

U.S. DEPARTMENT OF TRANSPORTATION

**Federal Aviation Administration
Western-Pacific Region
Hawthorne, California**

RECORD OF DECISION

**PROPOSED
LAX MASTER PLAN
IMPROVEMENTS**

LOS ANGELES INTERNATIONAL AIRPORT
Los Angeles, Los Angeles County, California



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GENERAL INFORMATION ABOUT THIS DOCUMENT

WHAT'S IN THIS DOCUMENT? This document contains the Federal Aviation Administration's (FAA) decision and orders about the Final Environmental Impact Statement (EIS) for the proposed Master Plan development of the Los Angeles International Airport (LAX). This document also briefly summarizes the analysis and findings of the potential impacts of LAX Master Plan development Alternatives A, B, C, D and the No Action/No Project Alternative described in detail in the 2005 Final EIS. This document also identifies the factors considered in the FAA's decision to approve Alternative D, the environmentally preferred alternative, for implementation at LAX. This document also contains the FAA's responses to comments received on the Final EIS.

BACKGROUND. In January 2001, the FAA and the City of Los Angeles prepared a joint Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR). The EIS/EIR addresses the potential environmental effects of the proposed Los Angeles International Airport (LAX) Master Plan Improvements (i.e., the "Project"). The Draft EIS/EIR was prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), respectively. In July 2003, the FAA and the City of Los Angeles prepared a joint Supplement to the Draft EIS/EIR that addressed the new Alternative D.

FAA prepared the Final EIS using the information in the 2001 Draft EIS/EIR, the 2003 Supplement to the Draft EIS/EIR and comments received during the public comment period for both documents. The vast majority of the information contained in the Final EIS, specifically Parts I and II of the Final EIS, was published by the City of Los Angeles in April 2004 as the Final EIR. The City of Los Angeles published an Addendum to the Final EIR in September 2004 and three additional Addenda in December 2004. The City of Los Angeles used the Final EIR and related Addenda for the local decision-making process, in fulfillment of the requirements of CEQA. FAA published the Final EIS in January 2005.

Copies of this Record of Decision are available for inspection at various libraries in the Los Angeles area, the FAA Headquarters Office in Washington, D.C. and its Western-Pacific Region Office in Hawthorne, and at the administrative offices of Los Angeles World Airports. Chapter 7 of the Final EIS provides the addresses for these locations.

WHAT SHOULD YOU DO? Read the Record of Decision to understand the actions that FAA will take relative to the LAX Master Plan.

WHAT HAPPENS AFTER THIS? The City of Los Angeles may begin to carry out Alternative D as approved, as funds become available.

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PROPOSED LAX MASTER PLAN IMPROVEMENTS

LOS ANGELES INTERNATIONAL AIRPORT
Los Angeles, Los Angeles County, California

I. INTRODUCTION

This is the Federal Aviation Administration's (FAA) Record of Decision (ROD) for proposed improvement of the Los Angeles International Airport ("LAX"), Los Angeles, California. The proposed improvements are described in the LAX Master Plan. This ROD identifies the factors considered in the FAA's decision to approve Alternative D, the environmentally preferred alternative, for implementation at LAX. The FAA arrived at the determinations and approvals identified in this ROD by reviewing the environmental analysis in the Final EIS and all other relevant documents that comprise the EIS Record.

The FAA's federal actions approved by this ROD include unconditional approval of the Airport Layout Plan (ALP) for Los Angeles International Airport (LAX) to depict the proposed improvements described in Alternative D, except for a collateral development project on a vacant parcel of land located north of Runway 6L/24R (the northern most runway at LAX) along and north of Westchester Parkway. This collateral development project is known as "LAX Northside," and is a landside proposal unrelated to the *airside* development on the northern portion of LAX, which this ROD does approve for depiction on the ALP. FAA's federal actions also include approval of further processing of an application for federal assistance to construct the proposed improvements using federal funds from the Airport Improvement Program or Passenger Facility Charges for potentially eligible development items shown on the ALP; and approval of various other federal actions described in Part IV of this document which are necessary for implementation of Alternative D, the selected LAX Master Plan alternative, with the exception noted above. The ALP depicts the existing facilities and the improvements proposed under Alternative D for the further development of LAX as described in the Final Environmental Impact Statement (EIS).

