations.

Public Parks and Recreation Areas

Evaluation of parks and recreation areas focused on potential use stemming from land acquisition and constructive use from increases in noise that interfere with the normal use of the park or recreation area. Constructive use was also evaluated relative to changes in demographics and user populations, access, and visual and aesthetic conditions of public parks and recreational areas.

Historic and Archaeological Resources

FAA Order 5050.4A, *Airport Environmental Handbook*, and FAA Order 1050.1D, state that Section 4(f) of the DOT Act applies to those historic or archaeological sites of national, state, or local significance that are included in or eligible for inclusion in the National Register of Historic Places.²⁹⁶ FHWA, who has jurisdiction relating to the major surface transportation components of the project, provides guidance indicating that constructive use of a historic site may occur when the “projected noise level increase attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a resource protected by Section 4(f).” This includes the “enjoyment of a historic site where a quiet setting is a generally recognized feature or attribute of the site’s significance.”²⁹⁷

FAA Order 5050.4A also indicates that constructive use could occur if the aesthetic value of a historic site is significantly impaired. A constructive use of historic resources could occur as a result of noise mitigation measures that involve replacement of windows and/or alterations to historic elements of a structure, such that it no longer retains the qualities which make it eligible for listing in the National Register.

Use of an archaeological site would occur if a site that has value for preservation in place were disturbed or destroyed. If it is determined that the archaeological resource is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place, then a use would not occur under Section 4(f).

Wildlife Refuges

Constructive use of a wildlife or waterfowl refuge may occur when the “ecological intrusion of the project substantially diminishes the value of wildlife habitat in a wildlife or waterfowl refuge adjacent to the project or substantially interferes with the access to a wildlife or waterfowl refuge, when such access is necessary for established wildlife migration or critical life cycle process.”²⁹⁸

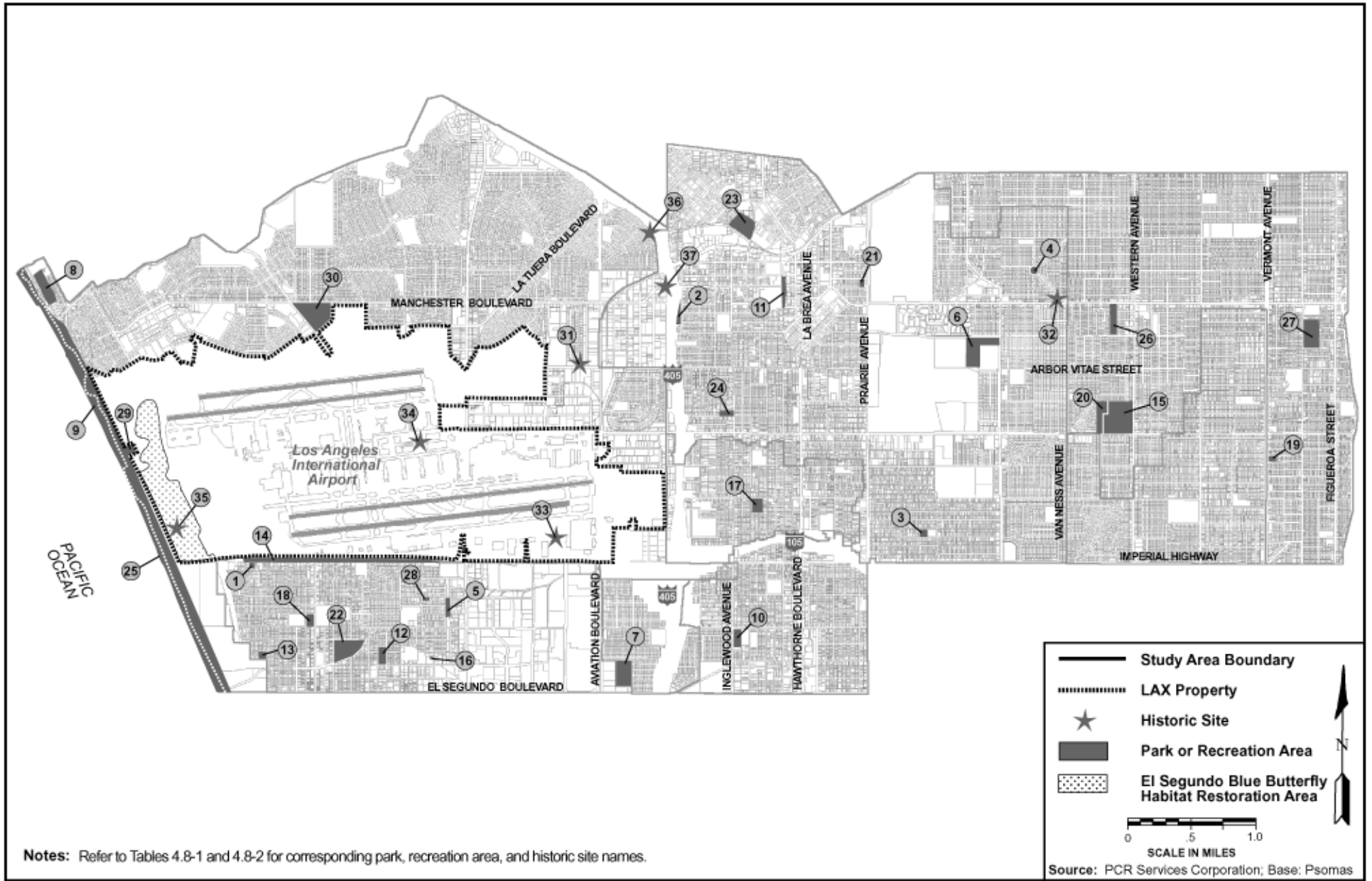
Land and Water Conservation Fund Resources

