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

4.8.1 Introduction

This U.S. Department of Transportation (DOT) Section 4(f) analysis addresses the potential for the Master Plan build alternatives to result in a "use" of public parks and recreation lands, wildlife and waterfowl refuges, and any historic sites, as defined by Section 4(f) of the Department of Transportation Act of 1966 (recodified as amended at 49 USC Section 303). This section also assesses whether the proposed Master Plan alternatives would result in the conversion of public park and recreation lands funded through the U.S. Department of the Interior Land and Water Conservation Fund Act of 1965 (L&WCF Act).³⁹³ Appendix H, *Department of Transportation Act Section 4(f) Report*, and Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*, contain comprehensive information addressing the applicability of Section 4(f) of the DOT Act and Section 6(f) of the L&WCF Act to the proposed Master Plan build alternatives. More detailed descriptions of historically significant and environmentally sensitive properties are provided in Section 4.9, *Historic/Architectural, Archaeological/Cultural and Paleontological Resources*, Section 4.10, *Biotic Communities*, Section 4.11, *Endangered and Threatened Species of Flora and Fauna*, and Section 4.26.3, *Parks and Recreation*. Section 4.1, *Noise*, and Section 4.2, *Land Use*, contain detailed discussions of noise. Section 4.14, *Coastal Zone Management and Coastal Barriers*, addresses bicycle lanes and paths relative to coastal access.

4.8.2 General Approach and Methodology

Section 4(f) Resources

Section 4(f) of the DOT Act prohibits use of a publicly owned park, recreation area, wildlife or waterfowl refuge, or public or privately owned historic site of national, state, or local significance³⁹⁴ for a transportation project unless the Secretary of Transportation has determined that there is no feasible and prudent alternative to such use and the project includes all possible planning to minimize harm to the property resulting from such use.

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

Use, pursuant to Section 4(f), also includes adverse indirect impacts or what is termed "constructive use." A constructive use may occur when impacts substantially impair or diminish the activities, features, or attributes of the resource that contribute to its significance or enjoyment.³⁹⁵ For example, if building a roadway in the area would significantly increase noise levels at a park with an outdoor amphitheater and would substantially impair the use of the amphitheater, the roadway may represent a constructive use, even though there would be no acquisition or development within the park.

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

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

³⁹³ 16 USC Section 460I-8.

³⁹⁴ For purposes of this analysis, publicly owned parks, recreation areas, wildlife and waterfowl refuges, and public or privately owned historic sites of national, state, or local significance are collectively referred to as "Section 4(f) resources."

³⁹⁵ Federal Aviation Administration, "Policies and Procedures for Considering Environmental Impacts," [FAA Order 1050.1D](#), Change 4, Attachment 2, Section 5(b)(4), December 5, 1986.

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The study area for the Section 4(f) analysis includes areas adjacent to existing and proposed LAX boundaries as well as areas adversely affected by project noise levels as defined in FAR Part 150. These resources are shown in **Figure F4.8-1**, Section 4(f) and 6(f) Resources Within Study Area.

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

Public Parks and Recreation Areas

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

Historic and Archaeological Resources

FAA Order 5050.4A, *Airport Environmental Handbook*, states that Section 4(f) of the DOT Act applies to those historic or archaeological sites of national, state, or local significance that are included in or eligible for inclusion in the National Register of Historic Places.³⁹⁶ In addition, FAA Order 1050.1D³⁹⁷ refers to FHWA regulations for further guidance regarding the application of Section 4(f). FHWA regulations³⁹⁸ clarify that Section 4(f) requirements apply only to historic sites on or eligible to be on the National Register of Historic Places.³⁹⁹

FHWA, which has jurisdiction relating to the major surface transportation components of the project, also provides guidance on constructive uses of Section 4(f) properties. FHWA guidance indicates that constructive use of a historic site may occur when the "projected noise level increase attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a resource protected by Section 4(f)." This includes the "enjoyment of a historic site where a quiet setting is a generally recognized feature or attribute of the site's significance."⁴⁰⁰

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

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

Wildlife Refuges

Constructive use of a wildlife or waterfowl refuge may occur when the "ecological intrusion of the project substantially diminishes the value of wildlife habitat in a wildlife or waterfowl refuge adjacent to the project or substantially interferes with the access to a wildlife or waterfowl refuge, when such access is necessary for established wildlife migration or critical life cycle process."⁴⁰¹

³⁹⁶ Federal Aviation Administration, "Airport Environmental Handbook," *Order 5050.4A*, FAA Section 47e, 8(d), October 8, 1985.

