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

4.8.1 Introduction

The U.S. Department of Transportation (DOT) Section 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 DOT Act, Section 4(f) (recodified as amended at 49 USC Section 303), and as more fully described in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.1), of the Draft EIS/EIR. "Use," within the meaning of Section 4(f), occurs when a project requires a physical taking or other direct control of the land for the purpose of the project. Use also includes adverse indirect impacts, or "constructive use." A constructive use may occur when impacts substantially impair the activities, features or attributes of the resource that contribute to its significance or its enjoyment. A *Department of Transportation Act Section 4(f) Report* (Appendix H) was prepared and circulated with the Draft EIS/EIR in January 2001. This section summarizes the evaluation and findings of Alternative D - Enhanced Safety and Security Plan in the context of the requirements of DOT Section 4(f), as presented in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*, of this Supplement to the Draft EIS/EIR. This section also addresses the U.S. Department of the Interior Land and Water Conservation Fund Act of 1965 (L&WCF Act).¹⁵⁴

4.8.2 General Approach and Methodology

The analysis of DOT Act Section 4(f) presented below is based on the general approach and methodology described in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.2), of the Draft EIS/EIR. In addition, the analysis completed for this Supplement to the Draft EIS/EIR includes consideration of changes to baseline conditions (see Section 4.8.3 below), using the same methodology applied to the 1996 baseline analysis. Updated information related to the approach and methodology has also been incorporated into this Supplement to the Draft EIS/EIR, as noted below.

- ◆ Alternative D has been identified in this Supplement to the Draft EIS/EIR as LAWA's staff-preferred alternative (the Draft EIS/EIR previously identified Alternative C as LAWA's staff-preferred alternative). A draft DOT Act Section 4(f) evaluation has been prepared and is provided in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*, of this Supplement to the Draft EIS/EIR. As discussed therein and summarized below in Section 4.8.6.3, Alternative D would potentially result in a use within the El Segundo Blue Butterfly Habitat Restoration Area (Habitat Restoration Area), which is being treated for the purpose of this analysis as a Section 4(f) resource.¹⁵⁵ Therefore, a final Section 4(f) evaluation will need to be completed after the draft evaluation has been circulated and following coordination by the FAA. Additionally, if the use within the Habitat Restoration Area cannot be avoided, the FAA will need to determine that no feasible and prudent alternatives exist and that all possible mitigation has been incorporated into the project prior to approval of Alternative D.
- ◆ An updated database search of public park and recreation lands funded through the L&WCF Act was conducted for this Supplement to the Draft EIS/EIR and did not reveal any additional L&WCF Act Section 6(f) resources within the study area. None of the three facilities in the study area identified in Section 4.8, *Department of Transportation Act, Section 4(f)*, of the Draft EIS/EIR as having received L&WCF funds (i.e., Dockweiler Beach State Park, Jesse Owens County Park, and South Bay Bicycle Trail) would be subject to direct or indirect effects such that they would be converted to non-recreational use by any of the build alternatives. Therefore, as with the other alternatives, the requirements of Section 6(f) of the L&WCF Act would not apply to Alternative D, and these resources are not addressed further in this analysis.

¹⁵⁴ 16 U.S.C. Section 4601-8.

¹⁵⁵ 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(5) resources."

4.8.3 Affected Environment/Environmental Baseline

The affected environment/environmental baseline related to DOT Act Section 4(f) used in this Supplement to the Draft EIS/EIR is the same as described in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.3), of the Draft EIS/EIR. Evaluation of Year 2000 conditions indicated that no physical changes to the affected environment/environmental baseline have occurred that alter the conclusions of the Draft EIS/EIR. However, the following information is provided to enhance understanding of the affected environment/environmental baseline, as it pertains to the analysis provided in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.6.1), of the Draft EIS/EIR as well as the analysis of Alternative D provided below in Section 4.8.6.3. Refer to 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, of the Draft EIS/EIR for the locations and listings of all Section 4(f) resources addressed in the analysis. No additional Section 4(f) resources have been identified or constructed in the study area since publication of the Draft EIS/EIR.