As described in greater detail in Section VII of this ROD, the FAA has decided to take no action at this time relating to the landside collateral development proposal known as LAX Northside. As this ROD explains, there are substantial differences between the NEPA analysis conducted for federal decision-making purposes, and the CEQA analysis undertaken for state law decision-making purposes. See, e.g., analysis of environmental justice (ROD page 21). With respect to LAX Northside in particular, a key difference is that the CEQA approval of the LAX Master Plan is undertaken at the program level, and additional project level approvals based on additional project level environmental documents will be forthcoming. Yet, as explained later in this document, the environmental document that is presently before the FAA contains markedly different assumptions underlying the analysis of environmental impacts that may be expected to result from the LAX Northside portions of the LAX Master Plan. These differences in assumptions give rise to still-unresolved inconsistencies in the environmental analysis that flow from the lack of an appropriate project level of detail by which the FAA can make its final

decisions about LAX Northside. The FAA is therefore making no decision regarding LAX Northside at this time.¹

The FAA identified Alternative D of the LAX Master Plan as its preferred alternative in the Final EIS. The FAA's specific decision and order selecting Alternative D to be implemented at LAX, required by 40 CFR 1505.2, is described in detail in Section X of this ROD.

II. BACKGROUND

The City of Los Angeles ("the City"), through its subdivision known as Los Angeles World Airports (LAWA), owns and operates LAX. LAX is the fourth busiest airport in the United States in terms of aircraft operations. LAWA also owns and manages Ontario International Airport (ONT), Palmdale Regional Airport (PMD), and Van Nuys Airport (VNY). Ontario International Airport accommodates commercial and general aviation aircraft operations and is located about 45 miles east of LAX. Palmdale Regional Airport does not allow general aviation activity but accommodates scheduled air carrier flights. PMD is on the Palmdale Production Flight/Test Installation Air Force Plant 42 property, a military installation in Palmdale north of Los Angeles. VNY is north of LAX in Van Nuys (a portion of the City of Los Angeles) in the San Fernando Valley. VNY is a general aviation reliever airport to LAX and does not accommodate scheduled air carrier flights.

LAX is located on a 3,651-acre site along the Pacific Ocean in the southwestern portion of the City of Los Angeles in Los Angeles County, California. The airport is approximately 12 miles southwest of downtown Los Angeles. The airport has four existing runways, each with a parallel taxiway system. The runways are divided into two pairs of runways, two in the north runway complex and two in the south runway complex. In the north runway complex, Runway 6L/24R is 8,925 feet long by 150 feet wide; runway 6R/24L is 10,285 feet long by 150 feet wide. In the south runway complex, Runway 7L/25R is 12,091 feet long by 150 feet wide and Runway 7R/25L is 11,096 feet long by 200 feet wide. The airport provides facilities that accommodate domestic and international commercial airlines, commuter airlines, airline support/maintenance, air freight, and some general aviation facilities.

The last major update to the airport was undertaken in preparation for the 1984 Summer Olympics. The primary improvements at LAX for the Olympics were changes to the Central Terminal Area. These improvements included construction of the second level roadway that serves departing passengers today, and construction of Terminal 1 and the Tom Bradley International Terminal. During the 1990's, it became clear that additional improvements were needed at LAX and the City of Los Angeles began a master planning project for LAX to address existing and future needs. In particular, the airport facilities were deemed inadequate to accommodate forecasted future demand without significant decreases in level of service.

In 1997, the FAA and LAWA began the federal and state environmental impact analysis process. FAA and LAWA prepared a joint analysis pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended, and the California Environmental Quality Act of 1970 (CEQA), as amended. The public was made aware of the initiation of the environmental review process on June 11, 1997 when a Notice of Intent to prepare an Environmental Impact Statement was published in the *Federal Register*. See FR Vol. 62 page 31860.

During the summer of 1997, the FAA and LAWA conducted four joint scoping meetings for the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the LAX

¹ "LAX Northside" is a collateral development project on a vacant parcel of land north of Runway 6L/24R (the northern most runway at the airport) identified for construction under Alternative D in an area of airport property that is likewise identified for collateral development under the No Action Alternative and Alternatives A, B, and C. The collateral development proposed under Alternatives A, B and C is known as Westchester Southside.