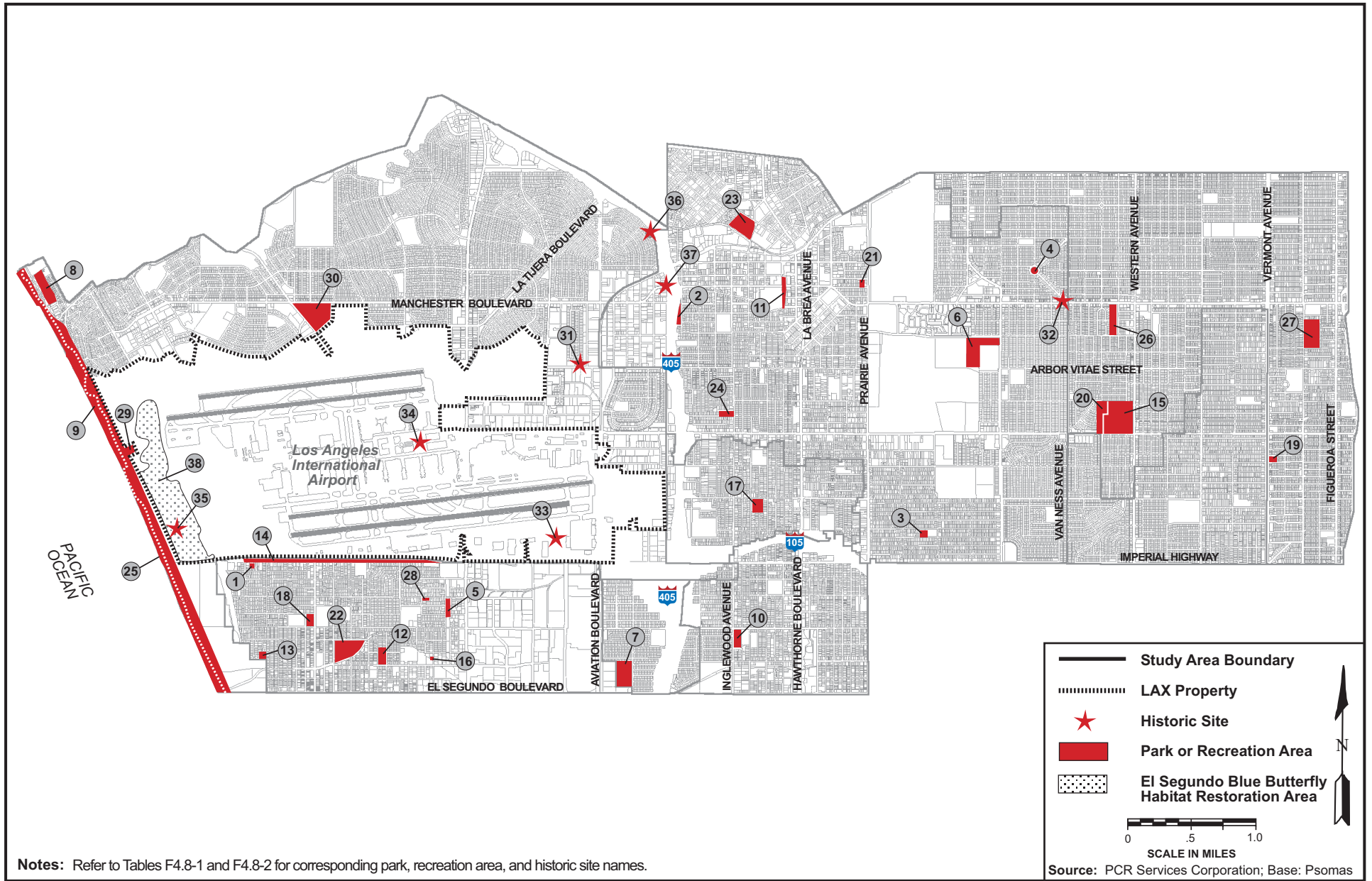
³⁹⁷ Federal Aviation Administration, "Policies and Procedures for Considering Environmental Impacts," FAA *Order 1050.1D*, Change 4, Attachment 2, Section 5(a), June 14, 1999.

³⁹⁸ 23 C.F.R. § 771.135(e).

³⁹⁹ The regulations also indicate that in some instances, it may be determined that application of Section 4(f) is "otherwise appropriate" even though a historic site of national, state, or local significance is not on or eligible for listing on the National Register.

⁴⁰⁰ Federal Highway Administration, *Guidance for Preparing and Processing Environmental and Section 4(f) Documents, Environmental Guidebook Tab 2*, Technical Advisory T6640.8a, Section (p)(4)(i), October 30, 1987.

⁴⁰¹ Federal Highway Administration, *Guidance for Preparing and Processing Environmental and Section 4(f) Documents, Environmental Guidebook Tab 2*, Technical Advisory T6640.8a, Section (p)(4)(i), October 30, 1987.



Section 4(f) Evaluation

A draft DOT Act Section 4(f) evaluation focusing on Alternative D, identified as the LAWA staff-preferred alternative, was prepared and is provided in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*. This report is hereby incorporated by reference. As discussed therein and summarized below in subsection 4.8.6.1.5, Alternative D would result in a use within the El Segundo Blue Butterfly Habitat Restoration Area (Habitat Restoration Area), which is being treated for the purpose of this analysis as a Section 4(f) resource. Consultation and coordination with the U.S. Fish and Wildlife Service and the California Department of Fish and Game regarding biological resources has been undertaken throughout the LAX Master Plan EIS/EIR process, including issues associated with the effects of the Master Plan alternatives on resources within the Habitat Restoration Area. The outcome of this coordination, with consideration of other input received during circulation of the Supplement to the Draft EIS/EIR and the draft DOT Act Section 4(f) evaluation, is presented below in subsection 4.8.6.3. This section and the analysis which follows constitutes a final Section 4(f) evaluation incorporating the FAA's final determination regarding the potential for Alternative D, the LAWA staff-preferred alternative, to result in a use pursuant to the DOT Act.

Land and Water Conservation Fund Resources

This analysis also examines whether there would be a change in the use of a recreational park or facility funded through the Department of the Interior Land and Water Conservation Fund Act of 1965. If a change from a recreational to a non-recreational use were to occur, it would be considered a "conversion" under the L&WCF Act. Conversion of parks funded through L&WCF grants is defined by regulations and guidelines issued by the National Park Service to implement Section 6(f) of the L&WCF Act.

L&WCF resources potentially affected by the Master Plan build alternatives were identified through a search of a California Department of Parks and Recreation listing of projects funded through grant programs. The list of "All Projects Funded by Agency," as updated by the California Department of Parks and Recreation on April 13, 1999, identified by jurisdiction, the project or recreational facility name, the fiscal year the project was funded, the grant program, and the grant amount. The portion of the list that included the cities of Los Angeles, El Segundo, Inglewood, Hawthorne, and unincorporated areas of Los Angeles County was reviewed to identify L&WCF resources within the study area and is included in Appendix H, *Department of Transportation Act Section 4 (f) Report*. An updated database search conducted in 2002 did not reveal any additional 6(f) resources within the study area.

