

West Santa Ana Branch Transit Corridor

Draft EIS/EIR Chapter 5: Section 4(f) Evaluation



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WEST SANTA ANA BRANCH TRANSIT CORRIDOR PROJECT

Draft EIS/EIR Chapter 5: Section 4(f) Evaluation

July 2021

Draft Environmental Impact Statement/ Environmental Impact Report

**LEAD AGENCIES: Federal Transit Administration of the U.S. Department of
Transportation; Los Angeles County Metropolitan Transportation Authority**

STATE CLEARINGHOUSE No.: 2017061007

TITLE OF PROPOSED ACTION: West Santa Ana Branch Transit Corridor Project

**Additional written comments and/or questions concerning this document should be directed
to the following:**

Meghna Khanna
Project Manager
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza, M/S 99-22-4
Los Angeles, CA 90012
Phone: (213) 922-6262
wsab@metro.net

Charlene Lee Lorenzo
Director
Federal Transit Administration
Region 9
Los Angeles Office
888 S. Figueroa Street,
Suite 440
Los Angeles, CA 90017
Phone: (213) 202-3952

Rusty Whisman
Transportation Program
Specialist
Federal Transit
Administration Region 9
888 S. Figueroa Street,
Suite 440
Los Angeles, CA 90017
Phone: (213) 202-3956

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ACRONYMS AND ABBREVIATIONS

Acronym	Definition
APE	Area of Potential Effect
Caltrans	California Department of Transportation
CFR	Code of Federal Regulations
EIS/EIR	environmental impact statement/environmental impact report
FTA	Federal Transit Administration
LADWP	Los Angeles Department of Water and Power
LAUS	Los Angeles Union Station
NRHP	National Register of Historic Places
SHPO	State Historic Preservation Officer
TCE	temporary construction easement
TPSS	traction power substation
U.S.C.	United States Code
USDOT	U.S. Department of Transportation

5 SECTION 4(f) EVALUATION

5.1 Introduction

5.1.1 Section 4(f) Regulatory Setting

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 provides special protection of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance (as determined by the official(s) with jurisdiction over the park, area, refuge, or site) (49 United States Code (U.S.C.) Section 303). The Federal Transit Administration (FTA) may not approve the non-*de minimis* use of Section 4(f) property unless the FTA determines that (1) there is no prudent or feasible alternative, and (2) the project includes all possible planning to minimize harm to these resources resulting from such use (23 Code of Federal Regulations (CFR) 774.3). The *West Santa Ana Branch Transit Corridor Project Draft Section 4(f) and 6(f) Evaluation* (Metro 2021) is included as Appendix [BB] and incorporated into this Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) by reference and summarized in this chapter.

5.1.2 Types of Properties Protected by Section 4(f)

The Section 4(f) regulations (23 CFR 774.17) define Section 4(f) property as publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance. The *Section 4(f) Policy Paper* (USDOT 2012) clarifies this definition to include the following:

- Parks and recreational areas of nation, state, or local significance that are both publicly owned and open to the public
- Publicly owned land that is formally designated in a city or county master plan for a future planned public park or recreation area
- Playgrounds, sports fields, and other recreational facilities of public schools that allow the use of school recreational facilities for non-school activities, such as organized youth sports
- Off-street public bicycle, pedestrian, and equestrian trails
- Publicly owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public to the extent that public access does not interfere with the primary purpose of the refuge
- Historic sites that are listed, or eligible for inclusion, in the National Register of Historic Places (NRHP) at the local, state, or national level of significance regardless of whether the historic site is publicly owned or open to the public
- Properties that contribute to the eligibility of a NRHP-eligible or listed historic district
- Archaeological sites listed in or eligible for inclusion on the NRHP, including those discovered during construction, except as set forth in 23 CFR 774.13(b)

5.1.3 Section 4(f) Use

As defined in 23 CFR 774.17, the “use” of a protected Section 4(f) property occurs when any of the conditions described in the following sections are met for permanent incorporation, temporary occupancy, constructive use, or *de minimis* use.

5.1.3.1 Permanent Incorporation

Land from a Section 4(f) property is permanently incorporated into a transportation project when it has been purchased as right-of-way or sufficient property interests have otherwise been acquired for the purpose of project implementation. For example, a permanent easement required for the purpose of project construction or that grants a future right of access onto a Section 4(f) property, such as for the purpose of routine maintenance by the transportation agency, would be considered a permanent incorporation of land into a transportation facility.

5.1.3.2 Temporary Occupancy (as a use)

Temporary occupancy results when Section 4(f) property, in whole or in part, is required for project construction-related activities. The property is not permanently incorporated into a transportation facility, but the activity is considered to be adverse in terms of the preservation purpose of Section 4(f).

5.1.3.3 Constructive Use

A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property or result in a temporary occupancy of the type that constitutes a Section 4(f) use, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. (23 CFR Section 774.15(a)). A constructive use does not occur when compliance with the requirements of 36 CFR 800.5 for proximity impacts of the proposed action, on a site listed on or eligible for the National Register, results in an agreement of "no historic properties affected" or "no adverse effect" (23 CFR Section 774.15(f)(1)). "No historic properties affected" includes the condition where there are no historic properties present or if there are historic properties present, the project would have no effect upon them as defined under 36 CFR § 800.4. Following consultation with the State Historic Preservation Officer (SHPO) under Section 106, if a project is determined to have no historic properties affected or no adverse effect, then there is no constructive use.

5.1.3.4 Temporary Occupancy (as an exception)

A temporary occupancy exception to use of a Section 4(f) property occurs when there is a temporary use of that property. When the temporary easement is no longer needed, the Section 4(f) property must be restored to its original condition. A temporary occupancy may be a use if the property is subject to temporary or permanent adverse changes such as contour alterations, removal of trees and vegetation, or disruption of facilities or activities on the property (USDOT 2012).

Under USDOT regulations (23 CFR Section 774.13(d)), a temporary occupancy of a Section 4(f) property does not constitute a use of a Section 4(f) property when all the following conditions are satisfied:

- Duration is temporary (i.e., less than the time needed for construction of the project), and there should be no change in ownership of the land;
- Scope of work is minor (i.e., both the nature and magnitude of the changes to the Section 4(f) property are minimal);

- There are no anticipated permanent adverse physical impacts, nor is there interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- The land being used will be fully restored (i.e., the property must be returned to a condition that is at least as good as that which existed prior to the project); and
- There must be documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions.

5.1.3.5 De Minimis Impact

Section 4(f) use is assessed in terms of the magnitude of impact to determine whether the use is “*de minimis*” or not “*de minimis*.” The requirements of Section 4(f) would be considered satisfied if it is determined that a transportation project would have only a *de minimis* impact on the Section 4(f) resource. The provision allows avoidance, minimization, mitigation, and enhancement measures to be considered in assessing the net impact to the Section 4(f) use to make a *de minimis* determination. The agencies with jurisdiction must concur in writing with the determination. *De minimis* impact determination is defined in 23 CFR 774.17 as follows:

- For parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is a determination based on the net impact that the project would not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f); and
- For historic sites, *de minimis* impact means that the FTA has determined, in accordance with 36 CFR Part 800, that no historic property is affected by the project or the project would have “no adverse effect” on the property in question.

Amended Section 4(f) legislation included in Title 23 U.S.C. Section 138 and Title 49 U.S.C. Section 303 also allows for a simplified process and approval for projects that have only *de minimis* impacts on lands subject to protection under Section 4(f). *De minimis* impacts are of such a minor extent they do not require a full Section 4(f) evaluation. Under these provisions, once the FTA determines that a transportation use of Section 4(f) property results in a *de minimis* impact, analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete.

5.1.4 Methodology

The complete methodology for the Section 4(f) Evaluation is included in the *West Santa Ana Branch Transit Corridor Project Draft Section 4(f) and 6(f) Evaluation* (Appendix BB). The Section 4(f) Affected Area is defined as the Section 106 Area of Potential Effects (APE) for historic sites and within 150 feet of the project alternatives for public park, recreation areas, and wildlife and waterfowl refuges. All properties within the Affected Area that could be subject to Section 4(f) protection were reviewed. The analysis in this chapter is based on FTA’s preliminary Section 106 effect determinations and preliminary findings that are still subject to ongoing consultation with official(s) with jurisdiction for the individual resources, as discussed in Section 5.5.

With public circulation of this Draft EIS/EIR, FTA will provide the public and officials with jurisdiction over Section 4(f) properties with an opportunity to review and consider the Section 4(f) analysis and FTA’s preliminary determinations. Once FTA and Metro have collected and reviewed public comments, they will request concurrence on Section 4(f)

determinations from the agencies with jurisdiction over parks. Final Section 4(f) determinations will be included in the Final EIS/EIR and Record of Decision.

5.2 Project Description

The Project's overall purpose is to provide high-quality reliable transit service to meet the future mobility needs of residents, employees, and visitors who travel within and through the corridor. Chapter 1, Purpose and Need, describes the Project's purpose and need and related goals that have shaped the development of the project alternatives.

This Draft EIS/EIR evaluates a No Build Alternative, four Build Alternatives, two design options, and two maintenance and storage facility (MSF) site options. The Build Alternatives were developed through a comprehensive alternatives analysis process and meet the purpose and need of the Project. Chapter 2, Alternatives Considered/Project Description of this Draft EIS/EIR, describes the project alternatives evaluated in the *West Santa Ana Branch Transit Corridor Project Draft Section 4(f) and 6(f) Evaluation* (Appendix BB) and summarized in this chapter.

5.3 Section 4(f) Resources

Section 4 of the *West Santa Ana Branch Transit Corridor Project Draft Section 4(f) and 6(f) Evaluation* (Appendix BB) documents the identification of Section 4(f) properties within the Section 4(f) Affected Area of the Build Alternatives. The identified Section 4(f) properties are listed in Table 5.1 for historic sites and in Table 5.2 for parks and recreation areas.

The U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife databases were reviewed for natural wildlife refuges located within the Affected Area for Section 4(f) resources. These resources are not found in the Affected Area and, therefore, are not discussed further in the Section 4(f) analysis of impacts.