Master Plan. See Appendices A and B to the Final EIS for copies of the Notice of Intent published in the Federal Register, scoping notes and comments received and the sign in sheet from the Agency Scoping meeting. During scoping, LAWA and FAA examined four potential development concepts as well as the No Action/No Project Alternative. Following scoping, LAWA refined the concepts into development alternatives. The early planning efforts focused on accommodating most international airline operations at LAX to maintain its role as the gateway to Southern California. To that end, LAWA developed three master plan alternatives ranging in their ability to handle future capacity, with a high of about 98-million annual passengers (MAP) to about 79 MAP with the No Action/No Project Alternative.

In January 2001, the FAA and LAWA published the joint Draft EIS/EIR that evaluated Alternatives "A," "B" and "C" and the No Action/No Project Alternative. While Alternatives "A" and "B" each included an additional runway at the airport, LAWA staff identified Alternative "C" as their preferred alternative. This alternative retained the same number of runways at the airport, but included additional terminal capacity and roadway improvements to address a portion of the future capacity needs. The Draft EIS/EIR was released to the public for review and comment in January of 2001. On January 26, 2001, the FAA published a Notice of Availability of the Draft EIS/EIR in the local newspapers. The U.S. Environmental Protection Agency (EPA) published the Notice of Availability in the Federal Register on February 2, 2001. However, the EPA noted that they had erred and the Notice of Availability should have appeared in the January 26, 2001 issue of the *Federal Register* (66 FR 8788). The comment period on the Draft EIS/EIR was originally scheduled to close on July 25, 2001. FAA held three concurrent public hearings on the 2001 Draft EIS/EIR in Westchester, Inglewood and Manhattan Beach on June 9, 2001. At the request of the City of Los Angeles, FAA agreed to extend the comment period to September 24, 2001. Public hearings were scheduled during the week of September 10, 2001. EPA published a notice in the *Federal Register* extending the comment period on July 27, 2001 (66 FR 39162).

On September 11, 2001, during the first extension of the public comment period for the Draft EIS/EIR, unprecedented terrorist attacks using commercial airliners occurred in New York City, Washington, D.C. and Pennsylvania. Following the attacks, LAWA and FAA postponed the public hearings and extended the comment period on the Draft EIS/EIR to November 9, 2001. EPA published the notice of the extension to the comment period in the *Federal Register* on October 5, 2001 (66 FR 51036). The public hearings were scheduled for the following dates: October 30, 2001 in Monterey Park, November 1, 2001 in San Pedro, November 3, 2001 in Los Angeles, November 5, 2001 in Palmdale, November 7, 2001 in Ontario, and November 8, 2001 in Van Nuys.

FAA and LAWA received roughly 16,000 comments from governmental agencies and the public on the Draft EIS/EIR. The comments covered a wide range of issues, including letters supporting and opposing the project. Many comments requested an alternative that allowed for a more regional approach to meeting forecasted demand for air travel in Southern California.

On October 8, 2001, Los Angeles Mayor James Hahn asked the Los Angeles Board of Airport Commissioners to develop a new alternative for LAX. This is documented in a press release issued by the Mayor's office. Mayor Hahn also publicly announced his request during the public hearing held on October 30, 2001 in Monterey Park. This new alternative was prepared in light of security concerns following the events of September 11, 2001. In developing the new alternative, Mayor Hahn asked that LAWA address previously identified capacity needs at the airport while focusing greater attention on issues of safety and security. The alternative was also to be developed to respond to public comment regarding the need for a regional solution to capacity needs in the Los Angeles Basin. During the year 2002, LAWA worked to develop the new alternative.

FAA and LAWA identified the new alternative as Alternative D, which was environmentally evaluated in the Supplement to the Draft EIS/EIR. FAA and LAWA published the Supplement to the Draft EIS/EIR on July 11, 2003. The U.S. EPA published a Notice of Availability of the

Supplement to the Draft EIS/EIR in the July 11, 2003 issue of the *Federal Register* (See 68 FR 41339). FAA and LAWA held 12 public hearings on the Supplement to the Draft EIS/EIR on August 11, 2003, in Los Angeles, August 12, 2003, in Ontario, August 13, 2003, in Monterey Park, August 14, 2003, in San Pedro, August 18, 2003 in Inglewood, August 19, 2003, in Van Nuys, August 20, 2003, in Manhattan Beach, August 21, 2003, in Palmdale, August 23, 2003, in Westchester, October 20, 2003, in Rosemead, October 22, 2003, in Granada Hills, and October 25, 2003, in south Los Angeles.