- ◆ The one site within the study area being treated by FAA, for the purpose of this analysis, as a wildlife refuge under Section 4(f) is an area that the City of Los Angeles has designated on the western edge of the airport property managed by LAWA to protect and restore habitat, for the long-term conservation of the federally endangered El Segundo blue butterfly.¹⁵⁶ The Habitat Restoration Area comprises approximately 203 acres and is indicated as Site No. 38 in Figure 4.8-1 of the Draft EIS/EIR. The Habitat Restoration Area is described in more detail in Section 4.10, *Biotic Communities*, and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*, of the Draft EIS/EIR. While the Habitat Restoration Area is not specifically designated as a Wildlife and Waterfowl Refuge pursuant to DOT Act Section 4(f), it is considered by the FAA to be comparable to a wildlife refuge because it is used on a permanent basis to conserve a federally endangered wildlife species.

As discussed in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*, of this Supplement to the Draft EIS/EIR, the 203-acre Habitat Restoration Area, approximately 150 acres of which are considered presently occupied by the El Segundo blue butterfly, represents the largest of three remnant blue butterfly habitats in the area that have endured development over the past 100 years. In recent history, portions of the area now known as the Habitat Restoration Area and adjacent areas throughout the Los Angeles/El Segundo Dunes have been developed with a coastal defense gun block unit (during World War II); a residential neighborhood comprising approximately 822 residences (developed between 1945 and 1964), all of which were subsequently purchased and removed by LAWA (1965 through 1972); and a Very High Omni Range Navigation Beacon (VOR) installed by the FAA (1950). The navigational aids associated with the airport's existing runways were initially installed on July 27, 1962, prior to the designation of the Habitat Restoration Area in 1989.

Despite previous uses and developed conditions, an extensive study of the biological habitat in the Dunes resulted in listing of the El Segundo blue butterfly as a federally endangered species in 1976, and that same year Los Angeles County designated the Los Angeles/El Segundo Dunes as a Significant Ecological Area. The City adopted the concept and boundaries of the Habitat Restoration Area in 1989, and the California Coastal Commission approved three interim ecological restoration plans implemented in 1987, 1990, and 1992, with restoration efforts continuing today. The City of Los Angeles more formally set aside the area to protect and restore habitat to support the federally endangered El Segundo blue butterfly in 1992 with the adoption of the Los Angeles Airport/El Segundo Dunes Specific Plan (Specific Plan). In 1994, the City of Los Angeles prepared the *Long-Term Habitat Management Plan for the Los Angeles Airport/El Segundo Dunes*.¹⁵⁷ Although the plan has not yet been adopted, LAWA is following its recommendations regarding management of the Habitat Restoration Area. Permitted uses within the Habitat Restoration Area include "existing Airport navigational and safety facilities" as well as "development of additional navigational and safety facilities," as long as "placement of such facilities shall be compatible with the preservation of habitat values."¹⁵⁸ A 1996 El Segundo blue butterfly habitat suitability study indicated that there was no

¹⁵⁶ City of Los Angeles Department of City Planning, Los Angeles Airport/El Segundo Dunes Specific Plan (Ordinance No. 167,940), June 28, 1992. Amended by Ordinance No. 169,767, April 6, 1994.

suitable habitat for the butterfly in the areas within the Los Angeles/El Segundo Dunes that are outside of the Habitat Restoration Area.¹⁵⁹

Consideration of this information regarding the history and use of the Habitat Restoration Area does not materially change the conclusions provided in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.6.1), of the Draft EIS/EIR.