Table 5.1. Summary of Evaluation of Section 4(f) Historic Sites within the Affected Area

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
Los Angeles Union Station 750-800 North Alameda St, Los Angeles	NRHP-listed historic property under Criteria A and C	Alternative 1 and Design Option 1 (MWD)	Permanent underground easement, minor features in non-contributing area of the historic district, and vibration monitors on property during construction ²	No Adverse Effect	<i>de minimis</i> impact

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
Los Angeles Terminal Annex Post Office 900 North Alameda St, Los Angeles	NRHP-listed historic property under Criterion C	Alternative 1	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
Los Angeles Union Terminal District and Buildings 777 South Alameda St and 1213 East 7th St, Los Angeles	NRHP-listed historic district under Criteria A and C, includes 7 contributing buildings	Alternative 1	Vibration monitors on property during construction	No Adverse Effect	Temporary occupancy exception
		Alternative 2	Permanent underground easement, minor features in non-contributing area of the district, and vibration monitors on property during construction ^{1,2}	No Adverse Effect	
1608 East 15th St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternatives 1 and 2	Permanent aerial easement above non-contributing area of property and vibration monitors on property during construction ³	No Adverse Effect	Temporary occupancy exception
Angel City Brewery/John A. Roebling's Sons Company 216 South Alameda St, Los Angeles	NRHP-eligible historic property under Criteria B and C	Alternative 1	Vibration monitors on property during construction	No Historic Properties Affected ⁴	Temporary occupancy exception
500 South Alameda St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 1	Vibration monitors on property during construction	No Historic Properties Affected ⁴	Temporary occupancy exception
542 South Alameda St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 1	Vibration monitors on property during construction	No Historic Properties Affected ⁴	Temporary occupancy exception

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Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
1250 Long Beach Ave, Los Angeles	NRHP-eligible historic property under Criterion C	Alternatives 1 and 2	Vibration monitors on property during construction; portion of Long Beach Ave permanently closed for construction of portal and construction laydown area	No Adverse Effect	Temporary occupancy exception
1753 East Olympic Blvd, Los Angeles	NRHP-eligible historic district under Criterion C	Alternatives 1 and 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
Air Raid Siren No. 189 McGarry St and East 8th St, Los Angeles	NRHP-eligible historic object under Criteria A and C	Alternative 1 and 2	No effect on object	No Historic Properties Affected ⁴	No use
Hamburger's Department Store 801 South Bdw, Los Angeles	NRHP-eligible historic property and contributing to Broadway Theater and Commercial Historic District under Criteria A and C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
Charles C. Chapman Building 756 South Bdw, Los Angeles	NRHP-eligible historic property under Criterion C and contributing to Broadway Theater and Commercial Historic District	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
Tower Theater 800 South Bdwy, Los Angeles	NRHP-eligible historic property and contributing to Broadway Theater and Commercial Historic District under Criteria A and C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
Garfield Building 403 East 8th St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
Barker Brothers Furniture Store 800 West 7th St, Los Angeles	NRHP-eligible historic property under Criterion C and contributing to Commercial Street Historic District	Alternative 2	Permanent underground easement, pedestrian tunnel in basement of building, and vibration monitors on property during construction	No Adverse Effect	<i>de minimis</i> impact
Union Bank and Trust Company Building 760 South Hill St, Los Angeles	NRHP-eligible historic property under Criteria A and C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
Garment Capitol Building 217 East 8th St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
Textile Center Building 315 East 8th St, Los Angeles	NRHP-eligible historic property under Criteria B and C	Alternative 2	Vibration monitors on property during construction	No Historic Properties Affected ⁴	Temporary occupancy exception

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Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
Santee Public Garage 840 South Santee St, Los Angeles	NRHP-eligible historic property under Criteria A and C	Alternative 2	No permanent incorporation of land or temporary occupancy; proposed laydown yard immediately adjacent to property	No Adverse Effect	No use
Southern California Gas Complex 810-830 South Flower St, Los Angeles	NRHP-eligible historic property under Criteria A and C	Alternative 2	Vibration monitors on property during construction; station entrance directly across the street from property	No Adverse Effect	Temporary occupancy exception
Great Republic Life Building 756 South Spring St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
801 South Spring St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
National City Bank Building 810 South Spring St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
General Petroleum Corporation Parking Garage 757 South Flower St, Los Angeles	NRHP-eligible historic property under Criteria A and C	Alternative 2	Vibration monitors on property during construction; two station entrances directly adjacent to property	No Adverse Effect	Temporary occupancy exception

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
The Olympic Theater 313 West 8th St, Los Angeles	NRHP-eligible historic property under Criterion A	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
Commercial Exchange Building 416 West 8th Street, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 2	Permanent underground easement and vibration monitors on property during construction ¹	No Adverse Effect	Temporary occupancy exception
The Walter Building and Dairy Supply Building 508 East 8th St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternative 2	No permanent incorporation of land or temporary occupancy	No Historic Properties Affected ⁴	No use
Air Raid Siren No. 5 West 8th St and Hope St, Los Angeles	NRHP-eligible historic object under Criteria A and C	Alternative 2	No effect on object	No Historic Properties Affected ⁴	No use
Air Raid Siren No. 10 South Los Angeles and West 8th St, Los Angeles	NRHP-eligible historic object under Criteria A and C	Alternative 2	No adverse effect on object	No Adverse Effect	No use
Air Raid Siren No. 65 Wilde St and Central Ave, Los Angeles	NRHP-eligible historic object under Criteria A and C	Alternative 2	No effect on object	No Historic Properties Affected ⁴	No use
Air Raid Siren No. 70 East 24th St and Long Beach Ave, Los Angeles	NRHP-eligible historic object under Criteria A and C	Alternatives 1 and 2	No effect on object	No Adverse Effect	No use

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Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
Pueblo del Rio Public Housing Complex Historic District	NRHP-eligible historic district under Criteria A and C	Alternatives 1 and 2	No permanent incorporation of land or temporary occupancy; permanent visual elements introduced within right-of-way ²	No Adverse Effect	No use
1600 Compton Ave, Los Angeles	NRHP-eligible historic property under Criterion C	Alternatives 1 and 2	No permanent incorporation of land or temporary occupancy; alignment on aerial viaduct parallel to existing Metro A (Blue) Line	No Adverse Effect	No use
Mack International Motor Truck Corporation 2001 South Alameda St, Los Angeles	NRHP-eligible historic property under Criterion C	Alternatives 1 and 2	Vibration monitors on property during construction; alignment on aerial viaduct parallel to existing Metro A (Blue) Line	No Adverse Effect	Temporary occupancy exception
Randolph Substation Randolph St, Huntington Park	NRHP-eligible historic property under Criterion C	Alternatives 1, 2, and 3	Vibration monitors on property during construction; alignment on aerial viaduct parallel to existing UPRR-owned La Habra Branch right-of-way	No Adverse Effect	Temporary occupancy exception
Southern California Edison Long Beach-Laguna Bell 60kV and 220 kV Transmission Lines	NRHP-eligible historic structure under Criteria A and C	Alternatives 1, 2, and 3	No adverse effect on object	No Adverse Effect	No use

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
Los Angeles Department of Water and Power Boulder Lines 1 and 2	NRHP-eligible historic structure under Criteria A and C	Alternatives 1, 2, and 3	No adverse effect on object	No Adverse Effect	No use
Rancho Los Amigos Medical Center Historic District 7601 East Imperial Highway, Downey	NRHP-eligible historic district under Criteria A and C	Alternatives 1, 2, and 3	TPSS and construction laydown within non-contributing area of district ²	No Adverse Effect	No use
I-105/Century Freeway-Transitway Historic District	NRHP-eligible historic district under Criteria A and C	Alternatives 1, 2, 3, and 4	Replacement of 3 bridges within district; no adverse effect on features, activities, or attributes that contribute to its NRHP eligibility	No Adverse Effect	<i>de minimis</i> impact
Bellflower Pacific Electric Railway Depot 16336 Bellflower Blvd, Bellflower	NRHP-eligible historic property under Criteria A and C	Alternatives 1, 2, 3, and 4	No permanent incorporation of land or temporary occupancy; Bellflower Station to the west of the depot	No Adverse Effect	No use
10040 Flora Vista St, Bellflower	NRHP-eligible historic property under Criterion C	Alternatives 1, 2, 3, and 4	No permanent incorporation of land or temporary occupancy; alignment slightly above grade, transitioning into an aerial viaduct	No Adverse Effect	No use
Union Pacific Los Angeles River Rail Bridge, South Gate	NRHP-eligible historic structure under Criterion C	Alternatives 1, 2, and 3	No permanent incorporation of land or temporary occupancy; new railroad bridge constructed to the north of existing structure	No Adverse Effect	No use

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Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
Our Lady of the Rosary Church 14813-14819 Paramount Blvd, Paramount	NRHP-eligible historic property under Criterion C	Paramount MSF Option	No permanent incorporation of land or temporary occupancy; MSF approximately one-third mile north of property	No Adverse Effect	No use
6000 Alameda St, Huntington Park	NRHP-eligible historic property under Criterion C	Alternatives 1, 2, and 3	Minor acquisition	No Adverse Effect	<i>de minimis</i> impact
6101 Santa Fe Ave, Huntington Park	NRHP-eligible historic property under Criterion C	Alternatives 1, 2, and 3	Minor acquisition	No Adverse Effect	<i>de minimis</i> impact
2860 Randolph St, Huntington Park	NRHP-eligible historic property under Criterion C	Alternatives 1, 2, and 3	No permanent incorporation of land or temporary occupancy; alignment at-grade in existing La Habra Branch right-of-way in median of Randolph Street	No Adverse Effect	No use
6300-6302 State St, Huntington Park	NRHP-eligible historic property under Criterion C	Alternatives 1, 2, and 3	No permanent incorporation of land or temporary occupancy; alignment at-grade in existing La Habra Branch right-of-way in median of Randolph Street	No Adverse Effect	No use
Downtown Los Angeles Industrial Historic District	NRHP-eligible historic district	Alternative 1	Permanent underground easement, minor features in non-contributing area of the district, and vibration monitors on property during construction ^{1,2}	No Adverse Effect	Temporary occupancy exception

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 106 Finding	Preliminary Section 4(f) Finding
Broadway Theater and Commercial Historic District	NRHP-listed historic district	Alternative 2	Permanent underground easement, minor features in non-contributing area of the district, and vibration monitors on property during construction ^{1,2}	No Adverse Effect	Temporary occupancy exception
Seventh Street Commercial Historic District	NRHP-eligible historic district	Alternative 2	Permanent underground easement, pedestrian tunnel in basement of contributing building, and vibration monitors on property during construction	No Adverse Effect	<i>de minimis</i> impact

Source: Metro 20211

Notes: ¹Per Question 28A of the *Section 4(f) Policy Paper*, Section 4(f) would not apply to tunneling if certain conditions are met. The findings summarized in this table show the analysis consistent with the Section 4(f) Policy Paper. In the case that the underground easement was considered an incorporation of land, the Project would not substantially impair the historic values of the historic site, as indicated by the Section 106 determination of no adverse effect to on the historic property. The underground easement would have a *de minimis* impact under Section 4(f) as indicated by the Section 106 determination of no adverse effect.