This analysis also examines whether there would be a change in the use of a recreational park or facility funded through the Department of the Interior Land and Water Conservation Fund Act of 1965 (L&WCF).

²⁹⁶ Federal Aviation Administration FAA Order 5050.4A, *Airport Environmental Handbook*, Section 47e, 8(d), October 8, 1985.

²⁹⁷ Federal Highway Administration, *Guidance for Preparing and Processing Environmental and Section 4(f) Documents*, *Environmental Guidebook Tab 2*, Technical Advisory T6640.8a, Section (p)(4)(i), October 30, 1987.

²⁹⁸ Federal Highway Administration, *Guidance for Preparing and Processing Environmental and Section 4(f) Documents*, *Environmental Guidebook Tab 2*, Technical Advisory T6640.8a, Section (p)(4)(i), October 30, 1987.



Notes: Refer to Tables 4.8-1 and 4.8-2 for corresponding park, recreation area, and historic site names.

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Section 4(f) and 6(f) Resources Within Study Area

Figure
4.8-1

Act). If such a change, from a recreational to a non-recreational use were to occur, it would be considered a “conversion” under the L&WCF Act.

L&WCF resources potentially affected by the Master Plan build alternatives were identified through a search of a California Department of Parks and Recreation listing of projects funded through grant programs. The list of “All Projects Funded by Agency,” most recently updated by the California Department of Parks and Recreation on April 13, 1999, identifies by jurisdiction, the project or recreational facility name, the fiscal year the project was funded, the grant program, and the grant amount. The portion of the list that includes the cities of Los Angeles, El Segundo, Inglewood, Hawthorne, and unincorporated areas of Los Angeles County was reviewed to identify L&WCF resources within the study area and is included in Appendix H, *Department of Transportation Act Section 4 (f) Report*