- ◆ In the context of existing airport operations, use of the Habitat Restoration Area occurs presently due to the location of runway navigational aids within the resource area. As such, under existing conditions, a Section 4(f) use within the Habitat Restoration Area occurs in association with the navigational aid light standards and associated service roads. Consideration of this information clarifies the conclusions regarding the No Action/No Project Alternative and Alternative C (discussed further in Sections 4.8.6.1 and 4.8.6.2 below), but does not alter the conclusions regarding Alternatives A or B, as provided in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.6.1), of the Draft EIS/EIR.
- ◆ Additionally, several roadways have been closed for security purposes since the *Department of Transportation Act Section 4(f) Report* (Appendix H) was published with the Draft EIS/EIR in January 2001 due to the events of September 11, 2001, including Sandpiper Street (between Pershing Drive and Vista del Mar). However, the closure of this roadway does not inhibit access to Vista del Mar Park, Dockweiler Beach State Park, or the South Bay Bicycle Trail, as primary access to these areas is provided via Vista del Mar Boulevard. Therefore, the road closure would not alter the conclusions provided in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.6.1), of the Draft EIS/EIR.

4.8.4 Thresholds of Significance

4.8.4.1 CEQA Thresholds of Significance

As discussed in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.4.1), of the Draft EIS/EIR, CEQA does not address the Department of Transportation Act of 1966, as amended, Section 4(f). No CEQA thresholds of significance apply to this evaluation, as Section 4(f) represents federal regulations.

4.8.4.2 Federal Standards

As stated in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.4.2), of the Draft EIS/EIR, federal standards regarding "use" and "constructive use" are set forth in agency regulations and guidelines, including FAA Order 5050.4A, *Airport Environmental Handbook*, 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."¹⁶⁰

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 relevant to this analysis:

¹⁵⁷ Environmental Science Associates in association with Sapphos Environmental, Inc. and Rudolf H. T. Mattoni, Ph. D., Long-term Habitat Management Plan for Los Angeles Airport/El Segundo Dunes, prepared for City of Los Angeles, Environmental Affairs Department, July 23, 1992.

¹⁵⁸ Environmental Science Associates in association with Sapphos Environmental, Inc. and Rudolf H. T. Mattoni, Ph. D., Long-term Habitat Management Plan for Los Angeles Airport/El Segundo Dunes, prepared for City of Los Angeles, Environmental Affairs Department, July 23, 1992.

¹⁵⁹ Sapphos Environmental, LAX Master Plan - Phase 1 Biological Resources Literature Review, prepared for City of Los Angeles, Department of Airports, November 8, 1996.

¹⁶⁰ Federal Aviation Administration Order 1050.1D, Change 4, Amendment 2 (Section 5(c)).

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- ◆ **HR-1. Preservation of Historic Resources (Alternatives A, B, C, and D).**
- ◆ **LU-3. Comply with City of Los Angeles Transportation Element Bicycle Plan (Alternatives A, B, and C).**
- ◆ **LU-5. Comply with City of Los Angeles Transportation Element Bicycle Plan (Alternative D).**
- ◆ **ST-18. Detour Plan (Alternatives A, B, C, and D).**

The above commitments are provided in their entirety in Chapter 5, *Environmental Action Plan*, of this Supplement to the Draft EIS/EIR.

4.8.6 Environmental Consequences

4.8.6.1 No Action/No Project Alternative

A DOT Section 4(f) analysis for the No Action/No Project Alternative was not provided in the Draft EIS/EIR since the No Action/No Project Alternative is not considered an expansion or build alternative. Although the No Action/No Project Alternative would not introduce activities constituting a use or constructive use of Section 4(f) resources, implementation of this alternative would involve the continuation of an existing use within the Habitat Restoration Area due to continued operation of existing navigational aids, described above.

4.8.6.2 Alternatives A, B, and C

The conclusions regarding impacts to Section 4(f) resources under Alternatives A, B, and C have not changed from those described in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.6.1), of the Draft EIS/EIR, with the exception of relevant information pertaining to existing operations, described below.

The square footage within the Habitat Restoration Area affected by navigational aids has been recalculated for Alternatives A, B, and C to include buffer areas and service roads. The new calculations indicate a change in the extent of affected area previously identified, but do not alter the impact conclusions provided in the Draft EIS/EIR. Refer to Section 4.10, *Biotic Communities*, and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*, of this Supplement to the Draft EIS/EIR for additional information regarding the new calculations.