4.8.3 Affected Environment/Environmental Baseline

Section 4(f) Resources (Determination of Applicability)

To identify potentially affected Section 4(f) and 6(f) resources within the study area, recreational areas, wildlife and waterfowl refuges, and historic sites were inventoried and evaluated. Initially, 32 potential park and recreation areas, one wildlife refuge, and seven historic sites were identified within the study area. (See **Figure F4.8-1**, Section 4(f) and 6(f) Resources Within Study Area, **Table F4.8-1**, LAX 4(f) and 6(f) Study Area Section 4(f) and 6(f) Park and Recreation Area Inventory, and **Table F4.8-2**, LAX 4(f) and 6(f) Study Area Section 4(f) Historic Resources Inventory.) Two recreational facilities within the study area that are owned by LAWA were not included in the inventory pursuant to FAA Order 5050.4A,⁴⁰² which exempts property from a Section 4(f) evaluation that is owned by and is currently designated for use by a transportation agency and is used as a park or recreation area on an interim basis. The two properties screened out of the Section 4(f) evaluation based on the exemption cited above are Carl E. Nielson Youth Park⁴⁰³ and Westchester Golf Course.⁴⁰⁴ Bikeways that are located along roadways were also excluded from this Section 4(f) analysis because they would only be temporarily affected during Master Plan construction activities. As stated in the Federal Highway Administration's *Section 4(f) Policy*

⁴⁰² Paragraph 47(e)(7)(3).

⁴⁰³ Per Lease Number LAA-7627 between the LAX Northside Los Angeles and the Westchester-Playa del Rey Youth Foundation, Inc.

⁴⁰⁴ Per Lease Number LAA-6410, as amended, between the LAX Northside Los Angeles and American Golf.

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Paper, Section 4(f) does not apply to temporary construction easements.⁴⁰⁵ Existing noise levels affecting park sites and descriptions of park and recreational facilities are provided in Appendix H, *Department of Transportation Act Section 4(f) Report, Section 4.26.3, Parks and Recreation, Section 4.1, Noise, and Section 4.2, Land Use*. Visual and aesthetic impacts are described in Section 4.21, *Design, Art and Architecture Application/Aesthetics*. Pedestrian, bicycle, and vehicular access is evaluated in Section 4.14, *Coastal Zone Management and Coastal Barriers*.

Table F4.8-1

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

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

¹ Numbers are keyed to **Figure F4.8-1**, Section 4(f) and 6(f) Resources Within Study Area.

² Has received L&WCF assistance.

Note: As of 2003, no additional Section 4(f) resources have been identified or constructed in the study area.

Source: PCR Services Corporation, 2000.

⁴⁰⁵ U.S. Department of Transportation, Federal Highway Administration, [Section 4\(f\) Policy Paper](#), September 2, 1987 (Revised June 7, 1989). Furthermore, it is unlikely that these bikeways would qualify for the protection of Section 4(f) as "recreation areas."

Table F4.8-2

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

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

¹ Numbers are keyed to **Figure F4.8-1**, Section 4(f) and 6(f) Resources Within Study Area.

² The California SHPO was consulted regarding these determinations. As no comments were received from SHPO and the 30 day review period has long since passed, concurrence by SHPO (in accordance with 36 CFR Part 800.3(c)(4)) has been assumed, consistent with the assessment contained in Appendix I, *Section 106 Report*, and Appendix S-G, *Supplemental Section 106 Report*.

³ As a contributor to a thematic district.

Note: As of 2003, no additional Section 4(f) resources have been identified in the study area.

Source: PCR Services Corporation, 2000.

Table F4.8-2 lists historic resources within the study area that are either on or are identified as eligible for listing in the National Register of Historic Places. Section 4.9, *Historic/Architectural, Archaeological/Cultural, and Paleontological Resources*, contains a detailed description of each of these historic resources.

One archaeological site that is potentially eligible for the National Register, CA-LAN-2345, is located within the study area, but is not included in **Figure F4.8-1**. Archaeological sites are not subject to public disclosure pursuant to Title II Section 304 of the National Historic Preservation Act of 1966, as amended, to prevent harm and unauthorized disturbance to the sites. A description of this site, however, is included in Section 4.9, *Historic/Architectural, Archaeological/Cultural, and Paleontological Resources*.

The one site within the study area being treated by FAA, for the purpose of this analysis, as a wildlife refuge under Section 4(f) is an area that the City of Los Angeles has designated on the western edge of the airport property managed by LAWA to protect and restore habitat, for the long-term conservation of the federally endangered El Segundo blue butterfly.⁴⁰⁶ The Habitat Restoration Area comprises approximately 203 acres and is indicated in **Figure F4.8-1**. The Habitat Restoration Area is described in more detail in Section 4.10, *Biotic Communities*, and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*. While the Habitat Restoration Area is not specifically designated as a Wildlife and Waterfowl Refuge pursuant to DOT Act Section 4(f), it is considered by the FAA to be comparable to a wildlife refuge because it is used on a permanent basis to conserve a federally endangered wildlife species.

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

⁴⁰⁶ City of Los Angeles Department of City Planning, Los Angeles Airport/El Segundo Dunes Specific Plan (Ordinance No. 167,940), June 28, 1992. Amended by Ordinance No. 169,767, April 6, 1994.

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Despite previous uses and developed conditions, an extensive study of the biological habitat in the Dunes resulted in listing of the El Segundo blue butterfly as a federally endangered species in 1976, and that same year Los Angeles County designated the Los Angeles/El Segundo Dunes as a Significant Ecological Area. The City adopted the concept and boundaries of the Habitat Restoration Area in 1989, and the California Coastal Commission approved three interim ecological restoration plans implemented in 1987, 1990, and 1992, with restoration efforts continuing today. The City of Los Angeles more formally set aside the area to protect and restore habitat to support the federally endangered El Segundo blue butterfly in 1992 with the adoption of the Los Angeles Airport/El Segundo Dunes Specific Plan (Specific Plan). In 1994, the City of Los Angeles prepared the *Long-Term Habitat Management Plan for the Los Angeles Airport/El Segundo Dunes*.⁴⁰⁷ Although the plan has not yet been adopted, LAWA is following its recommendations regarding management of the Habitat Restoration Area. Permitted uses within the Habitat Restoration Area include "existing Airport navigational and safety facilities" as well as "development of additional navigational and safety facilities," as long as "placement of such facilities shall be compatible with the preservation of habitat values."⁴⁰⁸ A 1996 El Segundo blue butterfly habitat suitability study indicated that there was no suitable habitat for the butterfly in the areas within the Los Angeles/El Segundo Dunes that are outside of the Habitat Restoration Area.⁴⁰⁹

In the context of existing airport operations, use of the Habitat Restoration Area occurs presently due to the location of runway navigational aids within the resource area. As such, under existing conditions, a Section 4(f) use within the Habitat Restoration Area occurs in association with the navigational aid light standards and associated service roads.