4.8.3 Affected Environment/Environmental Baseline

Section 4(f) Resources

To identify potentially affected Section 4(f) and 6(f) resources within the study area, recreational areas, wildlife and waterfowl refuges, and historic sites were inventoried and evaluated. Initially, 32 potential park and recreation areas, one wildlife refuge, and seven historic sites were identified within the study area. (See **Figure 4.8-1**, Section 4(f) and 6(f) Resources Within Study Area, **Table 4.8-1**, LAX 4(f) and 6(f) Study Area Section 4(f) and 6(f) Park and Recreation Area Inventory, and **Table 4.8-2**, LAX 4(f) and 6(f) Study Area Section 4(f) Historic Resources Inventory.) Two recreational facilities within the study area that are owned by LAWA were not included in the inventory pursuant to FAA Order 5050.4A,²⁹⁹ which exempts property from a Section 4(f) evaluation that is owned by and is currently designated for use by a transportation agency and is used as a park or recreation area on an interim basis. The two properties screened out of the Section 4(f) evaluation based on the exemption cited above are Carl E. Nielson Youth Park³⁰⁰ and Westchester Golf Course.³⁰¹ Bikeways that are located along roadways were also excluded from this Section 4(f) analysis because they would only be temporarily affected during Master Plan construction activities. As stated in the Federal Highway Administration’s *Section 4(f) Policy Paper*, Section 4(f) does not apply to temporary construction easements.³⁰² Existing noise levels affecting park sites and descriptions of park and recreational facilities are provided in Appendix H, *Department of Transportation Act Section 4 (f) Report*, Section 4.26.3, *Parks and Recreation*, Section 4.1, *Noise*, and Section 4.2, *Land Use*. Visual and aesthetic impacts are described in Section 4.21, *Design, Art and Architecture Application/Aesthetics*. Pedestrian, bicycle, and vehicular access is evaluated in Section 4.14, *Coastal Zone Management and Coastal Barriers*.

Table 4.8-2, lists historic resources within the study area that are either on or are identified as eligible for listing in the National Register of Historic Places. Section 4.9, *Historic/Architectural, Archaeological/Cultural, and Paleontological Resources*, contains a detailed description of each of these historic resources.

One archaeological site that is potentially eligible for the National Register, CA-LAN-2345, is located within the study area, but is not included in **Figure 4.8-1**. Archaeological sites are not subject to public disclosure pursuant to Title II Section 304 of the National Historic Preservation Act of 1966, as amended, to prevent harm and unauthorized disturbance to the sites. A description of this site, however, is included in Section 4.9, *Historic/Architectural, Archaeological/Cultural, and Paleontological Resources*.

The one site within the study area considered to fall under the Section 4(f) definition of a wildlife refuge is the 203-acre El Segundo Blue Butterfly Habitat Restoration Area (Habitat Restoration Area). Located on the western edge of the LAX property, the City of Los Angeles set aside the area to protect and restore habitat that supports the federally endangered El Segundo blue butterfly.³⁰³ The Habitat Restoration Area

²⁹⁹ Paragraph 47(e)(7)(3).

³⁰⁰ Per Lease Number LAA-7627 between the LAX Northside Los Angeles and the Westchester-Playa del Rey Youth Foundation, Inc.

³⁰¹ Per Lease Number LAA-6410, as amended, between the LAX Northside Los Angeles and American Golf.

³⁰² United States Department of Transportation, Federal Highway Administration, *Section 4(f) Policy Paper*, September 2, 1987 (Revised June 7, 1989). Furthermore, it is unclear whether these bikeways would qualify for the protection of Section 4(f) as “recreation areas.”

³⁰³ City of Los Angeles Department of City Planning, *Los Angeles Airport/El Segundo Dunes Specific Plan (Ordinance No.*

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is described in Section 4.10, *Biotic Communities*, and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*.

Land and Water Conservation Fund Resources

Of the parks and recreation facilities within the study area, three have received grants from the L&WCF and, therefore, also qualify as Section 6(f) resources: Dockweiler Beach State Park, Jesse Owens County Park, and the South Bay Bicycle Trail.