As discussed in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.6.1), of the Draft EIS/EIR, Alternatives A and B would result in a use within the Habitat Restoration Area due to the installation of replacement navigational aids west of the North Runway Complex.¹⁶¹ Alternative A, as proposed, would result in the use of 30,261 square feet (0.70 acre) of the Habitat Restoration Area due to the installation of new and replacement navigational aids associated with the North Runway Complex. Implementation of Mitigation Measure MM-BC-10, Replacement of State-Designated Sensitive Habitat (Alternative A), would provide for replacement of the lost 30,261 square feet (0.70 acre). Although there would be no net loss of habitat, the impact within the Habitat Restoration Area would constitute a potential use under Section 4(f) if Alternative A were adopted. This conclusion that a Section 4(f) use would potentially occur under Alternative A is consistent with the conclusion previously provided in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.6.1), of the Draft EIS/EIR.

Similarly, Alternative B, as proposed, would result in the use of 16,811 square feet (0.39 acre) within the Habitat Restoration Area due to the installation of replacement navigational aids associated with the North Runway Complex. Implementation of Mitigation Measure MM-BC-11, Replacement of State-Designated Sensitive Habitat (Alternative B), would provide for replacement of 16,811 square feet (0.39 acre) of habitat. Although there would be no net loss of habitat, the impact on habitat would constitute a potential use under Section 4(f) if Alternative B were adopted. This conclusion that a Section 4(f) use would potentially occur under Alternative B is consistent with the conclusion previously provided in Section 4.8, *Department of Transportation Act, Section 4(f)* (subsection 4.8.6.1), of the Draft EIS/EIR.

¹⁶¹ The relocation of existing navigational aids under Alternatives A and B would involve the removal of existing light standards and installation of replacement navigational aids in modified locations.

In addition, although Alternative C would not introduce new development or activities constituting a use or constructive use of Section 4(f) resources, implementation of this alternative would involve the continuation of an existing use within the Habitat Restoration Area due to continued location of existing navigational aids, described above.

4.8.6.3 Alternative D - Enhanced Safety and Security Plan

Table S4.8-1, Effects on DOT Act Section 4(f) Resources - Alternative D, identifies Section 4(f) resources potentially affected by Alternative D and the type of effect anticipated.

Table S4.8-1
Effects on DOT Act Section 4(f) Resources - Alternative D

Section 4(f) Resources	Type of Effect Alternative D
Vista del Mar Park	No constructive use
Dockweiler Beach State Park	No constructive use
South Bay Bicycle Trail	No constructive use
Westchester Park Recreation Center	No constructive use
Imperial Strip	No constructive use
Archaeological Sites	Potential Discoveries During Construction/Excavation
El Segundo Blue Butterfly Habitat Restoration Area	Installation of Navigational Aids/Loss of Habitat

Source: PCR Services Corporation, 2003.

Public Parks and Recreation Areas

Vista del Mar Park (Site No. 29 in Figure 4.8-1 of the Draft EIS/EIR) is a small, 1.8-acre, passive recreation park located immediately west of the North Runway Complex on the west-facing slope of the Los Angeles/El Segundo Dunes. The park has ocean views and is a prime location for viewing aircraft arriving and departing LAX. Access to and use of Vista del Mar Park has not been affected by closure of Sandpiper Street or other security improvements subsequent to the events of September 11, 2001. The park has a noise level of 79 dB CNEL Community Noise Equivalent Level (CNEL) under 1996 baseline conditions and a noise level of 75.8 dB CNEL under Year 2000 conditions. Despite its high noise levels, the park is frequently used. Under Alternative D, Vista del Mar Park would experience a 0.1 dB CNEL increase compared to the 1996 baseline, for a total CNEL noise level of 79.1 dB CNEL by 2015. Compared to Year 2000 conditions the park would experience a 3.3 dB CNEL increase. Although the 3.3 dB CNEL noise level increase represents an increase in noise to a currently non-compatible Section 4(f) resource, the resulting noise level would only represent a 0.1 dB CNEL increase over the 1996 baseline noise level, which did not interfere with normal use of the park in the past. Furthermore, 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 substantially interfere with the normal use of the park. Therefore, if Alternative D were adopted, the increase in noise at the park would not constitute a constructive use.