Regarding access to Section 4(f) resources along the coast west of LAX, several roadways have been closed for security purposes since September 11, 2001, including Sandpiper Street (between Pershing Drive and Vista del Mar). However, the closure of this roadway does not inhibit access to Vista del Mar Park, Dockweiler Beach State Park, or the South Bay Bicycle Trail, as primary access to these areas is provided via Vista del Mar Boulevard.

Land and Water Conservation Fund Resources

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

4.8.4 Thresholds of Significance

4.8.4.1 CEQA Thresholds of Significance

CEQA does not address the Department of Transportation Act of 1966, as amended, Section 4(f) or the Land and Water Conservation Fund Act, Section 6(f). No CEQA thresholds of significance apply to this evaluation, as Section 4(f) and Section 6(f) represent federal law.

4.8.4.2 Federal Standards

As described in subsection 4.8.2, *General Approach and Methodology*, federal standards regarding "use" and "constructive use" are set forth in agency regulations and guidelines, including FAA Order 5050.4A, *Airport Environmental Handbook*, FHWA regulations,⁴¹⁰ as well as federal case law. In addition to the definitions of "constructive use" already cited, FAA Order 1050.1D states that a "significant impact would occur when a proposed action would eliminate or severely degrade the purpose or use for which the Section 4(f) land was established and mitigation would not reduce the impact to levels that would allow

⁴⁰⁷ Environmental Science Associates in association with Sapphos Environmental, Inc. and Rudolf H. T. Mattoni, Ph. D., Long-term Habitat Management Plan for Los Angeles Airport/El Segundo Dunes, prepared for City of Los Angeles, Environmental Affairs Department, July 23, 1994.

⁴⁰⁸ Environmental Science Associates in association with Sapphos Environmental, Inc. and Rudolf H. T. Mattoni, Ph. D., Long-term Habitat Management Plan for Los Angeles Airport/El Segundo Dunes, prepared for City of Los Angeles, Environmental Affairs Department, July 23, 1994.

⁴⁰⁹ Sapphos Environmental, LAX Master Plan - Phase 1 Biological Resources Literature Review, prepared for City of Los Angeles, Department of Airports, November 8, 1996.

⁴¹⁰ 23 C.F.R. § 771.135.

the purpose or use to continue."⁴¹¹ As described in subsection 4.8.2, *General Approach and Methodology*, conversion of parks funded through L&WCF grants is defined by regulations and guidelines issued by the National Park Service to implement Section 6(f) of the L&WCF Act.

4.8.5 Master Plan Commitments

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

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

The above commitments are provided in their entirety in Chapter 5, *Environmental Action Plan*.

4.8.6 Environmental Consequences

4.8.6.1 Section 4(f) Resources

4.8.6.1.1 No Action/No Project Alternative

The No Action/No Project Alternative is not considered an expansion or build alternative. The No Action/No Project Alternative would not introduce new activities constituting either a direct or constructive use of Section 4(f) resources. However, the No Action/No Project Alternative involves the continuation of an existing direct use within the Habitat Restoration Area due to the continued operation of existing navigational aids, described above.

4.8.6.1.2 Alternative A - Added Runway North

Public Parks and Recreation Areas

Vista del Mar Park is a small, 1.8-acre, passive recreation park located west of the North Runway Complex on the west-facing slope of the Los Angeles/El Segundo Dunes. Its primary feature is a grassy knoll, with a few picnic tables and playground equipment. The park has ocean views and is a prime location for viewing aircraft arriving and departing LAX. Under No Action/No Project conditions in 2015, the park will have a projected noise level of 76.5 decibels (dB) Community Noise Equivalent Level (CNEL). It is reasonable to expect that in the future, as in the past when noise levels were even higher, the park will be frequently used despite its high noise levels.⁴¹² In 2015, Alternative A would result in a noise level of 80.1 dB CNEL at Vista del Mar Park, or a 3.6 dB CNEL increase in noise over future No Action/No Project conditions in 2015, which is a potential indirect effect under Section 4(f). However, as Vista del Mar Park has been and is currently exposed to high noise levels from both aircraft and vehicular traffic and is a prime location for viewing aircraft overhead, this increase in noise would not interfere with the normal use of the park. Therefore, a 3.6 dB CNEL increase in noise at the park would not constitute a constructive use.

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

With implementation of Alternative A, development of cargo facilities, fuel farm relocation, and development of other ancillary facilities near the southern boundary of the airport would alter views from Imperial Strip, a passive recreational park that serves as a buffer between the City of El Segundo and LAX. From Imperial Strip, views would include new and replacement cargo facilities, a parking structure

⁴¹¹ Federal Aviation Administration "Policies and Procedures for Considering Environmental Impacts," Order 1050.1D, Change 4, Amendment 2 (Section 5(c)).

⁴¹² The park had a noise level of 79.0 dB CNEL under 1996 baseline conditions.

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on the corner of Imperial Highway and Pershing Drive, and portions of the relocated fuel farm tanks. Also, with the development of the Westchester Southside project site, views from the Westchester Park Recreation Center toward the south would change. While open areas of the Westchester Southside project site would become urbanized, these areas would be attractively designed and would incorporate landscaping and landscaped buffer areas. As concluded in Section 4.21, *Design, Art, and Architectural Application/Aesthetics*, these changes in views/aesthetic conditions would not result in significant impacts. If Alternative A is adopted, constructive use of parks or recreation areas due to changes in views/aesthetic conditions would not occur.