Table 4.8-1

LAX 4(f) and 6(f) Study Area Section 4(f) and 6(f) Park and Recreation Area Inventory

Number ¹	Name	Jurisdiction
1	Acacia Park	City of El Segundo
2	Ashwood Park	City of Inglewood
3	Center Park	City of Inglewood
4	Circle Park	City of Los Angeles
5	Constitution Park	City of El Segundo
6	Darby Park	City of Inglewood
7	Del Aire Park	County of Los Angeles
8	Del Rey Lagoon	City of Los Angeles
9	Dockweiler Beach State Park 2	County of Los Angeles
10	Eucalyptus Park	City of Hawthorne
11	Grevillea Park	City of Inglewood
12	Hilltop Park	City of El Segundo
13	Holly Valley Park	City of El Segundo
14	Imperial Strip	City of El Segundo
15	Jesse Owens County Park 2	County of Los Angeles
16	Kansas Park	City of El Segundo
17	Lennox Park	County of Los Angeles
18	Library Park	City of El Segundo
19	Little Green Acres Park	City of Los Angeles
20	Maggie Hathaway Golf Course	County of Los Angeles
21	Queen Park	City of Inglewood
22	Recreation Park	City of El Segundo
23	Rogers Park	City of Inglewood
24	Siminski Park	City of Inglewood
25	South Bay Bicycle Trail 2	County of Los Angeles
26	St. Andrews Recreation Center	City of Los Angeles
27	Sutton Algin Recreation Center	City of Los Angeles
28	Sycamore Park	City of El Segundo
29	Vista del Mar Park	City of Los Angeles
30	Westchester Park Recreation Center	City of Los Angeles

¹ Numbers are keyed to Figure 4.8-1, Section 4(f) and 6(f) Resources Within Study Area.

² Has received L&WCF assistance.

Source: PCR Services Corporation, 2000.

Table 4.8-2

LAX 4(f) and 6(f) Study Area Section 4(f) Historic Resources Inventory

Number ¹	Type	Jurisdiction	National Register Status
31	Merle Norman Headquarters Complex	Los Angeles (LAX)	Eligible ²
32	Academy Theatre	Inglewood	Eligible ²
33	Hangar One	Los Angeles (LAX)	Listed
34	Theme Building	Los Angeles (LAX)	Eligible ²
35	WWII Munitions Storage Bunker ³	Los Angeles (LAX)	Eligible ²
36	Centinela Adobe	Inglewood	Listed
37	Randy's Donuts	Inglewood	Eligible ²

¹ Numbers are keyed to Figure 4.8-1, Section 4(f) and 6(f) Resources Within Study Area.

² Subject to concurrence with State Historic Preservation Officer (SHPO).

³ As a contributor to a thematic district.

Source: PCR Services Corporation, 2000.

4.8.4 Thresholds of Significance

4.8.4.1 CEQA Thresholds of Significance

CEQA does not address the Department of Transportation Act, Section 4(f), or the Land and Water Conservation Fund Act, Section 6(f), as these are federal regulations. No CEQA thresholds of significance apply to this evaluation.

4.8.4.2 Federal Standards

As described in Section 4.8.2, *General Approach and Methodology*, federal standards regarding "use" and "constructive use" are set forth in agency regulations and guidelines as well as federal case law. In addition to the definitions of "constructive use" already cited, FAA Order 1050.1D, states that a "significant impact would occur when a proposed action would eliminate or severely degrade the purpose or use for which the Section 4(f) land was established and mitigation would not reduce the impact to levels that would allow the purpose or use to continue."³⁰⁴ As described in Section 4.8.2, *General Approach and Methodology*, conversion of parks funded through L&WCF grants is defined by regulations and guidelines issued by the National Park Service to implement Section 6(f) of the L&WCF Act.

4.8.5 Master Plan Commitments

No Master Plan Commitments for Section 4 (f) resources, are proposed. However, the following Master Plan Commitments from other environmental disciplines are also relevant to this analysis.

- ◆ HR-1. Preservation of Historic Resources.
- ◆ LU-3. Support City of Los Angeles Transportation Element Bicycle Plan.
- ◆ ST-16. Detour Plan.