Although the FAA and LAWA jointly issued a Draft EIS/EIR and a Supplement to the Draft EIS/EIR to satisfy both NEPA and CEQA requirements, in April 2004, the City issued its Final EIR for the LAX Master Plan in advance of FAA's completion of the Final EIS. The Los Angeles City Council then held a series of public hearings on the proposed plan.

On December 7 and 14, 2004, the Los Angeles City Council adopted Alternative D of the LAX Master Plan. The City Council's approval was considered a programmatic level of approval of the overall Alternative D development proposal. As a part of the City Council's decision, the Council approved the "LAX Plan" and the "LAX Specific Plan." The LAX Plan provides broad, policy guidelines for development of the Master Plan area and the LAX Specific Plan provides the zoning regulations to implement those land-use policies as well as the procedures the City must use for approval of each project. Prior to project-level approval of the individual Alternative D components, the LAX Specific Plan requires the City to undertake varying levels of additional analysis to ensure compliance with the overall LAX Plan. Any information generated at the local level as a part of the LAX Plan compliance review will be assessed to determine its impact on the Final EIS, and will be addressed, as necessary, consistent with FAA's obligations under NEPA.

On January 13, 2005, FAA published its Final EIS for the LAX Master Plan. Sections A.1.4.1 and A.1.4.2 of Volume A of the Final EIS documents FAA's selection of Alternative D as the environmentally preferred alternative and FAA's preferred alternative. FAA published its own Notice of Availability of the Final EIS in the *Federal Register* and local newspapers on Friday, January 21, 2005. In the same issue of the *Federal Register*, the U.S. EPA published the required Notice of Availability of the Final EIS, but erred in describing the EIS as a Draft. (See 70 FR 3197). On January 28, 2005, the U.S. EPA published an amended Notice of Availability of the Final EIS noting the correction of the status of the EIS from a Draft to a Final (See 70 FR 4120). The preparation of the Supplement to the Draft EIS and the Final EIS were conducted under the provisions of Presidential Executive Order 13274, Environmental Streamlining. The Environmental Streamlining Executive Order is intended to improve efficiency of the NEPA process by enhancing coordination procedures among federal and state agencies while maintaining the same high standard for the quality of environmental analysis.

FAA accepted comments from the public on Volume A and associated appendices to the Final EIS through Tuesday, February 22, 2005. Responses to comments received on the Final EIS are included in Appendix "B" to this ROD. FAA requested comments from the public on information and analyses that were updated or refined for the purposes of preparing the Final EIS to comply with particular aspects of Federal law and regulation. Many comments received on the Final EIS did not address the updated or refined information and analysis. FAA has responded to all comments as appropriate.

III. PURPOSE AND NEED FOR THE PROPOSED PROJECT

FAA's statutory mission is to ensure the safe and efficient use of navigable airspace in the United States. This includes the safe and efficient development of public use/publicly owned airports. Airports in the United States are locally owned and operated. The decision to develop an airport is the responsibility of the airport sponsor. FAA does not direct the timing or nature of development at the nation's airports. Rather, the FAA influences and facilitates airport development by providing Airport Design Standards, Federal financial assistance for eligible projects, and reviewing and approving or disapproving revisions to Airport Layout Plans at Federally obligated airports. LAWA, the airport sponsor for LAX, proposes to make the changes to the physical layout of LAX identified in the Final EIS under Alternative D. LAWA has identified its goals as making the airport more efficient and safe, and enhancing the international commercial gateway role of the City of Los Angeles. Alternative D, as the sponsors' selected alternative, represents LAWA's vision for achieving these goals. In response, FAA evaluated the sponsor's proposal, as well as the alternative means of reaching the sponsor's stated goals in the EIS.

In addition to its responsibility to ensure adequate consideration of environmental issues through compliance with NEPA and other applicable environmental statutes, the FAA is responsible for meeting its statutory charter to encourage the development of civil aeronautics and safety of air commerce in the United States (49 U.S.C. § 40104). In addition, FAA has considered the congressional policy declaration that airport construction and improvement projects are undertaken to the maximum extent feasible so that safety and efficiency increase and delays decrease (49 U.S.C. § 47101(a)(7)). The LAX Master Plan identifies specific conditions at LAX, the improvement of which would effectuate the sponsor's goals for development of LAX while being consistent with FAA's mission to support civil aeronautics and aviation safety. The purpose and need for the proposed improvements are documented in detail in Chapters 1 and 2 of Part I, Volume 1 of the Final EIS. The overall purpose and need of the proposed Master Plan improvements was identified as a need to accommodate projected aviation demand levels within the service area for LAX while maintaining the commercial international gateway role of LAX and the City of Los Angeles. In addition, the Master Plan improvements were intended to enhance the safety and efficiency of the airfield and airport, while improving the level of service

Need to Accommodate Projected Aviation Demand in the Los Angeles Basin.