Vehicular access to Dockweiler Beach State Park via Imperial Highway would be inhibited with implementation of Alternative A. Although this change would extend travel times for some residents, access would still be available via alternate routes, and access to Dockweiler Beach State Park would not be significantly degraded. In addition, bicycle path use and access to Dockweiler Beach State Park via Imperial Highway and Westchester Parkway would be temporarily inhibited with development of the ring road under Alternative A. Use of the bicycle lanes along Imperial Highway and Westchester Parkway would be temporarily restricted during construction activities associated with the development of the ring road. This would temporarily inhibit bicycle access to Dockweiler Beach State Park via Imperial Highway and Westchester Parkway. Master Plan Commitment ST-18, Construction Traffic Management Plan (Alternatives A, B, C, and D), would ensure that notification regarding alternate routes is provided during the construction period for the roadways. Furthermore, implementation of Master Plan Commitment LU-3, Comply with City of Los Angeles Transportation Element Bicycle Plan (Alternatives A, B, and C), would ensure that new replacement bicycle lanes are provided along Imperial Highway and incorporation of a bicycle path into the Westchester Southside development would maintain bicycle access to Dockweiler Beach State Park, as currently provided along Westchester Parkway (see Section 4.14, *Coastal Zone Management and Coastal Barriers*). In summary, if Alternative A were adopted, no use of a bicycle path or constructive use associated with restricted access would occur.

Effects on Section 4(f) parks and recreation areas associated with the LAX Expressway and State Route 1 improvements under Alternative A are described in Appendix K, *Supplemental Environmental Evaluation for LAX Expressway and State Route 1 Improvements*. As discussed therein, despite some short term impacts, ultimately no impacts to pedestrian or bicycle facilities within the LAX Expressway project study area would occur based on the City's commitment to maintaining such facilities in the area.

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

Historic and Archaeological Resources

Under Alternative A, the National Register eligible Academy Theatre would fall within the 65 dB CNEL noise contour and could qualify for noise mitigation. If sound insulation is undertaken, the process could result in the loss or alteration of significant character-defining elements such as windows or doors. Implementation of Master Plan Commitment HR-1, Preservation of Historic Resources (Alternatives A, B, C, and D), commits LAWA to undertake sound insulation for historic properties under the supervision of a qualified architectural historian or a historic architect in keeping with recommended approaches to rehabilitation as set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. On the basis of that commitment, the FAA has determined that Alternative A would not have an adverse effect on the Academy Theatre, pursuant to 36 CFR 800.5(a)(3)(b).⁴¹³ Therefore, if Alternative A were adopted, constructive use of the Academy Theatre would be avoided through implementation of Master Plan Commitment HR-1.

The LAX Expressway Split Viaduct alignment, as described in Appendix K, *Supplemental Environmental Evaluation for LAX Expressway and State Route 1 Improvements*, would result in a use and constructive use of the Centinela Adobe, a National Register listed historic property, due to encroachment of the roadway onto the property. The LAX Expressway would also result in a constructive use of Randy's Donuts, a historic property that appears eligible for the National Register at the local level, due to visual

⁴¹³ The California SHPO was consulted regarding this determination. As no comments were received from SHPO as confirmed by the FAA through telephone communications, and the 30-day review period has long since passed, concurrence by SHPO (in accordance with 36 CFR Part 800.3(c)(4)) has been assumed.

and possible vibration impacts. Although the Split Viaduct alignment would result in a use and constructive use of these properties, the Single Viaduct alignment, which is also an option under Alternative A, would avoid these historic properties. Effects on historic properties associated with the LAX Expressway are more fully described in Appendix K.

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

Alternative A would have no direct or indirect effect on the National Register listed Hangar One property or on the following National Register eligible properties: Theme Building, WWII Munitions Storage Bunker, Merle Norman Headquarters Complex, and archaeological site CA-LAN-2345.⁴¹⁴

Wildlife and Waterfowl Refuges

Alternative A, as proposed, would result in the use of 30,261 square feet (0.70 acre) of the Habitat Restoration Area due to the installation of new and replacement navigational aids associated with the North Runway Complex.⁴¹⁵ Implementation of Mitigation Measure MM-BC-10, Replacement of State-Designated Sensitive Habitat (Alternative A), would provide for replacement of the lost 30,261 square feet (0.70 acre). Although there would be no net loss of habitat, the impact within the Habitat Restoration Area would constitute a potential use under Section 4(f) if Alternative A were adopted. No constructive use or indirect effects due to increased ambient light, glare, or exhaust emissions on the Habitat Restoration Area would occur, as discussed further in Section 4.11, *Endangered and Threatened Species of Flora and Fauna*.

4.8.6.1.3 Alternative B - Added Runway South

Public Parks and Recreation Areas

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

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

Similar to Alternative A, vehicular access to Dockweiler Beach State Park via Imperial Highway for residential areas in El Segundo would be inhibited with implementation of Alternative B. However, alternate access routes would be provided with Master Plan Commitment ST-18, Construction Traffic

⁴¹⁴ The California SHPO was consulted regarding these conclusions. As no comments were received from SHPO, as confirmed by the FAA through telephone communications, and the 30-day review period has long since passed, concurrence by SHPO (in accordance with 36 CFR Part 800.3(c)(4)) has been assumed, consistent with the assessment contained in Appendix I, *Section 106 Report*, and Appendix S-G, *Supplemental Section 106 Report*.

⁴¹⁵ The relocation of existing navigational aids under Alternative A would involve the removal of existing light standards and installation of replacement navigational aids in modified locations. The impacted square footage includes buffer areas and service roads associated with each navigational aid.

4.8 Department of Transportation Act, Section 4(f)

Management Plan (Alternatives A, B, C, and D), and no Section 4(f) use of Dockweiler Beach State Park would occur. Furthermore, implementation of Master Plan Commitment LU-3, Comply with City of Los Angeles Transportation Element Bicycle Plan (Alternatives A, B, and C), would ensure that new bicycle lanes are provided along Imperial Highway and incorporation of a bicycle path into the Westchester Southside development would maintain bicycle access to Dockweiler Beach State Park as currently provided along Westchester Parkway. If Alternative B were adopted, use of the bicycle lanes and constructive use associated with bicycle access would be avoided.