4.8.6 Environmental Consequences

4.8.6.1 Section 4(f) Resources

Alternative A - Added Runway North

Public Parks and Recreation Areas

Vista del Mar Park is a small, 1.8-acre, passive recreation park located west of the North Runway Complex on the west-facing slope of the El Segundo Dunes. Its primary feature is a grassy knoll, with a few picnic tables and playground equipment. The park has ocean views and is a prime location for viewing aircraft arriving and departing LAX. Under 1996 baseline conditions, the park had a noise level

³⁰⁴ FAA Order 1050.1D, Change 4, Amendment 2 (Section 5(c)).

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greater than 75 CNEL. Despite its high noise levels, the park is frequently used. Alternative A would result in a 3.6 CNEL increase in noise by 2015, a potential indirect effect under Section 4(f). However, as Vista del Mar Park has been and is currently exposed to high noise levels from both aircraft and vehicular traffic and is a prime location for viewing aircraft overhead, this increase in noise would not interfere with the normal use of the park. Therefore, a 3.6 CNEL increase in noise at the park would not constitute a constructive use.

No other park or recreation area would experience a substantial increase in noise levels that would potentially interfere with its normal use. Additional information regarding noise levels is provided in Appendix H, *Department of Transportation Act Section 4 (f) Report*, Section 4.1, *Noise*, and Section 4.2, *Land Use*.

With implementation of Alternative A, development of cargo facilities, fuel farm relocation, and development of other ancillary facilities near the southern boundary of the airport would alter views from Imperial Strip, a passive recreational park that serves as a buffer between the City of El Segundo and LAX. From Imperial Strip, views would include new and replacement cargo facilities, a parking structure on the corner of Imperial Highway and Pershing Drive, and portions of the relocated fuel farm tanks. Also, with the development of the Westchester Southside project site, views from the Westchester Park Recreation Center toward the south would change. While open areas of the Westchester Southside project site would become urbanized, these areas would be attractively designed and would incorporate landscaping and landscaped buffer areas. As concluded in Section 4.21, *Design, Art, and Architectural Application/Aesthetics*, these changes in views/aesthetic conditions would not result in significant impacts. If Alternative A is adopted, constructive use of parks or recreation areas due to changes in views/aesthetic conditions would not occur.

Vehicular access to Dockweiler Beach State Park via Imperial Highway would be inhibited with implementation of Alternative A. Although this change would extend travel times for some residents, access would still be available via alternate routes, and access to Dockweiler Beach State Park would not be significantly degraded. In addition, bicycle path use and access to Dockweiler Beach State Park via Imperial Highway and Westchester Parkway would be temporarily inhibited with development of the ring road under Alternative A. Use of the bicycle lanes along Imperial Highway and Westchester Parkway would be temporarily restricted during construction activities associated with the development of the ring road. This would temporarily inhibit bicycle access to Dockweiler Beach State Park via Imperial Highway and Westchester Parkway. Master Plan Commitment ST-16 would ensure that notification regarding alternate routes is provided during the construction period for the roadways. Furthermore, implementation of Master Plan Commitment LU-3 would ensure that new replacement bicycle lanes are provided along Imperial Highway and incorporation of a bicycle path into the Westchester Southside development would maintain bicycle access to Dockweiler Beach State Park, as currently provided along Westchester Parkway (see Section 4.14, *Coastal Zone Management and Coastal Barriers*). In summary, if Alternative A were adopted, no use of a bicycle path or constructive use associated with restricted access would occur.

Effects on Section 4(f) parks and recreation areas associated with the LAX Expressway and State Route 1 improvements under Alternative A are described in Appendix K, *Supplemental Environmental Evaluation for LAX Expressway and State Route 1 Improvements*.

As concluded in Section 4.26.3, *Parks and Recreation*, no adverse effects resulting from changes in user demand would occur with implementation of Alternative A. Therefore, constructive use of parks and recreation areas due to changes in user demand would not occur under Alternative A.