There is a growing demand for more air transport throughout the Los Angeles Basin. According to Part I of the Final EIS, regional demand was expected to increase by approximately 54 percent between 1996 and 2015. To meet this growing demand, all airports throughout the region are expected to serve a larger share of the regional air travel demands. The growing demand for air services at LAX is being driven by local residents and business and also by international travelers and shippers from throughout the region. LAWA has reviewed the potential contributions of the existing and planned commercial service airports in the region for meeting the increased demand as well as other modes of transportation, and has concluded that at least some portion of the increased demand will need to be met at LAX if the region is to sustain its economic growth. LAWA in particular intends to structure its facility to accommodate international traffic to the greatest extent possible.

Current facilities at LAX cannot adequately serve the flights, passengers and cargo projected to occur at LAX in 2015 based on the projected aviation forecast at an acceptable level of service. An analysis conducted during the Draft Master Plan preparation indicates that current airport facilities would serve as many as 78.7 MAP and 3.1 million annual tons of cargo, but only under extremely congested and inconvenient conditions. Only one of the four existing runways is sufficiently long to serve the projected largest aircraft (i.e. Airplane Design Group VI Aircraft such as the new Airbus A380) when fully loaded during adverse weather conditions (hot days with little

wind). Departing aircraft from gates at the north airfield often need to endure a long taxi distance with significant airfield congestion along the way. The alternatives discussed in detail in the Final EIS were designed to accommodate varying amounts of projected future demand, ranging from accommodating the full unconstrained forecast to a level equivalent with the No Action/No Project scenario and to respond to LAWA's goal of maintaining LAX's international gateway role.

Safety, Efficiency, and Fleet Mix

Based on the existing physical conditions of the airside and landside facilities at LAX, LAWA has identified additional needs at the airport, including the need to improve accessibility for larger wide body aircraft, reduce ground delays, and lessen the potential for runway incursions.

Airfield Safety

The primary purpose for changing the airfield as proposed in the LAX Master Plan is to develop a physical solution, i.e., taxiway construction and improvements, which will reduce the risk of runway incursions. A runway incursion is any event in the runway environment involving an aircraft, person, or object on the ground that creates collision hazards or results in a loss of required separation with an aircraft taking off, intending to take off, landing or intending to land. The FAA conducted a study from 1997 through 2004 to evaluate runway incursions at LAX. Annual runway incursions at LAX totaled 3, 12, 10, 8 and 8, 6, 11 and 5 respectively, for the years 1997 through 2000 and 2001 through 2004. **None** of the incursions resulted in a collision. Over 80 percent of these incursions took place on the South Runway Complex. To help solve the problem LAWA has already implemented improvements to airfield lighting, taxiway, marking, and runway signage, and has sponsored on-going seminars on airfield familiarization with airport users. Taxiway reconfiguration is one of the remaining available options and is the key infrastructure method for solving the problem.

Efficiency and Fleet Mix

Because FAA airport design standards have changed over time, certain features of the existing airfield do not meet current standards. While these conditions do not create an unsafe environment, they do add to the airfield congestion resulting in an increase in air pollution and aircraft delay and a decrease in efficiency. Improvements to runways and terminals at LAX would increase taxiway separations to meet current FAA design standards, while also improving efficiency.