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

Historic and Archaeological Resources

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

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

Under Alternative B, impacts on historic resources due to indirect effects from noise would be equivalent or similar to those discussed under Alternative A. Implementation of Master Plan Commitment HR-1, Preservation of Historic Resources (Alternatives A, B, C, and D), would prevent noise insulation measures from having an adverse effect on the National Register eligible Academy Theatre.⁴¹⁶ Therefore, constructive use of the Academy Theatre would be avoided.

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

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

Wildlife and Waterfowl Refuges

Alternative B, as proposed, would result in the use of 16,811 square feet (0.39 acre) within the Habitat Restoration Area due to the installation of replacement navigational aids associated with the North Runway Complex.⁴¹⁷ Implementation of Mitigation Measure MM-BC-11, Replacement of State-Designated Sensitive Habitat (Alternative B), would provide for replacement of 16,811 square feet (0.39

⁴¹⁶ Implementation of Master Plan Commitment HR-1, Preservation of Historic Resources (Alternatives A, B, C, and D), commits LAWA to only undertake noise attenuation for the historic property under the supervision of a qualified architectural historian or an architect qualified in historic architecture. The property would be sound insulated using materials in keeping with recommended approaches to rehabilitation as set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

⁴¹⁷ The relocation of existing navigational aids under Alternative B would involve the removal of existing light standards and installation of replacement navigational aids in modified locations. The impacted square footage includes buffer areas and service roads associated with each navigational aid.

acre) of habitat. Although there would be no net loss of habitat, the impact on habitat would constitute a potential use under Section 4(f) if Alternative B were adopted. No constructive use or indirect effects due to increased ambient light, glare, or exhaust emissions would occur within the Habitat Restoration Area, as discussed further in Section 4.11, *Endangered and Threatened Species of Flora and Fauna*.

4.8.6.1.4 **Alternative C - No Additional Runway**

Public Parks and Recreation Areas

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

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

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

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

Effects on Section 4(f) parks and recreation areas associated with the LAX Expressway and State Route 1 improvements under Alternative C are described in Appendix K, *Supplemental Environmental Evaluation for LAX Expressway and State Route 1 Improvements*. As discussed therein, despite some short term impacts, ultimately no impacts to pedestrian or bicycle facilities within the LAX Expressway project study area would occur based on the City's commitment to maintaining such facilities in the area.

Historic and Archaeological Resources

Implementation of Master Plan Commitment HR-1, Preservation of Historic Resources (Alternatives A, B, C, and D), would prevent potential implementation of noise insulation from having an adverse effect on the National Register eligible Academy Theatre.⁴¹⁸

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

Although there would be changes in project features under Alternative C, impacts on archaeological resources would be the same as those described for Alternatives A and B. The disturbance or

⁴¹⁸ Implementation of Master Plan Commitment HR-1, Preservation of Historic Resources (Alternatives A, B, C, and D), commits LAWA to only undertake noise attenuation for the historic property under the supervision of a qualified architectural historian or an architect qualified in historic architecture. The property would be sound insulated using materials in keeping with recommended approaches to rehabilitation as set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

4.8 Department of Transportation Act, Section 4(f)

destruction of potentially significant, undiscovered archaeological/cultural sites would be considered a use if these sites are considered to have greater value if preserved in place.

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

Wildlife and Waterfowl Refuges

Although Alternative C would not introduce new development or activities constituting a use or constructive use of Section 4(f) wildlife or waterfowl refuges, implementation of this alternative would involve the continuation of an existing use within the Habitat Restoration Area due to continued location of existing navigational aids, described above. Section 4.10, *Biotic Communities*, and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*, provide further discussion. This would represent no change from existing conditions or from future conditions under the No Action/No Project Alternative.

4.8.6.1.5 Alternative D - Enhanced Safety and Security Plan

Table F4.8-3, Effects on DOT Act Section 4(f) Resources - Alternative D, identifies Section 4(f) resources potentially affected by Alternative D, the LAWA staff-preferred alternative, and the type of effect anticipated.

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

Source: PCR Services Corporation, 2003.

Public Parks and Recreation Areas

Vista del Mar Park (Site No. 29 in **Figure F4.8-1**) is a small, 1.8-acre, passive recreation park located immediately west of the North Runway Complex on the west-facing slope of the Los Angeles/El Segundo Dunes. The park has ocean views and is a prime location for viewing aircraft arriving and departing LAX. Access to and use of Vista del Mar Park has not been affected by closure of Sandpiper Street or other security improvements subsequent to the events of September 11, 2001. The park has a noise level of 79 dB CNEL under 1996 baseline conditions and a noise level of 75.8 dB CNEL under Year 2000 conditions. Despite its high noise levels, the park is frequently used. Under No Action/No Project conditions in 2015, the park will have a projected noise level of 76.5 dB CNEL. It is reasonable to expect that in the future, as in the past, the park will be frequently used despite the anticipated noise levels.

Under Alternative D, Vista del Mar Park would experience a 2.6 dB CNEL increase compared to the future No Action/No Project conditions, for a total CNEL noise level of 79.1 dB CNEL by 2015. Given that Vista del Mar Park is a currently non-compatible Section 4(f) resource that has been and is currently exposed to high noise levels from both aircraft and vehicular traffic and is a prime location for viewing aircraft overhead, this increase in noise would not substantially interfere with the normal use of the park. Therefore, if Alternative D were adopted, the increase in noise at the park would not constitute a constructive use.