Historic and Archaeological Resources

Under Alternative A, the National Register eligible Academy Theatre would fall within the 65 CNEL noise contour and could qualify for noise mitigation. If sound insulation is undertaken, the process could result in the loss or alteration of significant character-defining elements such as windows or doors. Implementation of Master Plan Commitment HR-1 commits LAWA to undertake sound insulation for historic properties under the supervision of a qualified architectural historian or a historic architect in keeping with recommended approaches to rehabilitation as set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. On the basis of that commitment, the FAA has determined that Alternative A would not have an adverse effect on the

Academy Theatre, pursuant to 36 CFR 800.5(a)(3)(b).³⁰⁵ Therefore, if Alternative A were adopted, constructive use of the Academy Theatre would be avoided through implementation of Master Plan Commitment HR-1.

The LAX Expressway Split Viaduct alignment, as described in Appendix K, *Supplemental Environmental Evaluation for LAX Expressway and State Route 1 Improvements*, would result in a use and constructive use of the Centinela Adobe, a National Register listed historic property, due to encroachment of the roadway onto the property. The LAX Expressway would also result in a constructive use of Randy's Donuts, a historic property that appears eligible for the National Register at the local level, due to visual and possible vibration impacts. Although the Split Viaduct alignment would result in a use and constructive use of these properties, the Single Viaduct alignment, which is also an option under Alternative A, would avoid these historic properties. Effects on historic properties associated with the LAX Expressway are more fully described in Appendix K.

As further described in Section 4.9.1, *Historic, Architectural, Archaeological/Cultural Resources*, record searches and other literature received and reviewed for the proposed action indicate that the likelihood of discovering archaeological/cultural resources within or near the study area is relatively high, particularly given the record of sites recorded in the vicinity of the airport. This conclusion suggests unanticipated discoveries may occur from construction-related activities such as grading and excavation. If Alternative A were adopted, the disturbance or destruction of potentially significant undiscovered archaeological/cultural sites by these activities would be considered a use under Section 4(f), if these sites have more than minimal value for preservation in place.

Alternative A would have no direct or indirect effect on the National Register listed Hangar One property or on the following National Register eligible properties: Theme Building, WWII Munitions Storage Bunker, Merle Norman Headquarters Complex, and archaeological site CA-LAN-2345.

Wildlife Refuges

Alternative A would result in the use of 704 square feet³⁰⁶ of the Habitat Restoration Area due to the installation of navigational aids for Runway 24L/6R. Implementation of Mitigation Measure MM-BC-8, would provide for replacement of the lost 704 square feet (SF). Although there would be no net loss of habitat, the loss of 704 SF would, if Alternative A is adopted, constitute a use under Section 4(f). No constructive use or indirect effects due to increased ambient light, glare, or exhaust emissions on the Habitat Restoration Area would occur, as discussed further in Section 4.11, *Endangered and Threatened Species of Flora and Fauna*.

Alternative B - Added Runway South

Public Parks and Recreation Areas

Under Alternative B, no park or recreation area would experience an increase in noise levels that would interfere with the normal use of a park or recreation area. Additional information regarding noise levels is provided in Appendix H, *Department of Transportation Act Section 4 (f) Report*, Section 4.1, *Noise*, and Section 4.2, *Land Use*.

With implementation of Alternative B, development of cargo and ancillary facilities near the southern boundary of the airport would alter views from Imperial Strip, a passive recreational park that serves as a buffer between the City of El Segundo and LAX. From Imperial Strip, views would include new and replacement cargo facilities, a parking structure on the corner of Imperial Highway and Pershing Drive, and portions of the relocated fuel farm tanks. Also, with the development of the Westchester Southside project site, views from the Westchester Park Recreation Center toward the south would change. While open areas of the Westchester Southside project site would become urbanized, it would be attractively designed and would incorporate landscaping and landscaped buffer areas. As concluded in Section 4.21, *Design, Art, and Architectural Application/Aesthetics*, these changes in views/aesthetic conditions would not result in significant impacts. If Alternative B were adopted, no constructive use of parks or recreation areas due to changes in views/aesthetic conditions would occur.

³⁰⁵ The SHPO is being consulted concerning this determination.

³⁰⁶ 320 square feet of El Segundo blue butterfly habitat + 384 square feet of other habitat = 704 square feet.