²Per Question 7C of the *Section 4(f) Policy Paper*, when a project requires land from a non-historic or non-contributing property within a historic district and does not use other land within the historic district that is contributing to its historic significance, there is no direct use of the historic district for purposes of Section 4(f).

³Per Question 28B of the *Section 4(f) Policy Paper*, Section 4(f) would not apply to a bridge spanning over a Section 4(f) property if certain conditions are met.

⁴No historic property affected includes conditions where there are no historic properties present or if there are historic properties present, the undertaking would have no effect upon them as defined under 36 CFR § 800.4.

kV = kilovolt; MSF = maintenance and storage facility; MWD = Metropolitan Water District; NRHP = National Register of Historic Places; TPSS = traction power substation

Table 5.2. Summary of Evaluation of Section 4(f) Park and Recreation Areas within the Affected Area

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 4(f) Finding
Los Angeles Plaza Park (El Pueblo De Los Angeles State Historic Park and Monument and Paseo de la Plaza Park)	Open area with plaza, community gathering space, gazebo, benches, areas for vending kiosks, and historic monument	Alternative 1	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Fred Roberts Recreation Center 4700 South Honduras St, Los Angeles	Barbecue pits, basketball courts, children play area, community room, picnic tables, volleyball courts, kitchen, outdoor fitness equipment, synthetic soccer field with onsite parking	Alternatives 1 and 2	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Lillian Street Elementary School 5909 Lillian St Los Angeles	Playground, asphalt play areas include track, tennis court, four-square, basketball and other ball courts, and miscellaneous play space	Alternatives 1, 2, and 3	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
San Antonio Elementary School 6222 State St Huntington Park	Asphalt play areas include track, tennis court, basketball and other ball courts, and miscellaneous play space	Alternatives 1, 2, and 3	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 4(f) Finding
Salt Lake Park 3401 East Florence Ave, Huntington Park	Recreation center, gymnasium, grass soccer field, synthetic grass soccer field, baseball diamonds, batting cages, skate park, tennis courts, weight room, picnic areas, barbecues, children's playgrounds, concession stand, and meetings rooms	Alternatives 1, 2, and 3	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Legacy High School Complex 5225 Tweedy Boulevard, South Gate	1 baseball field, 1 open field, 4 tennis courts	Alternatives 1, 2, and 3	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Hollydale Community Center/Park 12221 Industrial Ave, South Gate	Basketball court, community center, playground; no onsite parking	Alternatives 1, 2, 3, and 4	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Paramount Park 14400 Paramount Blvd, Paramount	Playgrounds, handball courts, baseball diamonds, basketball court, picnic shelters/barbecues, gymnasium, walking path, restrooms, pool with onsite parking	Alternatives 1, 2, 3, and 4	Acquisition of approximately 7,300 square feet of LADWP right-of-way that functions as part of Paramount Park; protected activities, features, or attributes are not adversely affected	<i>de minimis</i> impact

5 Section 4(f) Evaluation

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 4(f) Finding
Ruth R. Caruthers Park 10500 East Flora Visa St, Bellflower	Baseball/softball fields, batting cages, skate park, game room, picnic areas, wading pool, playgrounds, tennis courts, basketball court, volleyball courts, handball courts, tetherball courts, fitness center, 2-mile fitness course, equestrian path, barbecues; park includes onsite parking and 2.5-mile bike trail	Alternatives 1, 2, 3, and 4	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Rosewood Park 17715 Eric Ave, Cerritos	Basketball court, sand area with playground equipment, picnic shelters, barbecues, multipurpose field, with onsite parking	Alternatives 1, 2, 3, and 4	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Artesia Park 1870 Clarkdale Ave, Artesia	Banquet space, baseball/softball diamond, basketball court, meeting rooms, picnic areas, picnic shelters, children's playground, restrooms, soccer field, tennis court, with onsite parking	Alternatives 1, 2, 3, and 4	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Flora Vista Dog Park 9203 Flora Vista St	Off-leash dog exercise	Alternatives 1, 2, 3, and 4 Bellflower MSF site option	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use

Property	Section 4(f) Protected Activities, Features, or Attributes	Applicable to Alternative(s)	Description of Effect	Preliminary Section 4(f) Finding
Los Angeles River Bike Path	Bicycling, skating, skateboarding, and similar active recreation	Alternatives 1, 2, and 3	Short-duration detour during construction ¹	Temporary occupancy exception
Rio Hondo Bike Path	Bicycling, skating, skateboarding, and similar active recreation	Alternatives 1, 2, and 3	Short-duration detour during construction ¹	Temporary occupancy exception
San Gabriel River Mid-Trail	Bicycling, skating, skateboarding, and similar active recreation	Alternatives 1, 2, 3, and 4	Short-duration detour during construction ¹	Temporary occupancy exception
Urban Orchard Park (Planned)	Planned passive recreation park	Alternatives 1, 2, and 3	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use

Source: Metro 20211

Notes: ¹As detailed in Section 4.19, short-duration detours during construction would meet the conditions for a temporary occupancy exception established in 23 CFR 774.13.

LADWP = Los Angeles Department of Water and Power; MSF = maintenance and storage facility

5.4 Section 4(F) Evaluation

Section 5 of the *West Santa Ana Branch Transit Corridor Project Draft Section 4(f) and 6(f) Evaluation* (Appendix BB) documents evaluation of all Section 4(f) properties within the Section 4(f) Affected Area of the Build Alternatives. The evaluation is summarized in Table 5.1 for historic sites and in Table 5.2 for public parks and recreation areas. The analysis identifies the alternative(s) and maintenance and storage facilities that could affect each of the properties.

The remainder of this section provides details from the evaluation for each Section 4(f) property with a preliminary Section 4(f) finding. Historic sites are discussed in Section 5.4.1. The temporary occupancy exception is applicable to several historic sites where the only occupancy of the property would be for monitoring during construction. Because the conditions of analysis are the same for all of these properties, they are grouped together in Section 5.4.1.7. Public parks and recreation areas are discussed in Section 5.4.2. As detailed in the *West Santa Ana Branch Transit Corridor Project Draft Section 4(f) and 6(f) Evaluation* (Appendix BB), there would be no use of other Section 4(f) properties listed in Table 5.1 and Table 5.2.

5.4.1 Historic Sites

5.4.1.1 Los Angeles Union Station

Los Angeles Union Station (LAUS) is listed in the NRHP. Five buildings and structures are located within the LAUS boundary and are contributing features of the NRHP-listed property: Los Angeles Union Station, Terminal Tower, Macy Street Undercrossing, Vignes Street Undercrossing, and the Car Repair/Supply Shop. The NRHP nomination also includes the passenger platforms, canopies, and railroad tracks.

Based on the discussion below, Alternative 1 or Design Option 1 (MWD) of Alternative 1 would result in permanent incorporation and temporary occupancy within portions of the LAUS. However, the Section 4(f) use of this historic site would not adversely affect the features, activities, or attributes that contribute to its NRHP eligibility. Additionally, based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 1 or Design Option 1 of Alternative 1 would have a *de minimis* impact on LAUS for permanent incorporation and temporary occupancy. These preliminary determinations are pending the completion of Section 106 consultation and concurrence from the California SHPO. Based on the definition of constructive use in Section 5.1.3.3, because Alternative 1 or Design Option 1 of Alternative 1 would incorporate land from and not substantially impair the activities, features, or attributes of the Section 4(f) property, it would not have a constructive use of the historic property. Alternatives 2, 3, and 4 would have no Section 4(f) use of LAUS because these alternatives are not in close proximity to the resource.

Under Alternative 1, the LAUS Forecourt Station entrance would be in Parking Lot B south of the Mozaic Apartments and approximately 65 feet west of LAUS and within the boundary of the historic property (Figure 5-1). The proposed station entrance would consist of stairs, an elevator, and escalators below grade, a portal entrance sheltered by a canopy structure, and an elevator entrance above grade. A subterranean pedestrian tunnel would connect the station entrance to the existing B/D (Red/Purple) Line station mezzanine. A second entrance would be provided through the pedestrian tunnel. Construction of the station would require the installation of ventilation grating to the north of the station entrance near the main terminal building; the ventilation grating would be flush with the existing paved surfaces on the property. Alternative 1 would incorporate approximately 105,000 square feet of underground area below the historic property near the Forecourt and approximately 4,100 square feet of surface area currently used as a parking lot near the Forecourt. While demolition would occur at the surface to accommodate construction of the station portal and elevator entrances, no character-defining features would be demolished as part of this process. Features introduced to the property as part of the portal and elevator entrance would be consistent with the existing and historic use and function of the property. The LAUS Forecourt Station entrance would not obstruct the character-defining view shed between the main terminal building and El Pueblo de Los Angeles Historical Monument.

Design Option 1 (MWD) of Alternative 1 would include the construction of the station box east of LAUS, below the baggage area parking facility. Crossovers would be located on the north and south ends of the station box, with tail tracks extending approximately 1,200 feet north of the station box. The station entrance would be moved from the front of LAUS to the rear of the property. Excavations associated with the construction of the station box and rail tunnel would extend down 130 feet below the current ground surface. The only surface features within the historic property with Design Option 1 (MWD) would be ventilation

Figure 5-1. Los Angeles Union Station



Sources: Metro 2020d, Metro 2021l

grating installed flush with the existing paved surfaces. Design Option 1 (MWD) of Alternative 1 would incorporate approximately 73,000 square feet of underground area below the historic property near the Metropolitan Water District building and approximately 2,300 square feet of surface area for flush ventilation grating near the building.

Although Alternative 1 and Design Option 1 (MWD) would incorporate land from the LAUS that would result in a permanent incorporation under Section 4(f), the FTA has preliminarily determined that the Project would not diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, and association. Therefore, the Project would have no adverse effect on this historic Section 4(f) property and Alternative 1 and Design Option 1 (MWD) would not impair the features or attributes that contribute to the NRHP eligibility of the property. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 1 and Design Option 1 of Alternative 1 would have a *de minimis* impact on LAUS.