Just west of Vista del Mar Park lies Dockweiler Beach State Park (Site No. 9 in **Figure F4.8-1**) and the South Bay Bicycle Trail (Site No. 25 in **Figure F4.8-1**). Dockweiler Beach State Park is 4.05 miles long and approximately 500 feet wide over much of its length, and encompasses a total of 288 acres between

Vista del Mar and the Pacific Ocean. The South Bay Bicycle Trail traverses Dockweiler Beach State Park and extends from Torrance County Beach to Will Rogers State Beach. In areas nearest LAX, these two sites have noise levels ranging from 64.0 dB CNEL to 79.0 dB CNEL under 1996 baseline conditions and noise levels ranging from 62.0 dB CNEL to 75.8 dB CNEL under Year 2000 conditions. Despite their high noise levels, the beach and bicycle trail are frequently used.

Under No Action/No Project conditions in 2015, these sites will have projected noise levels ranging from 59.5 to 76.5 dB CNEL. It is reasonable to expect that in the future, as in the past, the beach and bicycle trail will continue to be frequently used despite anticipated noise levels. A comparison of Alternative D with No Action/No Project conditions reveals little difference between the aircraft noise exposure patterns affecting Dockweiler Beach State Park and the South Bay Bicycle Trail.⁴¹⁹ However, with implementation of Alternative D, certain portions of these two sites would experience noise level increases greater than 1.5 dB CNEL when compared to future No Action/No Project conditions, for total CNEL noise levels ranging from 59.2 dB CNEL to 79.1 dB CNEL. The higher noise level of 79.1 dB CNEL at these sites would represent a 2.6 dB CNEL increase over the maximum No Action/No Project noise level. However, the lower noise level of 59.2 dB CNEL under Alternative D represents a net decrease of 0.3 dB CNEL as compared with future No Action/No Project conditions. Similar to Vista del Mar Park, the projected noise level increase within certain areas of the two sites would not substantially interfere with the normal use of the beach or the bicycle trail, as these sites have experienced high noise levels in the past and continue to experience high noise levels under current conditions. Therefore, if Alternative D were adopted, the noise level increases in a portion of Dockweiler Beach State Park and the South Bay Bicycle Trail would not constitute a constructive use. Detailed information regarding noise levels for Alternative D is provided in Appendix S-C, *Supplemental Aircraft Noise Technical Report*, Section 4.1, *Noise*, and Section 4.2, *Land Use*.

With development of the LAX Northside project, views from the Westchester Park Recreation Center (Site No. 30 in **Figure F4.8-1**) toward the south would change. While open areas of the LAX Northside project site would become urbanized, these areas would be attractively designed and would incorporate landscaping and landscaped buffer areas. Additionally, development of cargo and ancillary facilities near the southern boundary of the airport would alter views from Imperial Strip (Site No. 14 in **Figure 4.8-1**), a passive recreational park. As concluded in Section 4.21, *Design, Art, and Architecture Application/Aesthetics*, these changes in views/aesthetic conditions would not result in substantial adverse impacts. Therefore, constructive use of parks or recreation areas due to changes in views/aesthetic conditions would not occur.

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

Local user demand for parks and recreation areas would decrease with implementation of Alternative D.⁴²⁰ Section 4.26.3, *Parks and Recreation*, contains a detailed discussion of user demand effects on parks and recreation facilities in the immediate LAX vicinity.

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

Historic and Archaeological Resources

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

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

Under Alternative D, the archaeological record searches and other literature received and reviewed for the proposed action indicate that the likelihood of discovering archaeological/cultural resources within or

⁴¹⁹ Note that throughout the noise study area, Alternative D would expose fewer people, dwelling units, and noise sensitive public facilities to high noise levels as compared with the No Action/No Project Alternative.

⁴²⁰ Implementation of Alternative D would result in a net decrease in on-airport and locally-based airport-related employment over the entire planning period (2015), which would cause a corresponding decrease in the local residential population, as discussed in Section 4.5, *Induced Socio-Economic Impacts (Growth Inducement)* (subsection 4.5.6). The decrease in the local residential population would accordingly decrease local demand for public facilities such as parks.

4.8 Department of Transportation Act, Section 4(f)

near the study area is relatively high, particularly given the record of sites recorded in the vicinity of the airport. This conclusion suggests that unanticipated discoveries may occur from construction-related activities such as grading and excavation. As discussed above, Section 4(f) does not apply when an archaeological site is important chiefly because of what can be learned by data recovery and it has minimal value for preservation in place.⁴²¹ However, the disturbance or destruction of potentially significant undiscovered archaeological/cultural sites by construction-related activities would be considered a potential use under Section 4(f), if these sites are considered to have greater value if preserved in place. Mitigation Measures MM-HA-4 through MM-HA-10, identified in Section 4.9.1, *Historic/Architectural and Archaeological/Cultural Resources*, would address impacts to archaeological/cultural resources. These mitigation measures provide for the preparation of plans addressing the treatment of unexpected archaeological discoveries, monitoring, and data recovery; monitoring by a qualified archaeologist; and cessation of construction activities if potentially significant resources are identified.

Wildlife and Waterfowl Refuges

The installation of replacement navigational aids under Alternative D⁴²² would result in development of 33,334 square feet (0.77 acre) of the Habitat Restoration Area (see Figure S3, Alternative D Navigational Aids, in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*). Of the 27,354 square feet, 10,597 square feet (0.24 acre) of the affected area contains habitat occupied by the El Segundo blue butterfly (see Figure S4, Alternative D Affected Areas, in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*). The development of 33,334 square feet (0.77 acre) of habitat in the Habitat Restoration Area with replacement navigational aids constitutes a potential use under Section 4(f). In addition, since some of the existing navigational aids located in the Habitat Restoration Area would remain in their current location, the continuation of an existing use within the Habitat Restoration Area would occur under Alternative D.

The installation of replacement navigational aids would represent a potential use of the Habitat Restoration Area pursuant to Section 4(f). Efforts by LAWA in pursuing avoidance alternatives are described in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*, and summarized below in subsection 4.8.6.3, *FAA Determination Regarding Section 4(f) Resources*. Implementation of Mitigation Measure MM-BC-13, Replacement of State-Designated Sensitive Habitat (Alternative D), would provide for the replacement of the lost habitat at a 1:1 ratio by improving existing habitat within the Habitat Restoration Area. LAWA and the FAA have coordinated in an effort to minimize harm to the greatest extent feasible in the Habitat Restoration Area. This coordination also involved further evaluation and discussion of possible avoidance alternatives, as described below.