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Similar to Alternative A, vehicular access to Dockweiler Beach State Park via Imperial Highway for residential areas in El Segundo would be inhibited with implementation of Alternative B. However, alternate access routes would be provided with Master Plan Commitment ST-16 and no use of Dockweiler Beach State Park would occur. Furthermore, implementation of Master Plan Commitment LU-3 would ensure that new bicycle lanes are provided along Imperial Highway and incorporation of a bicycle path into the Westchester Southside development would maintain bicycle access to Dockweiler Beach State Park as currently provided along Westchester Parkway. If Alternative B were adopted, use of the bicycle lanes and constructive use associated with bicycle access would be avoided.

In summary, no use or constructive use of park and recreational lands would occur with implementation of Alternative B.

Historic and Archaeological Resources

Alternative B involves the reconfiguration, extension, and addition of highway and transit networks around the airport, including the ring road. The ring road would encircle the airport to provide access/circulation around its perimeter and direct access to the I-405. Alternative B would result in the acquisition and demolition of the Merle Norman Headquarters Complex, a National Register eligible property, for construction of the ring road. The physical taking of this historic site would constitute a use as defined by Section 4(f).

Alternative B's redevelopment of the Imperial Cargo Complex with additional cargo space, taxiways, and aprons would involve the relocation of Hangar One, which is listed in the National Register and the California Register, and is designated as a City of Los Angeles Historic-Cultural Monument. Relocation of Hangar One would also result in a physical taking or use as defined by Section 4(f). As described in greater detail in the *Relocation Document for Hangar One, Application of National Register Criterion B: Moved Properties*, the property should retain its National Register listing and eligibility (under Criterion C, architecture). Because Hangar One's listing as a historic property in the National Register is not expected to be affected due to the approach and conditions proposed for relocation, the FAA has determined that, pursuant to 36 CFR 800.5(b), the effect would not be adverse. Although National Register status would be retained, relocation of Hangar One would be considered a use under Section 4(f).

Under Alternative B, impacts on historic resources due to indirect effects from noise would be equivalent or similar to those discussed under Alternative A. Implementation of Master Plan Commitment HR-1 would prevent noise insulation measures from having an adverse effect on the National Register eligible Academy Theatre.³⁰⁷ Therefore, constructive use of the Academy Theatre would be avoided.

Although there would be changes in project features, impacts on archaeological/cultural resources would be the same under Alternative B as those described for Alternative A. With implementation of Alternative B, there is the potential for undiscovered archaeological resources that may be eligible for the National Register. The disturbance or destruction of potentially significant undiscovered archaeological/cultural sites would be considered a use if these sites had more than minimal value for preservation in place.

Alternative B would have no direct or indirect effect on the following National Register eligible properties: Theme Building, WWII Munitions Storage Bunker, and archaeological site CA-LAN-2345.

Wildlife and Waterfowl Refuges

Alternative B would result in the use of 320 SF within the Habitat Restoration Area due to the installation of navigational aids for Runway 24L/6R. Implementation of Mitigation Measure MM-BC-9 would provide for replacement of 320 SF of habitat. Although there would be no net loss of habitat, the impact on habitat would, if Alternative B were adopted, constitute a use under Section 4(f). No constructive use or indirect effects due to increased ambient light, glare, or exhaust emissions would occur within the Habitat Restoration Area, as discussed further in Section 4.11, *Endangered and Threatened Species of Flora and Fauna*.

³⁰⁷ Implementation of Master Plan Commitment HR-1, Preservation of Historic Resources, commits LAWA to only undertake noise attenuation for the historic property under the supervision of a qualified architectural historian or an architect qualified in historic architecture. The property would be sound insulated using materials in keeping with recommended approaches to rehabilitation as set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

Alternative C - No Additional Runway

Public Parks and Recreation Areas

Similar to Alternative B, no use or constructive use of park and recreational lands would occur with implementation of Alternative C, LAWA's preferred alternative.