Construction activities associated with the LAUS Forecourt include construction of the underground station and entrances. Parking Lot B would serve as a potential laydown area for Alternative 1. Construction of the underground station would require a partial underground easement and temporary construction easements (TCEs) for Parking Lot B. The TCEs would be temporary occupancies. During construction, equipment and activities would be visible from the district. The temporary impact that would occur during the construction phase was included in FTA's preliminary no adverse effect determination under Section 106 and consultation with the California SHPO. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 1 and Design Option 1 of Alternative 1 would have a *de minimis* impact for the permanent incorporation of land from and temporary occupancy during construction of LAUS.

5.4.1.2 Barker Brothers Furniture Store

The Barker Brothers Furniture Store at 800 West 7th Street, Los Angeles is a 13-story, Beaux-Arts-style commercial building designed by the renowned Los Angeles architecture firm, Curlett and Beelman. The building is eligible for individual listing in the NRHP.

Based on the discussion below, Alternative 2 would result in subsurface right-of-way acquisition and permanent incorporation of land resulting in a Section 4(f) use within portions of the Barker Brothers Furniture Store. However, the Section 4(f) use of this historic Section 4(f) property would not adversely affect the features or attributes that contribute to its NRHP eligibility. Additionally, based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 2 would have a *de minimis* impact on the Barker Brothers Furniture Store for permanent incorporation and temporary occupancy. These preliminary determinations are pending the completion of Section 106 consultation and concurrence from the California SHPO. Based on the definition of constructive use in Section 5.1.3.3, because Alternative 2 would incorporate land from and not substantially impair the activities, features, or attributes of the Section 4(f) property, it would not have a constructive use of the historic property. Alternatives 1, 3, and 4 would have no Section 4(f) use of the Barker Brothers Furniture Store because these alternatives are not in close proximity to the resource.

Alternative 2 would be constructed underground; no aboveground project components would be within the boundary of the historic property. Noise related to underground rail operations would not transmit to surface levels (Metro 2021b). The Project would require a permanent, partial acquisition for the construction and operation of a pedestrian tunnel segment that

would connect with the existing 7th Street/Metro Center Station. The pedestrian tunnel would run through the basement of the building. In the vicinity of 800 West 7th Street, the pedestrian tunnel would be designed in conformance with the Secretary of the Interior Standards for Treatment of Historic Properties. The Section 106 finding is that the Project would have No Adverse Effect on the Barker Brothers Furniture Store. Alternative 2 would require approximately 6,870 square feet of permanent underground easement from the Section 4(f) property. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 2 would have a *de minimis* impact on the Barker Brothers Furniture Store.

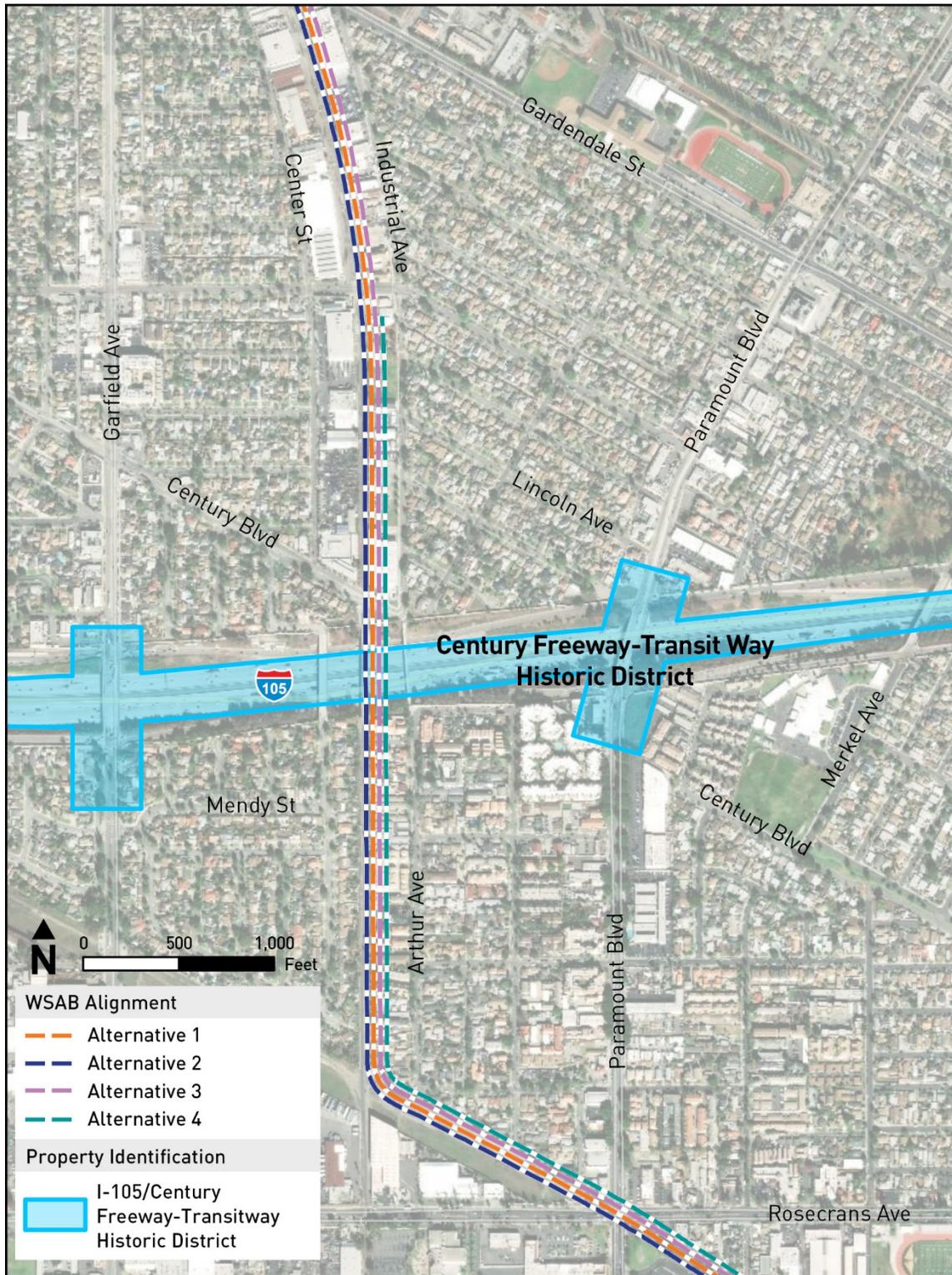
Alternative 2 would require temporary access for construction activities that were considered in the Section 106 effect finding of No Adverse Effect on the property for right-of-entry, project construction, TCEs, or other temporary use. The TCEs would be temporary occupancies. During construction, vibration monitors would be placed on the historic site at the elevation of the historic building closest to construction activities within 200 feet. When construction activities are no longer within 200 feet of the historic resource, the vibration monitors would be removed. The temporary impact that would occur during the construction phase was included in FTA's effect determination under Section 106 and consultation with the California SHPO. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 2 would have a *de minimis* impact for the permanent incorporation of land from and temporary occupancy during construction of the Barker Brothers Furniture Store.

5.4.1.3 I-105/Century Freeway-Transitway Historic District

The Century Freeway-Transitway Historic District is a multi-lane roadway that has been determined eligible for listing in the NRHP (Figure 5-2). The following bridges are contributing elements to a NRHP-eligible historic district: I-105/Façade Avenue Overcrossing (California Department of Transportation [Caltrans] Structure No. 53 2424), I-105/Arthur Avenue Utility & POC (Caltrans Structure No. 53 2426), and I-105/Century Boulevard Underpass (Caltrans Structure No. 53 2427), but these bridges are not individually eligible.

Based on the discussion below, Alternatives 1, 2, 3, and 4 would result in permanent incorporation and temporary occupancy within portions of the I-105/Century Freeway-Transitway Historic District. However, the Section 4(f) use of this historic site would not adversely affect the features, activities, or attributes that contribute to its NRHP eligibility. Additionally, based on the Section 106 no adverse effect determination, FTA has preliminarily determined that construction and operation of the Project would have a *de minimis* impact on the I-105/Century Freeway-Transitway Historic District. These preliminary determinations are pending the completion of Section 106 consultation and concurrence from the California SHPO. Based on the definition of constructive use in Section 5.1.3.3, because Alternatives 1, 2, 3, and 4 would incorporate land from and not substantially impair the activities, features, or attributes of the Section 4(f) property, it would not have a constructive use of the I-105/Century Freeway-Transitway Historic District.

Figure 5-2. I-105/Century Freeway-Transitway Historic District



Sources: Metro 2020d, Metro 2021l

Three character-defining bridges of the I-105/Century Freeway-Transitway Historic District would be demolished and replaced. The extant bridges were constructed in 1988, with contemporary materials and design. They are 3 of the 118 bridges that are contributing to the district, which collectively comprise less than 3 percent of the total bridges within the district. While bridges are identified as contributing features, they are not individually eligible and are not noteworthy for their architectural style or design. Replacement bridges would be consistent in the scale and massing of the existing bridges. The placement of the additional bridge and the replacement Century Boulevard Bridges immediately adjacent to one another and their unified design in terms of scale, massing, and materials of construction result in their presentation almost as a single structure. As such, the rhythm of bridges along the freeway, as it currently exists, would not be altered by the Project.

Alternatives 1, 2, 3, and 4 would realign approximately 2,500 feet of C-Line (Green) track and of I-105 traffic lanes. The C (Green) Line runs the length of the district (18.1 miles). The proposed realignment would potentially impact at a maximum 2,500 feet, or less than 3 percent of the entire C (Green) Line roadway, which is considered a character-defining feature. The proposed realignment would shift the rail line location a maximum of 7.5 feet and it would not remove or alter the C (Green) Line design. Similarly, the 2,500 feet of I-105 traffic lanes proposed for realignment comprise less than 3 percent of I-105 lanes within the district. The road realignment would not alter the District's transportation function or result in major changes to physical features within the property's setting that contribute to its historic significance.

The Section 106 review concluded that Alternatives 1, 2, 3, and 4 would not alter any of the characteristics of the I-105/Century Freeway-Transitway Historic District that qualify it for inclusion in the NRHP in a manner that would diminish the integrity of its location, design, materials, workmanship, feeling, and association. The Project would have no adverse operational effect on the historic district. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternatives 1, 2, 3, and 4 would have a *de minimis* impact on the 105/Century Freeway-Transitway Historic District.