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

4.8.6.2 Land and Water Conservation Fund Resources

Alternatives A, B, C, and D

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

⁴²¹ 23 CFR 771.135(g)(2).

⁴²² In conjunction with the runway improvements under Alternative D, existing navigational aids would be removed and replaced in the Habitat Restoration Area as necessary and certain existing navigational aids would remain in their current locations, for a net increase of three light standards within the Habitat Restoration Area, as discussed in Section 4.18, *Light Emissions* (subsection 4.18.6). The impacted square footage includes buffer areas and service roads associated with each navigational aid.

4.8.6.3 FAA Determination Regarding Section 4(f) Resources

As discussed above, this analysis, which incorporates the draft Section 4(f) evaluation (provided in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report*) by reference, constitutes a final Section 4(f) evaluation. As part of the FAA's coordination efforts, input from the general public and public agencies was received and reviewed throughout the EIS/EIR process via a scoping meeting, public workshops, and public hearings, as well as consultation with the U.S. Department of the Interior Fish and Wildlife Service, the California Department of Fish and Game, and LAWA. The most recent coordination occurred during public circulation of the Supplement to the Draft EIS/EIR, which included the draft Section 4(f) evaluation. In accordance with the provisions of DOT Act Section 4(f), the FAA has made a determination regarding the potential use of Section 4(f) resources under Alternative D, the LAWA staff-preferred alternative. The following summarizes relevant points of the analysis above that support FAA's determination:

- ◆ For purposes of this evaluation, the Habitat Restoration Area is considered by the FAA to be comparable to a wildlife refuge because it is used on a permanent basis to conserve a federally endangered wildlife species.
- ◆ Under existing conditions, a Section 4(f) use occurs within the Habitat Restoration Area in association with the location of existing navigational aid light standards and associated service roads. This existing use would continue to occur under the No Action/No Project Alternative in the event that one of the LAX Master Plan build alternatives is not approved and implemented.
- ◆ Under Alternative D, 33,334 square feet (0.77 acre) within the Habitat Restoration Area would be developed with replacement navigational aids, including 10,597 square feet (0.24 acre) of habitat occupied by the El Segundo blue butterfly. This would constitute a potential use under Section 4(f), in addition to continuation of the existing use due to on-going operation of existing navigational aids.

Based on this information, the FAA has determined that implementation of Alternative D would result in a use within the El Segundo Blue Butterfly Habitat Restoration Area. Under DOT Act Section 4(f), a use resulting from a transportation project can only be permitted when the Secretary of Transportation has determined that there is no feasible or prudent alternative to such a use, and the project includes all possible planning to minimize harm. FAA and LAWA efforts in this regard are discussed below.

Avoidance Alternatives and Measures to Minimize Harm/Mitigation

As part of the LAX Master Plan planning process for Alternative D, several options for north airfield configurations were explored. Options were considered that would minimize the impact to the Habitat Restoration Area to the west and the surface transportation network and development areas to the east. The options explored and reasons for their elimination from further analysis are described in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report* (subsection 4). Additional information regarding avoidance alternatives is provided in Table S5, Habitat Restoration Area Avoidance Alternatives, therein. The only avoidance alternative that would avoid the potential use in the Habitat Restoration Area is Master Plan build Alternative C since it would not involve installation of replacement navigational aids within the Habitat Restoration Area. However, Alternative C would result in greater environmental impacts due to aircraft noise and residential acquisition compared to Alternative D. Furthermore, implementation of Alternative C would not preclude the existing use within the Habitat Restoration Area associated with existing navigational aids. Following circulation of the draft evaluation and FAA coordination, no additional feasible and prudent avoidance alternatives were identified, primarily since navigation aids are required at the proposed locations in order to ensure aviation safety.

Substantial efforts have been undertaken to develop all feasible mitigation to address the potential effects of the Master Plan alternatives on the Habitat Restoration Area, including solicitation of input from the U.S. Fish and Wildlife Service and the California Department of Fish and Game. These mitigation measures are described in Appendix S-F, *Supplemental Department of Transportation Act Section 4(f) Report* (subsection 5), and provided in their entirety in Section 4.10, *Biotic Communities*, and Section 4.11, *Endangered and Threatened Species of Flora and Fauna*. As discussed therein, the Section 4(f) use would be mitigated in advance of the impact, as replacement habitat would be planted three years in advance of impact to result in no net loss of habitat. Proposed mitigation would also ensure that resources within the Habitat Restoration Area are conserved and protected during construction, operation, and maintenance of the navigational aids. Additionally, replacement of lost habitat would include the monitoring/management of restored/created habitat for a period of not less than five years.

4.8 Department of Transportation Act, Section 4(f)

Based on LAWA's restoration experience within the Habitat Restoration Area, occupation of restored habitat can occur within two to three years of restoration efforts, resulting in no net loss in acres or value of occupied habitat. Mitigation for the potential use relating to undiscovered archaeological resources and/or human remains found during construction activities associated with Alternative D is provided in Section 4.9.1, *Historic/Architectural and Archaeological/ Cultural Resources*. No further feasible and prudent mitigation was identified following circulation of the draft evaluation and FAA coordination.

Conclusion

In making its determination, the FAA has carefully weighed the information provided in the above analysis, the draft Section 4(f) analysis, and results from its coordination efforts. The fact that navigational aids currently exist in the Habitat Restoration Area and that the project would not introduce a new type of use to the area has also been taken into account, along with the limited extent of impacted occupied habitat under Alternative D and provisions that insure no net loss of habitat. Nonetheless, the FAA has determined that a Section 4(f) use within the Habitat Restoration Area cannot be avoided. The FAA has further determined that no feasible and prudent alternatives exist, and that all possible mitigation measures to minimize harm have been incorporated into the project.

4.8.7 Cumulative Impacts

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