In addition, there is a need to modernize the airfield to accommodate the projected aircraft fleet mix anticipated to serve LAX in the future. When LAX was developed with its current configuration, the largest aircraft using the airport at the time were the Boeing 707 and Douglas DC-8. In the early 1970's the Boeing 747 began service at LAX. Today, the Boeing 747-400, the largest of the 747 family of aircraft, provides long-haul service from LAX. FAA Advisory Circular 150/5300-13, Airport Design classifies the B747 as an Airplane Design Group (ADG) V aircraft. The ALP shows the airport meets FAA ADG V standards. However, there is not adequate space to redevelop the existing airport property to meet ADG VI standards, which would facilitate accommodation of the newer larger wide body aircraft, such as the Airbus A380. In order to redevelop the airport to accommodate ADG VI standards, additional land to the north and south would need to be acquired. This potential action was determined unacceptable to LAWA as described in the Alternatives section of this ROD and in the Final EIS. Therefore, there is a need to accommodate both ADG-V aircraft and passage of the ADG-VI aircraft (i.e. the new Airbus A380, Lockheed C-5B), which can be achieved under certain operational conditions. These conditions are specified in FAA's Airspace Determination issued May 20, 2005. These airfield changes are particularly useful for meeting LAWA's goal of maintaining LAX's international role, as the Airbus A380 is well suited for the long-haul flights of international carriers.

Finally, accommodation of larger wide body aircraft necessitates certain gate modifications at LAX. The configuration of the Central Terminal Area (CTA) is based on the original design of the satellite terminals. Over the years, the satellite terminals have been enlarged from their original size to accommodate additional gates. However, as the terminals have been enlarged, the taxiways between the terminals have not. Consequently, wide body aircraft such as the Boeing 747 can only use those gates at the outside ends of the satellite terminals, thus limiting gate availability for such aircraft. The spacing between gates is used primarily by narrow body aircraft such as the Boeing 737 and Airbus A320 sized aircraft. LAWA identified a need to improve gate accessibility for wide body aircraft in defining its goals for the Master Plan improvements.