To accommodate project features within the freeway envelope, Alternatives 1, 2, 3, and 4 would realign approximately 2,500 feet of existing C-Line tracks and 2,500 feet of I-105 traffic lanes to enable the construction and operation of an infill station that would be constructed in the median of the freeway. This work would be conducted within the limits of the I-105/Century Freeway-Transitway Historic District. The historic property would not require temporary occupancy beyond the limits of what is needed to construct the Project, including realignment and reconstruction of portions of I-105 and the C (Green) Line. The TCEs for construction of the Project would be temporary occupancies. The Project would have no adverse construction effect on the features, activities, or attributes that contribute to the historic district's NRHP eligibility. These temporary construction effects were considered as part of FTA's No Adverse Effect finding under Section 106 and consultation with the California SHPO. The No Adverse Effect finding under Section 106 documents that construction of the Project would not adversely affect the activities, features, or attributes of the I-105/Century Freeway-Transitway Historic District that qualify it for protection under Section 4(f). Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternatives 1, 2, 3, and 4 would have a *de minimis* impact for the permanent incorporation of land from and temporary occupancy during construction of the 105/Century Freeway-Transitway Historic District.

5.4.1.4 6000 Alameda Street, Huntington Park

6000 Alameda Street is a two-story daylight factory building developed for the National Automatic Pan Corporation in 1925. The building is eligible for listing in the NRHP.

Based on the discussion below, Alternatives 1, 2, or 3 would result in permanent incorporation of land within portions of 6000 Alameda Street and temporary occupancy for vibration monitoring during construction. However, the Section 4(f) use of this historic Section 4(f) property would not adversely affect the features or attributes that contribute to its NRHP eligibility. Additionally, based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternatives 1, 2, and 3 would have a *de minimis* impact on 6000 Alameda Street. These preliminary determinations are pending the completion of Section 106 consultation and concurrence from the California SHPO. Based on the definition of constructive use in Section 5.1.3.3, because Alternatives 1, 2, or 3 would incorporate land from and not substantially impair the activities, features, or attributes of the Section 4(f) property, it would not have a constructive use of the historic property. Alternative 4 would have no Section 4(f) use of 6000 Alameda Street because this alternative is not in close proximity to the resource.

The proposed alignment for Alternatives 1, 2, and 3 would be located at-grade along Randolph Street. The Project would require improvements to the existing grade crossing at the intersection of Randolph Street and Alameda Street, which would result in a minor, partial acquisition from the curbside along Randolph Street.

The Project would not alter any of the characteristics of 6000 Alameda Street that qualify it for inclusion in the NRHP. The Project would not diminish the property's integrity of location, design, setting, materials, workmanship, feeling, and association. The Project would have no adverse effect on this historic property. The Project would incorporate land from the curbside along Randolph Street. Alternatives 1, 2, and 3 would require approximately 800 square feet of a permanent surface acquisition from the Section 4(f) property. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternatives 1, 2, or 3 would have a *de minimis* impact on 6000 Alameda Street.

Alternatives 1, 2, or 3 would not require temporary occupancy beyond the grade-crossing improvements, monitoring, and surveying activities that were considered in the Section 106 effect finding of the property for right-of-entry, project construction, TCEs, or other temporary use. The TCEs required for construction would be temporary occupancies. The temporary activities during construction would not have an adverse effect under Section 106 on the features, activities, or attributes that contribute to the historic property's NRHP eligibility. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternatives 1, 2, or 3 would have a *de minimis* impact for the permanent incorporation of land from and temporary occupancy during construction of 6000 Alameda Street.

5.4.1.5 6101 Santa Fe Avenue, Huntington Park

6101 Santa Fe Avenue is a one-story daylight factory building developed by the Sav-A-Day Laundry Company in 1928. The building is eligible for listing in the NRHP.

Based on the discussion below, Alternatives 1, 2, or 3 would result in permanent incorporation of land within portions of 6101 Santa Fe Avenue. However, the Section 4(f) use of this historic Section 4(f) property would not adversely affect the features or attributes that

contribute to its NRHP eligibility. Additionally, based on the Section 106 no adverse effect determination, FTA has preliminarily determined that construction and operation of the Project would have a *de minimis* impact on 6101 Santa Fe Avenue. These preliminary determinations are pending the completion of Section 106 consultation and concurrence from the California SHPO. Alternatives 1, 2, or 3 would have a Section 4(f) *de minimis* impact to 6101 Santa Fe Avenue. Based on the definition of constructive use in Section 5.1.3.3, because Alternatives 1, 2, or 3 would incorporate land from and not substantially impair the activities, features, or attributes of the Section 4(f) property, it would not have a constructive use of the historic property. Alternative 4 would have no Section 4(f) use of 6101 Santa Fe Avenue because this alternative is not in close proximity to the resource.

The proposed alignment for Alternatives 1, 2, or 3 would be constructed at-grade within the existing La Habra Branch right-of-way in the median of Randolph Street. Alternatives 1, 2, or 3 would improve the existing grade crossing/separation at the Santa Fe Avenue and Randolph Street intersection. Approximately 200 square feet of the property's northeast corner would be acquired to accommodate alterations to the right-of-way and sidewalk for the grade crossing/separation improvements. The building and portion of the property not affected by the Project would remain as it is today. The Project would not diminish the integrity of the 6101 Santa Fe Avenue's location, design, setting, materials, workmanship, feeling, and association. The Project would have no adverse effect on this historic property. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternatives 1, 2, or 3 would have a *de minimis* impact on 6101 Santa Fe Avenue.

Alternatives 1, 2, or 3 would not require temporary occupancy beyond the grade-crossing improvements, monitoring, and surveying activities that were considered in the Section 106 effect finding of the property for construction of grade crossing/separation improvements. The TCEs would be temporary occupancies. The temporary activities during construction would not have an adverse effect on the features, activities, or attributes that contribute to the historic property's NRHP eligibility. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternatives 1, 2, or 3 would have a *de minimis* impact for the permanent incorporation of land from and temporary occupancy during construction of 6101 Santa Fe Avenue.

5.4.1.6 Seventh Street Commercial Historic District

The Seventh Street Commercial Historic District is an eight-block-long NRHP-eligible commercial district in the center of downtown Los Angeles. The Barker Brothers Furniture Store (Section 5.4.1.2) is the only contributing resource to the Seventh Street Commercial Historic District that is located within the Section 106.

Based on the discussion below, Alternative 2 would result in permanent incorporation of land within portions of the Seventh Street Commercial Historic District. However, the Section 4(f) use of this historic Section 4(f) property would not adversely affect the features or attributes that contribute to its NRHP eligibility. Additionally, based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 2 would have a *de minimis* impact on the Seventh Street Commercial Historic District for permanent incorporation and temporary occupancy. These preliminary determinations are pending the completion of Section 106 consultation and concurrence from the California SHPO. Based on the definition of constructive use in Section 5.1.3.3, because Alternative 2 would not substantially impair the activities, features, or attributes of the Section 4(f) property, it would

not have a constructive use of the Seventh Street Commercial Historic District. Alternatives 1, 3, or 4 would have no Section 4(f) use of the Seventh Street Commercial Historic District because these alternatives are not in close proximity to the resource.

The district includes parcels on both sides of Seventh Street between Main Street on the east and Figueroa Street on the west. Alternative 2 would require approximately 6,870 square feet of permanent underground easement for the construction and operation of a pedestrian tunnel segment that would connect with the existing 7th Street/Metro Center Station through the basement of the Barker Brothers Furniture Store. The Section 106 evaluation for the Project determined that there would be No Adverse Effect on the Barker Brothers Furniture Store. The *Section 4(f) Policy Paper* (USDOT 2012) addresses Section 4(f) evaluation of historic districts. Question 2B of the *Section 4(f) Policy Paper* (USDOT 2012) asks, *How does Section 4(f) apply in historic districts that are on or eligible for the NR[HP]?* The guidance states:

Within a NR[HP] listed or eligible historic district, [FTA]'s long-standing policy is that Section 4(f) applies to those properties that are considered contributing to the eligibility of the historic district, as well as any individually eligible property within the district. Elements within the boundaries of a historic district are assumed to contribute, unless they are determined by [FTA] in consultation with the SHPO/THPO not to contribute.

Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 2 would have a *de minimis* impact on the Seventh Street Commercial Historic District.

Alternative 2 would require temporary access for construction activities that were considered in the Section 106 effect finding of No Adverse Effect on the Barker Brothers Furniture Store for right-of-entry, project construction, TCEs, or other temporary use. The TCEs would be temporary occupancies. The temporary impact that would occur during the construction phase was included in FTA's effect determination under Section 106 and consultation with the California SHPO. As required by Mitigation Measure VIB-7, during construction, vibration monitors would be placed on the historic site at the elevation of the historic building closest to construction activities within 200 feet. When construction activities are no longer within 200 feet of the historic resource, the vibration monitors would be removed. Based on the Section 106 no adverse effect determination, FTA has preliminarily determined that Alternative 2 would have a *de minimis* impact for the permanent incorporation of land from and temporary occupancy during construction of the Seventh Street Commercial Historic District.

5.4.1.7 Historic Sites with Temporary Occupancy Exception for Monitoring Only

The historic properties listed in Table 5.3 and as discussed in Section 4.14.3, the Historic, Archaeological, and Paleontological Resources Section of this Draft EIS/EIR, are subject to Section 4(f) protection.

The Project would not acquire land from the Section 4(f)-protected areas of the historic properties listed in Table 5.3; therefore, no permanent incorporation would result from the Project. In addition, the Section 106 evaluation for the Project determined that there would be no adverse effect on each of the properties listed in Table 5.3. Based on the definition of constructive use in Section 5.1.3.3, because the Project would have no adverse effect on the historic properties, it would not substantially impair the activities, features, or attributes of the Section 4(f) properties; therefore, it would not have a constructive use of any historic property listed in Table 5.3.

Project Mitigation Measure VIB-7, which would require the contractor to monitor construction vibration when within 200 feet of historic properties, would require temporary easements for the properties being monitored. During construction, vibration monitors would be placed on the historic site at the elevation of the historic building closest to the construction activities that are within 200 feet of the work. When construction activities are no longer within 200 feet of the historic resource, the vibration monitors would be removed. Pending conclusion of SHPO consultation, the FTA has made a preliminary finding that the temporary easements on the historic Section 4(f) properties would qualify for the temporary occupancy exception. Per 23 CFR Section 774.13 and as defined in Section 5.1.3.4, a temporary occupancy of a property does not constitute a use under Section 4(f) when all the following conditions are satisfied:

Is the duration temporary? Vibration monitors would be placed on the historic site at the elevation of the historic building closest to the construction activities within 200 feet. When construction activities are no longer within 200 feet of the historic resource, the vibration monitors would be removed. The monitors would be in place for a few weeks at most.