No park or recreation area would experience a substantial increase in noise levels that would interfere with the normal use of a park or recreation area, pursuant to DOT Act, Section 4(f). Additional information regarding noise levels is provided in Appendix H, *Department of Transportation Act Section 4 (f) Report*, Section 4.1, *Noise*, and Section 4.2, *Land Use*.

With implementation of Alternative C and the development of the Westchester Southside project site, views from the Westchester Park Recreation Center toward the south would change. Furthermore, development of cargo and ancillary facilities near the southern boundary of the airport would alter views from Imperial Strip. As concluded in Section 4.21, *Design, Art, and Architecture Application/Aesthetics*, these changes in views/aesthetic conditions would not result in significant impacts. Constructive use of parks or recreation areas due to changes in views/aesthetic conditions would not occur under Alternative C.

Vehicular access to Dockweiler Beach State Park via Imperial Highway would be altered with implementation of Alternative C. However, alternate routes would avoid a significant constraint in access to the park. Bicycle access to Dockweiler Beach State Park via Imperial Highway and Westchester Parkway would be temporarily inhibited with development of the ring road. However, implementation of Master Plan Commitment LU-3 would ensure that new bicycle lanes would be provided along Imperial Highway and incorporation of a bicycle path into the Westchester Southside development would provide adequate bicycle access to Dockweiler Beach State Park. Under Alternative C, use of the bicycle lanes and constructive use associated with bicycle access would be avoided.

Effects on Section 4(f) parks and recreation areas associated with the LAX Expressway and State Route 1 improvements under Alternative C are described in Appendix K, *Supplemental Environmental Evaluation for LAX Expressway and State Route 1 Improvements*.

Historic and Archaeological Resources

Implementation of Master Plan Commitment HR-1 would prevent potential implementation of noise insulation from having an adverse effect on the National Register eligible Academy Theatre.³⁰⁸

As described for Alternative A, the LAX Expressway Split Viaduct alignment would result in a use and constructive use of the Centinela Adobe and would also result in a constructive use of Randy's Donuts. Although the Split Viaduct alignment would result in a use and constructive use of these properties, the Single Viaduct alignment, which is also an option under Alternative C, would avoid these historic properties. Effects on these properties are more fully described in Appendix K, *Supplemental Environmental Evaluation for LAX Expressway and State Route 1 Improvements*.

Although there would be changes in project features under Alternative C, impacts on archaeological resources would be the same as those described for Alternatives A and B. The disturbance or destruction of potentially significant, undiscovered archaeological/cultural sites would be considered a use if these sites had more than minimal value for preservation in place.

Alternative C would have no direct or indirect effect on the National Register listed Hangar One property or the National Register eligible properties.

Wildlife and Waterfowl Refuges

No use or constructive use of the Habitat Restoration Area would occur with implementation of Alternative C. Section 4.10, *Biotic Communities*, and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*, provide further discussion.

³⁰⁸ Implementation of Master Plan Commitment HR-1, Preservation of Historic Resources, commits LAWA to only undertake noise attenuation for the historic property under the supervision of a qualified architectural historian or an architect qualified in historic architecture. The property would be sound insulated using materials in keeping with recommended approaches to rehabilitation as set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

4.8.6.2 Land and Water Conservation Fund Resources

Alternatives A, B, and C

Three of the park and recreation areas within the study area, Dockweiler Beach State Park, Jesse Owens County Park, and South Bay Bicycle Trail, have received funds from the L&WCF. None of these facilities are located within the acquisition areas proposed under the Master Plan build alternatives and none are subject to indirect effects such that they would be converted to non-recreational use by any of the Master Plan build alternatives. As no conversion of L&WCF properties would occur under any of the Master Plan build alternatives, the requirements of Section 6(f) of the L&WCF Act would not apply.

4.8.7 Cumulative Impacts

Analysis of cumulative impacts, as defined under NEPA and CEQA, does not apply under Section 4(f) of the DOT Act and Section 6(f) of the L&WCF Act. Sections 4(f) and 6(f) do not require assessment of cumulative impacts.