Just west of Vista del Mar Park lies Dockweiler Beach State Park (Site No. 9 in Figure 4.8-1 of the Draft EIS/EIR) and the South Bay Bicycle Trail (Site No. 25 in Figure 4.8-1 of the Draft EIS/EIR). Dockweiler Beach State Park is 4 miles long and 500 feet wide, and encompasses a total of 288 acres between Vista Del Mar and the Pacific Ocean. The South Bay Bicycle Trail traverses Dockweiler Beach State Park and extends from Torrance County Beach to Will Rogers State Beach. In areas nearest LAX, these two sites have noise levels ranging from 64 dB CNEL to 79 dB CNEL under 1996 baseline conditions and noise levels ranging from 62 dB CNEL to 75.8 dB CNEL under Year 2000 conditions. Despite their high noise levels, the beach and bicycle trail are frequently used. Under Alternative D, both Dockweiler Beach State Park and the South Bay Bicycle Trail would experience an overall decrease in the area exposed to high noise levels. However, with implementation of Alternative D, certain portions of these two sites would experience noise level increases greater than 1.5 dB CNEL when compared to Year 2000 conditions, for total CNEL noise levels ranging from 59.2 dB CNEL to 79.1 dB CNEL. The higher noise level of 79.1 dB CNEL at these sites would represent a 3.3 dB CNEL increase over the maximum Year 2000 noise level;

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however, as applies to Vista del Mar Park, this would only equate to a 0.1 dB CNEL increase over the 1996 baseline noise level. Similar to Vista del Mar Park, the projected noise level increase would not substantially interfere with the normal use of the beach or the bicycle trail, as these sites have experienced high noise levels in the past and continue to experience high noise levels under current conditions. Therefore, if Alternative D were adopted, the noise level increases in a portion of Dockweiler Beach State Park and the South Bay Bicycle Trail would not constitute a constructive use. Detailed information regarding noise levels for Alternative D is provided in Appendix S-C, *Supplemental Aircraft Noise Technical Report*, Section 4.1, *Noise*, and Section 4.2, *Land Use*, of this Supplement to the Draft EIS/EIR.

With development of the LAX Northside project, views from the Westchester Park Recreation Center (Site No. 30 in Figure 4.8-1 of the Draft EIS/EIR) toward the south would change. While open areas of the LAX Northside project site would become urbanized, these areas would be attractively designed and would incorporate landscaping and landscaped buffer areas. Additionally, development of cargo and ancillary facilities near the southern boundary of the airport would alter views from Imperial Strip (Site No. 14 in Figure 4.8-1 of the Draft EIS/EIR), a passive recreational park. As concluded in Section 4.21, *Design, Art, and Architecture Application/Aesthetics*, these changes in views/aesthetic conditions would not result in substantial adverse impacts. Therefore, constructive use of parks or recreation areas due to changes in views/aesthetic conditions would not occur.

No use of a bicycle path or constructive use associated with restricted access would occur under Alternative D.

Local user demand for parks and recreation areas would decrease with implementation of Alternative D.¹⁶² Section 4.26.3, *Parks and Recreation*, of this Supplement to the Draft EIS/EIR contains a detailed discussion of user demand effects on parks and recreation facilities in the immediate LAX vicinity.

No use or physical taking of any park or recreation area would occur with implementation of Alternative D.

Historic and Archaeological Resources

Alternative D would have no direct or indirect effect on National Register listed or eligible historic or archaeological resources. Therefore, no use of these resources would occur under Alternative D.