Is the scope of work minor? Work on the properties would be limited to placement of vibration monitors. Vibration monitors consist of a small, approximately 1-cubic-foot recording device connected to one or more accelerometers, which often resemble a metallic hockey puck or Rubik's Cube, that is placed on the ground adjacent to the structure or attached to the structure by removable putty or tape.

Are there any anticipated permanent adverse physical impacts, or is there interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis? Per the Section 106 finding, the Project would not result in an adverse effect to the historic properties. Temporary construction effects would not result in temporary or permanent adverse changes or impair the Section 4(f) property's historic integrity, features, or attributes that contribute to its NRHP eligibility.

Will the land being used be fully restored? The vibration monitors would not result in temporary or permanent changes to the Section 4(f) properties. Any alternation to the property would be removed and the property restored.

Is there documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions? The FTA and Metro are consulting with the California SHPO regarding the Section 106 no adverse effect findings and application of the temporary occupancy exception for the properties listed in Table 5.3.

Based on the discussion above, per 23 CFR Section 774.13 and as defined in Section 5.1.3.4, the Project would qualify for the temporary occupancy exception resulting in no Section 4(f) use of the properties listed in Table 5.3 under Section 4(f). This determination is pending the completion of Section 106 consultation and concurrence of the California SHPO on the Section 106 consultation.

Table 5.3. Properties with Temporary Use Exception for Vibration Monitoring

Property	Applicable to Alternative(s)
Los Angeles Terminal Annex Post Office	Alternative 1
Los Angeles Union Terminal District and Buildings	Alternatives 1 or 2
1608 East 15th St, Los Angeles	Alternatives 1 or 2
Angel City Brewery/John A. Roebling's Sons Company	Alternative 1
500 South Alameda St, Los Angeles	Alternative 1
542 South Alameda St, Los Angeles	Alternative 1
1250 Long Beach Ave, Los Angeles	Alternatives 1 or 2
1753 East Olympic Blvd, Los Angeles	Alternatives 1 or 2
Hamburger's Department Store	Alternative 2
Charles C. Chapman Building	Alternative 2
Tower Theater	Alternative 2
Garfield Building	Alternative 2
Union Bank and Trust Company Building	Alternative 2
Garment Capitol Building	Alternative 2
Textile Center Building	Alternative 2
Southern California Gas Complex	Alternative 2
Great Republic Life Building	Alternative 2
801 South Spring St, Los Angeles	Alternative 2
National City Bank Building	Alternative 2
General Petroleum Corporation Parking Garage	Alternative 2
The Olympic Theater	Alternative 2
Commercial Exchange Building	Alternative 2
Mack International Motor Truck Corporation	Alternatives 1 or 2
Randolph Substation	Alternatives 1, 2, or 3
Downtown Los Angeles Industrial Historic District	Alternative 1
Broadway Theater and Commercial Historic District	Alternative 2

Source: Metro 2021f

5.4.2 Public Parks and Recreation Areas

5.4.2.1 Paramount Park

Paramount Park is located at 14400 Paramount Boulevard in the City of Paramount. The primary public use of the property is for active recreation. It is owned by the City, and recreational uses at the park include playgrounds, handball courts (lighted), baseball diamonds (lighted), basketball court (lighted), picnic shelters/barbecues, gymnasium, walking path, restrooms, pool, and onsite

parking. The park is approximately 15 acres. The approximately 9.9 acres of city-owned parkland is a Section 4(f)-protected resource and separated from Alternatives 1, 2, 3, and 4 by a 110-foot Los Angeles Department of Water and Power (LADWP) right-of-way.

In addition to the City-owned parkland, the City of Paramount leases a 40-foot-wide strip from Metro that is designated for “[p]arking and landscaping for Paramount Park only, and no other uses.” Exhibit E to the lease states that “there is a possibility that the West Santa Ana Branch will be selected as a rail connector with Orange County. If such a decision is made, Metro will probably require the return of the entire right-of-way adjacent to Paramount Park” (License Agreement A000604 [Metro 1993]). Per 23 CFR 774.11(h), the property was reserved in the lease agreement for future transportation use while functioning temporarily to support park use; therefore, the approximately 1.3 acres of property within the Metro lease area is not subject to Section 4(f). Alternatives 1, 2, 3, and 4 would require return of and occupy the Metro lease area.

Separately, the City has an agreement for use of the 110-foot LADWP power right-of-way that is located between the park and the Metro right-of-way. The approximately 3.8-acre LADWP right-of-way is adjacent to Alternatives 1, 2, 3, and 4. While the primary use of the power right-of-way is not as a recreational property, it is included in the area afforded Section 4(f) protection because the specifics of the property agreement are not available.

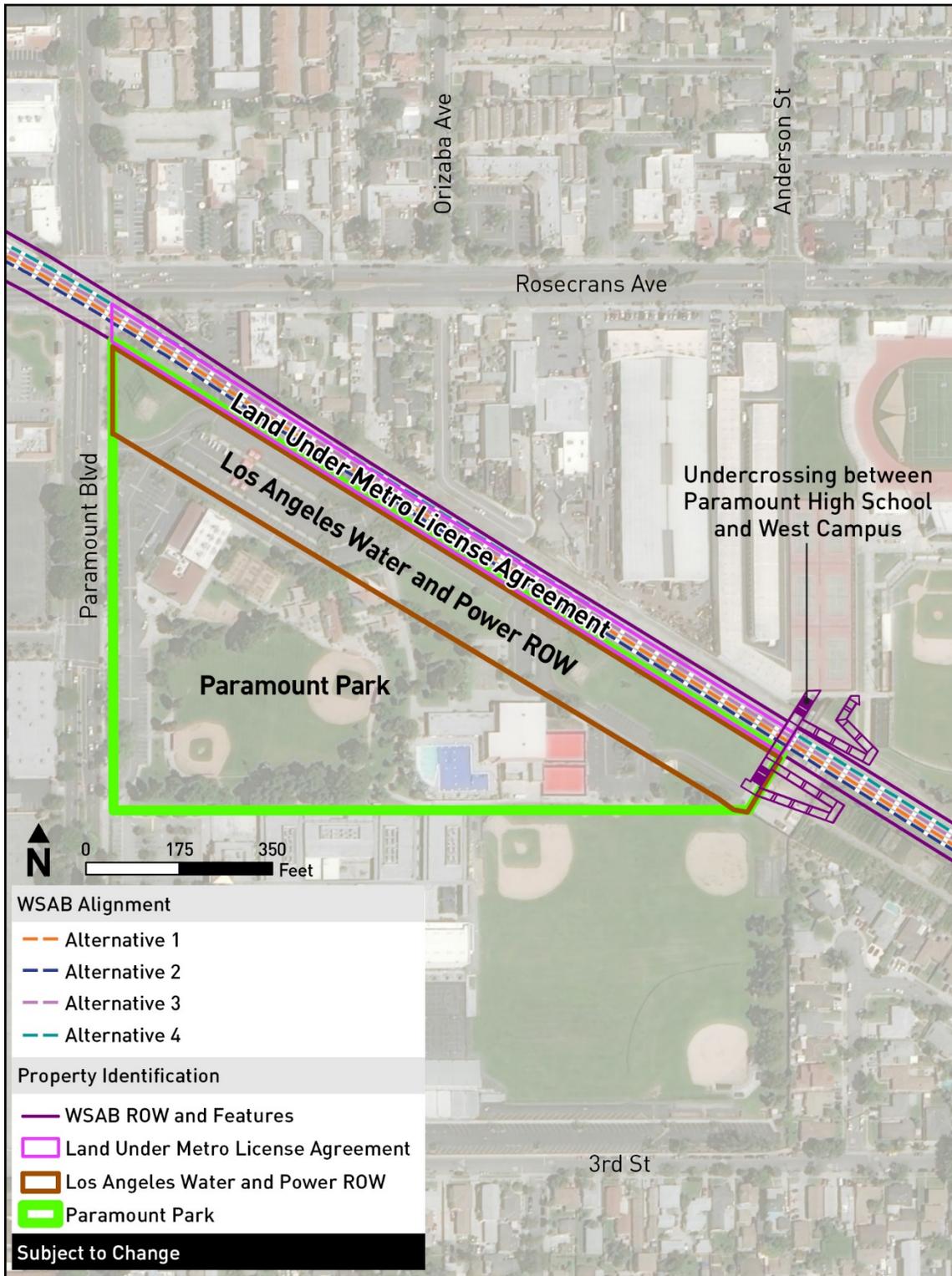
An existing grade-separated pedestrian crossing between the Paramount High School east and west campuses occupies a portion of the Metro and LADWP rights-of-way.

Paramount Park, inclusive of the LADWP right-of-way, meets the definition of a Section 4(f) resource as it is a publicly owned parkland and recreation area; however, by the lease terms described in License Agreement A000604 (Metro 1993), the separate parcel leased from Metro is not a Section 4(f)-protected property.

Based on the discussion below, Alternative 1, 2, 3, or 4 would result in permanent incorporation and temporary occupancy within portions of the LADWP property that function as a portion of Paramount Park. The Section 4(f) use of this property would not substantially impair the features, activities, or attributes that qualify the property for protection under Section 4(f). FTA has preliminarily determined that Alternative 1, 2, 3, or 4 would have a *de minimis* impact on Paramount Park for both temporary and permanent impacts. These preliminary determinations are pending concurrence from the City of Paramount Community Services and Recreation Department.

Paramount Park is adjacent to Alternatives 1, 2, 3, and 4 and approximately 700 feet from the Paramount Maintenance and Storage Facility site option. The at-grade track and aerial easements for Alternatives 1, 2, 3, and 4 require termination of a lease agreement between Metro and the City of Paramount for a 40-foot-wide section of Metro right-of-way that is not subject to Section 4(f). The reversion of the leased parking area to accommodate the track alignment does not include acquisition of property within the Paramount Park boundary, as shown in Figure 5-3. The Project would require acquisition of approximately 7,300 square feet of land from the LADWP property to construct a replacement grade-separated pedestrian crossing between the Paramount High School east and west campuses. The new crossing would replace an existing overcrossing in this location, but it would require additional space to upgrade the crossing to meet Americans with Disability Act accessibility requirements. The Project would not require any acquisition of parkland in City of Paramount ownership.