None of the historic resources evaluated have features or attributes that contribute to their significance that are an integral part of a quiet setting; therefore, no constructive use associated with increased noise levels would occur.

Under Alternative D, the archaeological 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 that unanticipated discoveries may occur from construction-related activities such as grading and excavation. Section 4(f) does not apply when an archeological site is important chiefly because of what can be learned by data recovery and it has minimal value for preservation in place.¹⁶³ However, the disturbance or destruction of potentially significant undiscovered archaeological/cultural sites by construction-related activities would be considered a potential use under Section 4(f), if these sites are considered to have greater value if preserved in place. Mitigation Measures MM-HA-4 through MM-HA-10, identified in Section 4.9.1, *Historic/Architectural and Archaeological/Cultural Resources*, of this Supplement to the Draft EIS/EIR would address impacts to archaeological/cultural resources.

¹⁶² Implementation of Alternative D would result in a net decrease in on-airport and locally-based airport-related employment over the entire planning period (2015), which would cause a corresponding decrease in the local residential population, as discussed in Section 4.5, *Induced Socio-Economic Impacts (Growth Inducement)* (subsection 4.5.6.2), of this Supplement to the Draft EIS/EIR. The decrease in the local residential population would accordingly decrease local demand for public facilities such as parks.

¹⁶³ 23 CFR 771.135(g)(2).

Wildlife and Waterfowl Refuges

The installation of replacement navigational aids under Alternative D¹⁶⁴ would result in development of 27,354 square feet (0.63 acre) of the Habitat Restoration Area (see Figure S3, Alternative D Navigational Aids, in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*), of this Supplement to the Draft EIS/EIR. Of the 27,354 square feet, 10,597 square feet (0.24 acre) of the affected area contains habitat occupied by the El Segundo blue butterfly (see Figure S4, Alternative D Affected Areas, in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*). The development of 27,354 square feet (0.63 acre) of habitat in the Habitat Restoration Area with replacement navigational aids constitutes a potential use under Section 4(f). In addition, since some of the existing navigational aids located in the Habitat Restoration Area would remain in their current location, the continuation of an existing use within the Habitat Restoration Area would occur under Alternative D.

The installation of replacement navigational aids would represent a potential use of the Habitat Restoration Area pursuant to Section 4(f). Efforts by LAWA to date in pursuing avoidance alternatives are described in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*, of this Supplement to the Draft EIS/EIR. Implementation of Mitigation Measure MM-BC-13, Replacement of State-Designated Sensitive Habitat (Alternative D), would provide for the replacement of the lost habitat at a 1:1 ratio by improving existing habitat within the Habitat Restoration Area. LAWA and the FAA are currently coordinating in an effort to minimize harm to the greatest extent feasible in the Habitat Restoration Area. This coordination will also involve further evaluation or discussion of possible avoidance alternatives. A final Section 4(f) evaluation will be completed after the draft evaluation presented in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*, has been circulated and following additional coordination. Additionally, if the use within the Habitat Restoration Area cannot be avoided, the FAA will need to determine that no feasible and prudent alternatives exist and that all possible mitigation has been incorporated into the project prior to approval of Alternative D.

Similar to Alternatives A, B, and C, no constructive use or substantial indirect effects due to increased ambient light, noise, or exhaust emissions on the Habitat Restoration Area would occur, as discussed further in Section 4.10, *Biotic Communities* and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*, of this Supplement to the Draft EIS/EIR.

4.8.7 Cumulative Impacts

Analysis of cumulative impacts, as defined under NEPA, does not apply under Section 4(f) of the DOT Act. Section 4(f) analysis does not require assessment of cumulative impacts.

¹⁶⁴ In conjunction with the runway improvements under Alternative D, existing navigational aids would be removed and replaced in the Habitat Restoration Area as necessary and certain existing navigational aids would remain in their current locations, for a net increase of three light standards within the Habitat Restoration Area, as discussed in Section 4.18, *Light Emissions* (subsection 4.18.6.1), of the Supplement to the Draft EIS/EIR.

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