Figure 5-3. Paramount Park



Source: Metro 2021

The acquisition area includes part of an open grassy area and a currently fenced maintenance and storage area adjacent to the park's fenced southeastern boundary with the Paramount High School west campus and the continuation of the LADWP property beyond the area leased by the city adjacent to Paramount Park. The acquisition constitutes approximately 1 percent of the Section 4(f)-protected land within Paramount Park. The acquisition area is not used for any of the activities, features, or attributes identified as significant for the park (playgrounds, handball courts, baseball diamonds, basketball court, picnic shelters/ barbecues, gymnasium, walking path, restrooms, and swimming pool). Because the acquisition would not adversely affect the activities, features, or attributes qualifying the park for protection under Section 4(f), and the acquired area would be used to provide improved safe access for students between Paramount High School's east and west campuses, FTA has made a preliminary determination that the acquisition of land from the LADWP property would have a *de minimis* impact on Paramount Park. This finding is made dependent on concurrence by the City of Paramount Community Services and Recreation Department.

Alternatives 1, 2, 3, or 4 would not require temporary occupancy of parkland property for right-of-entry, project construction, TCEs, or other temporary use beyond what is needed for the pedestrian undercrossing and already considered in the *de minimis* impact determination.

While Alternatives 1, 2, 3, or 4 would incorporate land from the LADWP right-of-way, it would not acquire land from the portion of Paramount Park owned by the City of Paramount. The proximity impacts from Alternatives 1, 2, 3, or 4 would not be so severe that the protected activities, features, or attributes that qualify the park property for protection under Section 4(f) would be substantially impaired. No constructive use of the property would occur as defined in 23 CFR 774.15 and described in the following subsections.

Noise level increase: Constructive use occurs when “[t]he projected noise level increase attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a property protected by Section 4(f).” According to the analysis provided in Section 5.3.2.1 of the *West Santa Ana Branch Transit Corridor Project Final Noise and Vibration Impact Analysis Report* (Metro 2021j), included as Appendix M to this Draft EIS/EIR, the active recreational uses within the park such as ball fields and courts are not noise sensitive; therefore, Paramount Park was not evaluated for noise impacts and the acoustical environment is not a qualifying feature of the park's Section 4(f) protection. Construction noise Mitigation Measure NOI-8 Noise Control Plan would generally reduce construction noise levels to within the FTA construction noise criteria; temporary short-term exceedances of the criteria could occur (Metro 2021j) but would not be of such magnitude or duration to substantially impair use of the park.

Impairment of aesthetic features: The proximity of the Project does not impair aesthetic features or attributes of the Section 4(f) property that contribute to its value as a public park and recreation center. As noted in Section 4.2 of the *West Santa Ana Branch Transit Corridor Project Final Visual and Aesthetic Impact Analysis Report* (Metro 2021o), included as Appendix I to this Draft EIS/EIR, Paramount Park is identified as a scenic resource, with park users being the sensitive viewers. The park is located within the Suburban Residential and Industrial Landscape Unit, as described in Section 5.3.1 of that report. Overall, the change in visual quality in this landscape unit would be neutral since the Project would be compatible with the visual character, and viewer groups in this landscape unit would not be sensitive to visual changes associated with the Project. The Project would not obstruct views of or alter the visual character and quality of Paramount Park; therefore, adverse visual effects are not expected.

Restricted access: The Project would not restrict access to the public park and recreation areas. As noted in Section 5.3.1.2 and Section 5.3.1.3 of the *West Santa Ana Branch Transit Corridor Project Final Parklands and Community Facilities Impact Analysis Report* (Metro 2021k), included as Appendix AA to this Draft EIS/EIR, the City of Paramount leased parking located on the LADWP property along the northern boundary of Paramount Park would be affected as a result of the lease termination to accommodate the track alignment and permanent aerial easement for the aerial track alignment. However, onsite parking would be maintained to the extent feasible and onsite parking access from Paramount Boulevard would not be affected. Adequate onsite parking would be available to park users and, therefore, the impact would not substantially diminish the utility of the park and its uses. The Project would not affect vehicle or pedestrian access to community facilities, and the partial property acquisition of the LADWP property would not affect the existing vehicle access and pedestrian access to the park, nor does the Project impact the existing access from Paramount Boulevard. In addition, the Project would provide another mode of access to and from the park.

Vibration impacts: As noted in Section 5.3.2.2 of the Final Noise and Vibration Impact Analysis Report (Appendix M), groundborne vibration would not adversely affect Paramount Park. As described in Section 8.3.6 of that report, with mitigation, construction vibration would not exceed damage risk thresholds.

Ecological intrusion: The Section 4(f) property does not provide ecological value (wildlife habitat or waterfowl refuge) that would be diminished by the Project.

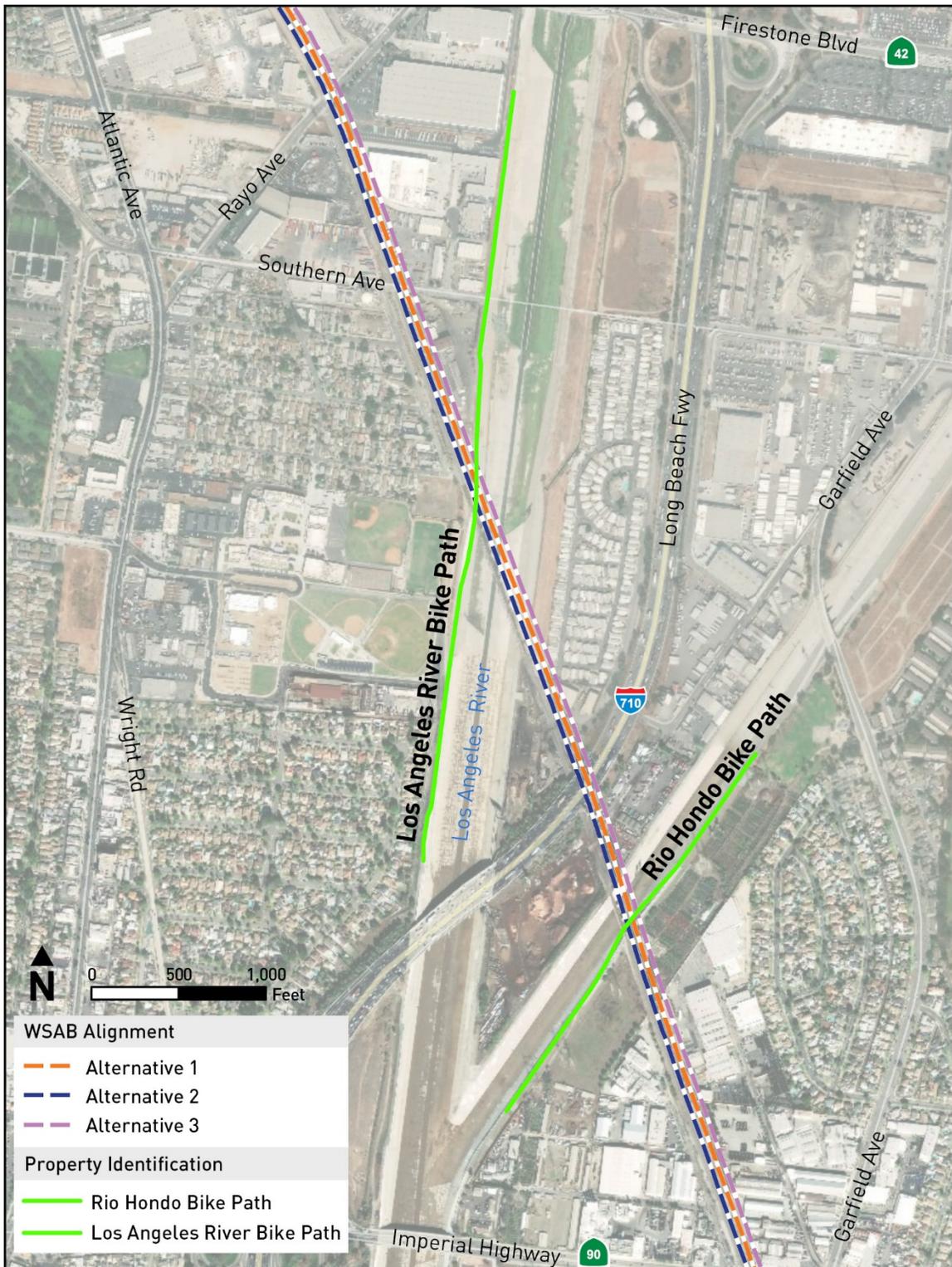
Based on the discussion above, no constructive use of the property would occur as defined in 23 CFR 774.15.

5.4.2.2 Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail

The Los Angeles River Bike Path and Rio Hondo Bike Path are Class I bike paths (Figure 5-4). The paths would cross under Alternatives 1, 2, and 3. The San Gabriel River Mid-Trail would cross under Alternatives 1, 2, 3, and 4 as the alignment crosses over the San Gabriel River (Figure 5-5).

Alternatives 1, 2, 3, or 4 would not require acquisition of land within the boundaries of any of the trails listed in Table 5.4; therefore, no Section 4(f) property would be permanently incorporated into the Project. As shown in Table 5.4, FTA has made a preliminary determination that there would be a Section 4(f) temporary occupancy exception of the Los Angeles River Bike Path and Rio Hondo Bike Path with Alternatives 1, 2, or 3, pending final concurrence with the County of Los Angeles Department of Public Works. Alternative 4 would have no Section 4(f) use of the Los Angeles River Bike Path or Rio Hondo Bike Path because this alternative is not in close proximity to the resources. FTA has made a preliminary determination that there would be a Section 4(f) temporary occupancy exception of the San Gabriel River Mid-Trail property with Alternative 1, 2, 3, or 4, pending final concurrence with the County of Los Angeles Department of Public Works.

Figure 5-4. Los Angeles River and Rio Hondo Bike Paths



Source: Metro 20211

Figure 5-5. San Gabriel River Mid-Trail



Source: Metro 2021

Table 5.4. Recreational Trails with Temporary Use Exception

Property	Applicable to Alternative(s)	Description of Effect	Preliminary Section 4(f) Finding
Los Angeles River Bike Path	Alternatives 1, 2, or 3	Short-duration detour during construction	Temporary occupancy exception
Rio Hondo Bike Path	Alternatives 1, 2, or 3	Short-duration detour during construction	Temporary occupancy exception
San Gabriel River Mid-Trail	Alternatives 1, 2, 3, or 4	Short-duration detour during construction	Temporary occupancy exception

Source: Metro 2021f

The Project would require temporary easements during construction to safely construct crossings above the three trails listed in Table 5.4. Pending consultation with the Los Angeles County Department of Public Works, the FTA has made a preliminary finding that the temporary occupancy exception applies to the three trails. Per 23 CFR Section 774.13 and as defined in Section 5.1.3.4, a temporary occupancy of a property does not constitute a use under Section 4(f) when all the following conditions are satisfied:

Is the duration temporary? The trails would be closed and a detour would be provided only for the period of time needed to construct the elevated crossing above the trails. This would be less than the duration of construction for the Project. Detours would be provided as outlined in Mitigation Measure TRA-20 Transportation Management Plan(s) and communicated to trail users per Mitigation Measure COM-1 Construction Outreach Plan.

Is the scope of work minor? Crossing over the trails would constitute a very small (less than 1 percent) portion of the Project and a similarly small portion of the entire trails. The only work that would affect the trails is construction of the guideway above the trails.

Are there any anticipated permanent adverse physical impacts, or is there interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis? Once the guideway is constructed, regular recreational use of the trails can occur and would not be affected by the guideway. During construction, detours would be provided as outlined in Mitigation Measure TRA-20 Transportation Management Plan(s) and communicated to trail users per COM-1 to maintain the Section 4(f)-protected recreational activities.

Will the land being used be fully restored? No damage is expected. Any damage to the bike path, such as damaged pavement, would be fully restored.

Is there documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions? The FTA and Metro have consulted with the County of Los Angeles Department of Public Works regarding ownership and maintenance of the trails and will continue to coordinate during planning and construction. Prior to completion of the Final Section 4(f) Evaluation, Metro will confirm with the County of Los Angeles Department of Public Works that it is in agreement with the FTA's assessment of temporary occupancy.

Based on the discussion above, pending consultation with the Los Angeles County Department of Public Works, the FTA has made a preliminary finding that the temporary occupancy exception applies to the three trails.

A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired [23 CFR 774.15(a)]. No constructive use of the properties would occur as defined in 23 CFR 774.15 and described in the following subsections.

Noise level increase: 23 CFR 774.15(e)(1) identifies that constructive use occurs when “[t]he projected noise level increase attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a property protected by Section 4(f), such as: [h]earing the performances at an outdoor amphitheater; [s]leeping in the sleeping area of a campground; [e]njoyment of a historic site where a quiet setting is a generally recognized feature or attribute of the site's significance; [e]njoyment of an urban park where serenity and quiet are significant attributes; or [v]iewing wildlife in an area of a wildlife and waterfowl refuge intended for such viewing.” None of these cases are present for the three trails. Per the FTA *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018), “parks used primarily for active recreation such as sports complexes and bike or running paths are not considered noise-sensitive”; therefore, the three trails were not evaluated for noise impacts and the acoustical environment is not a qualifying feature of the trails’ Section 4(f) protection.

Impairment of aesthetic features: The proximity of the Project would not impair aesthetic features or attributes of the Section 4(f) properties that contribute to their value as public bike paths or trails. As noted in Section 4.2 of the Final Visual and Aesthetic Impact Analysis Report (Appendix I), the trails are not identified as a scenic resource with sensitive viewers. Overall, the change in visual quality in this landscape unit would be neutral since the Project would be compatible with the existing visual character, including freeway and rail bridges, and viewer groups in the landscape unit would be insensitive to visual changes associated with the Project. Therefore, adverse visual effects are not expected.

Restricted access: The Project would not result in long-term restricted access that substantially diminishes the utility of the trails.

Vibration impacts: Bicycle and pedestrian use of the trails is not vibration-sensitive. Construction or operation vibration would not impair use of the trails.

Ecological intrusion: The Section 4(f) properties do not provide ecological value (wildlife habitat or waterfowl refuge) that would be diminished by the Project.

Based on the discussion above, no constructive use of the properties would occur as defined in 23 CFR 774.15.

5.5 Agency Coordination and Consultation

This section discusses consultation and coordination with officials with jurisdiction over Section 4(f) properties that could be affected by the Project and an overview of the public and agency review of the Section 4(f) evaluation. Table 5.5 summarizes the coordination efforts received and the responses from officials with jurisdiction, which is detailed in the *West Santa Ana Branch Transit Corridor Project Draft Section 4(f) and 6(f) Evaluation* (Appendix BB). Prior to making Section 4(f) approvals under Section 774.3(a), the Section 4(f) evaluation shall be provided for coordination and comment to the official(s) with jurisdiction over the Section 4(f) resource and to the Department of the Interior, and as appropriate to the Department of Agriculture and the Department of Housing and Urban Development (23 CFR Section 774.5).

Table 5.5. Summary of Coordination with Agencies with Jurisdiction over Section 4(f) Properties

Consulted Agency	Applicable Properties	Outreach to Date	Response to Date
The California State Historic Preservation Officer	All historic properties	Consultation on Section 106 APE on December 19, 2018 and April 26, 2019 Consultation on Determination of Eligibility and APE expansion on March 30, 2020 Consultation related to I-105/Century Freeway-Transitway Historic District on September 9, 2020	APE concurrence on May 29, 2019 Determination of Eligibility consultation is ongoing
City of Los Angeles Department of Recreation and Parks	Los Angeles Plaza Park (El Pueblo De Los Angeles State Historic Park and Paseo de la Plaza Park)	January 30, 2020	February 12, 2020
	Fred Roberts Recreation Center		
Los Angeles Unified School District	Lillian Street Elementary School	January 30, 2020	None to date
	San Antonio Elementary School		
	Legacy High School Complex		
City of Huntington Park Department of Parks and Recreation	Salt Lake Park	January 29, 2020	None to date
City of South Gate Parks and Recreation Department	Hollydale Community Center/Park	January 29, 2020	February 12, 2020
City of Paramount Community Services and Recreation Department	Paramount Park	January 29, 2020	None to date
Paramount Unified School District	Paramount High School	January 29, 2020	February 18, 2020
	Paramount High School West Campus		
	Paramount Park Middle School		
City of Bellflower	Ruth R. Caruthers Park	January 29, 2020	February 10, 2020 March 11, 2021
	Flora Vista Dog Park	March 3, 2021	
	Bellflower Bike Trail		

Consulted Agency	Applicable Properties	Outreach to Date	Response to Date
City of Cerritos Recreation Services Division	Rosewood Park	January 29, 2020	February 10, 2020
City of Artesia Parks and Recreation Department	Artesia Park	January 29, 2020	None to date
Los Angeles County Department of Parks and Recreation	Los Angeles River Bike Path	January 29, 2020	February 28, 2020
	Rio Hondo Bike Path		
	San Gabriel River Mid- Trail		

Source: Metro 20211

Note: APE = Area of Potential Effect

FTA and Metro completed a preliminary effects determination for each NRHP-eligible or listed property and made an overall Section 106 finding for the Project of No Adverse Effect as documented in the *West Santa Ana Branch Transit Corridor Project Revised Preliminary Cultural Resource Effects Report* (Metro 2021u), attached as Appendix X to this Draft EIS/EIR. Consultation with the California SHPO is ongoing.

With public circulation of this Draft EIS, FTA will provide the public and agencies with jurisdiction over Section 4(f) properties with an opportunity to review and consider the Section 4(f) analysis and FTA's preliminary determinations. Once FTA and Metro have collected and reviewed public comments, they will request concurrence from the City of Paramount Community Services and Recreation Department regarding *de minimis* impact to Paramount Park and from other officials with jurisdiction over parks for concurrence that the conditions for application of the temporary occupancy exception are met.

5.6 Preliminary Section 4(f) Finding

The FTA has made a preliminary determination that each of the Build Alternatives would have a *de minimis* impact or temporary use exception for Section 4(f)-protected properties (Table 5.6).

Table 5.6. Summary of Section 4(f) Findings by Alternative

Alternative	Number of Properties with a <i>de minimis</i> Finding		Number of Properties with Temporary Occupancy Exception Finding	
	Historic	Park	Historic	Park
Alternative 1	4	1	11	3
Alternative 2	5	1	21	3
Alternative 3	3	1	1	3
Alternative 4	1	1	0	1

Source: Summarized from Table 5.1 and Table 5.2

Based on the evaluation summarized in Section 5.4 and considering the permanent and temporary effects of the Project, FTA has made a preliminary determination that the Project would have a *de minimis* impact on the activities, attributes, or features that qualify Los Angeles Union Station, the Barker Brothers Furniture Store, I-105/Century Freeway-Transitway Historic District, 6000 Alameda Street, 6101 Santa Fe Avenue, and the Seventh Street Commercial Historic District for protection under Section 4(f), pending the completion of Section 106 consultation and concurrence from the California SHPO. The FTA also has made a preliminary determination that the Project would have a *de minimis* impact on Paramount Park (Section 5.4.2.1), pending concurrence from the City of Paramount Community Services and Recreation Department.

The FTA also has made a preliminary determination that the temporary occupancy exception to Section 4(f) use would apply to the Section 4(f) properties identified in Table 5.4 and Table 5.3, pending concurrence from the agencies with jurisdiction that the conditions for application of the temporary occupancy exception are met.

The Project would have no use of other Section 4(f) properties. There would be no constructive use of any Section 4(f) properties (Metro, 2021). FTA has preliminarily determined that the Project would satisfy the requirements of Section 4(f) because the only impacts to Section 4(f) properties would be *de minimis* or meet the requirements of the temporary occupancy exception.

5.7 Section 6(f) Finding

Section 6(f) properties are recreation resources created or improved with funds from the Land and Water Conservation Act which requires that an area funded with this assistance be “continually maintained in public recreation use” unless the National Park Service, or other state designee, approves substitution per the Conversion Requirements, including conversion to other uses either “in whole or in part” (36 CFR Ch 1, Section 59.3). Section 6(f) prohibits the conversion of property acquired or developed with these funds to a non-recreational purpose without the approval of the Secretary of the U.S. Department of the Interior’s National Park Service and mitigation that includes replacement of the quality and quantity of land used. As documented in Chapter 11 of the *West Santa Ana Branch Transit Corridor Project Draft Section 4(f) and 6(f) Evaluation* (Appendix BB), the Project would not result in the conversion of any recreational areas funded by the Land and Water Conservation Fund to a non-recreational use; therefore, there is no conversion of Section 6(f) property.