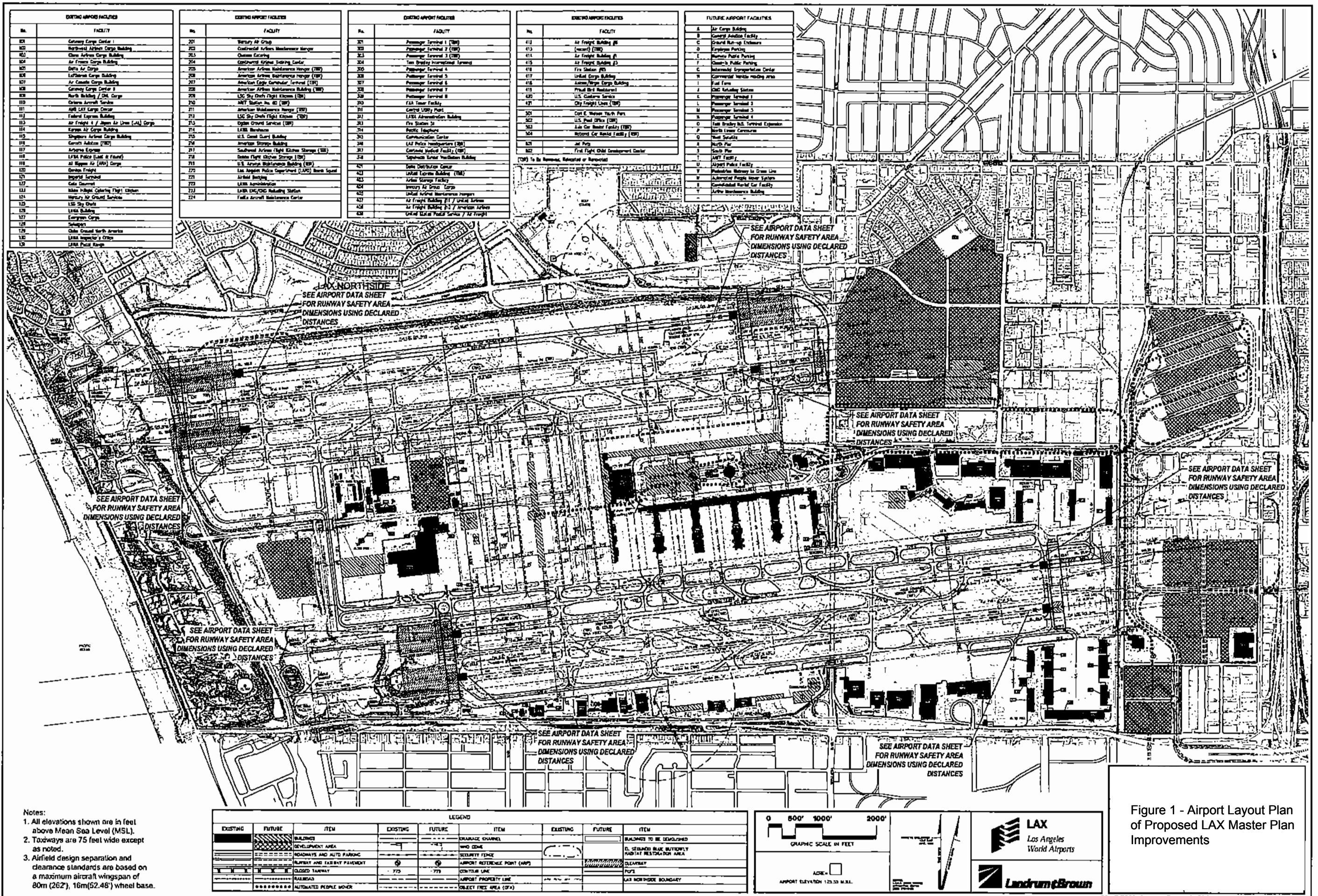
Other Considerations

During the planning process, the events of September 11, 2001 occurred. These events highlighted the need to ensure that future improvements at the nation's airports are undertaken with appropriate consideration of airport security and potential terrorist threats. LAX is a documented terrorist target. Its primary attraction as a target is its prominence as the gateway to Southern California and as the economic engine for the area. For example, on December 14, 1999, a terrorist was captured by U.S. Customs agents near Seattle, Washington attempting to enter the United States from Canada on a ferryboat. This individual had explosives in the trunk of a rented automobile that he had planned to detonate at LAX on New Years Day of 2000.

Prior to September 11, 2001, this sort of event was considered to be an isolated incident. However, following the terrorist attacks of September 11, 2001, all airports in the United States were reevaluated to ensure the security of the National Airspace System.

In the wake of the September 11 attacks, LAWA evaluated security risks at the airport, and determined that existing security could be enhanced with respect to passenger access to the CTA. Closure of the CTA to private vehicles, which occurred for a period of time in the wake of the September 11 terror attacks, was only a temporary solution. LAWA determined that a long-term solution was desirable. These conclusions were supported by the findings of a task force of Federal, state and local law enforcement agencies that reviewed the potential terrorist threat against LAX. The task force's findings supported the development of a new alternative to be evaluated as a part of the ongoing Master Plan process. This ROD primarily evaluates the alternatives considered in the Final EIS for their ability to meet the various aspects of the purpose and need for the project and their environmental impacts. However, in light of the security environment that has developed in the wake of the events of September 11, the sponsor's evaluation of each alternatives' ability to address security concerns is also considered.

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IV. THE PROPOSED AGENCY ACTIONS

The Federal actions that required review pursuant to the National Environmental Policy Act of 1969 (NEPA) are listed below. The various projects LAWA requested approval to build under Alternative D are depicted on Figure F3-14 from the approved Final EIS, and are included on Figure 1 of this ROD.

The FAA has a statutory responsibility to ensure the proposed improvements will not derogate safety or efficiency. FAA reviews the airport design and runway arrangement of the selected alternative for its safety, efficiency, and utility within the National Airspace System. Furthermore, FAA has airport design standards that airport sponsors must meet to qualify for financial support. Such design standards include Runway Safety Area standards, which are imposed under FAA's statutory authority to ensure the safe and efficient use of navigable airspace.

The specific Federal actions that are the subject of this Record of Decision include the following:

1. Unconditional approval of the Airport Layout Plan (ALP) to depict the proposed airfield safety enhancement projects and various airfield development components in Alternative D for the LAX Master Plan, except for the collateral development project identified as "LAX Northside," pursuant to 49 U.S.C. § 40103(b) and 47107(a)(16). The ALP, depicting the proposed improvements identified in Alternative D, except for LAX Northside, has been processed by the FAA to determine conformance with FAA design criteria and implications for federal grant agreements. FAA conditionally approved the current ALP on June 23, 1993. FAA revalidated this conditional approval of the ALP on May 3, 2000. This ALP was conditionally approved because it depicts a proposed westerly extension to Runway 6L/24R. The potential environmental impacts of this proposed extension were not evaluated pursuant to NEPA prior to the initiation of the LAX Master Plan and EIS. In addition, the FAA has performed an airspace review (Airspace Case No. 97-AWP-0024-NRA) of the proposed development at Los Angeles International Airport. See Title 14, Code of Federal Regulations (CFR) Part 157, *Notice of Construction, Alteration, Activation and Deactivation of Airports*; FAA Order 7400.2E, Part 3, *Airport Airspace Analysis*. FAA issued its Airspace Determination on the safe and efficient use of navigable airspace by the proposed development depicted on the Draft ALP on May 20, 2005. The unconditional approval of the ALP to depict Alternative D, except for LAX Northside, is based on determinations through the aeronautical study process regarding obstructions to navigable airspace, and that the airport development proposal is acceptable from an airspace utilization perspective. FAA has determined that the proposed development under Alternative D, with the exclusion of LAX Northside, is consistent with existing airspace utilization and procedures.
2. Determination under 49 U.S.C. § 44502(b) that the airport development is reasonably necessary for use in air commerce or in the interests of national defense.
3. Relocation of Runways 7R/25L, and 6R/24L, and extension of Runways 6L/24R and 6R/24L to meet FAA Design Standards. (14 CFR Part 139.309)
4. Relocation of the following navigational and visual aid equipment: Glide Slope; Middle Marker, Medium Intensity Approach Lights with Runway Alignment Indicator Lights (MALSR); Visual Approach Slope Indicator (VASI-4); and runway threshold lights. Installation of Approach Lighting System with Sequenced Flashers (ALSF- II). This equipment is necessary to ensure the safety of air navigation for aircraft operations at LAX. Execution of a reimbursable agreement between the FAA and LAWA for the relocation of this equipment.
5. Implementation of revised air traffic control procedures below 3,000 feet Above Ground Level; Establishment of new Standard Instrument Departure (SID) and Standard Terminal Arrival Route (STAR) procedures.

6. Approval of the appropriate amendments to the airport certification manual pursuant to 14 CFR Part 139 and modification, as required, to the airport security plan pursuant to 14 CFR Part 107 (49 U.S.C. § 44706).
7. Approval of the appropriate amendments to the airport certification manual, to maintain aviation and airfield safety during construction pursuant to 14 CFR Part 139 (49 U.S.C. § 44706).
8. Potential eligibility for Federal assistance under the Federal grant-in-aid program authorized by the Airport and Airway Improvement Act of 1982, as amended and/or for use of Passenger Facility Charges for implementation of the airfield safety and airport development projects described in the City of Los Angeles's LAX Master Plan, pursuant to 49 U.S.C. § 47101 et. seq. and 49 U.S.C. § 40117.

As previously described, although LAWA has requested FAA to grant unconditional approval of the ALP, as indicated in item 1 above, this request will not be granted at this time as to LAX Northside. For further discussion regarding this decision, see Section VII below.

V. DESCRIPTION OF ALTERNATIVES

NEPA and its implementing regulations require that a reasonable range of alternatives be evaluated in an EIS, including the Proposed Action and the No Action Alternative. See 40 CFR § 1502.14(d) and FAA Order 5050.4A, *Airport Environmental Handbook*. In the Final EIS, the FAA analyzed four development alternatives and the No Action Alternative.

The development of the alternatives evaluated in the LAX Master Plan and the EIS followed an iterative process. Section 3.1 of Part I – Volume 1 of the Final EIS describes the three iterative actions that lead to the evaluation of the four so-called development alternatives in the Final EIS. The first iteration evaluated three concepts to address the further development of LAX. These concepts included a wide range of general alternatives including both on- and off-airport actions. The three basic concepts or themes were 1- Minimal Change Theme, 2- New Airport Theme, and 3 – Major Expansion Theme. Under each of these themes were various options. Figure F3-1 in Part I – Volume 1 of the Final EIS, graphically depicts the various options under the three basic themes for the first iteration.

The Minimal Change Theme considered options in which improvements at LAX would stay largely within the existing airport property. The airfield design that resulted from this iteration involved realigning Runway 7R/25L, which would be relocated at an angle in relation to the existing Runway 7R/25L to provide more separation between arrival streams at Runways 25R and 25L.

The New Airport Theme involved options ranging from constructing an artificial island in Santa Monica Bay, to acquiring land in either Westchester or El Segundo to construct a replacement airport. While each of these options would have provided for long-term capacity, they were rejected from further consideration because of environmental issues associated with construction in Santa Monica Bay, the neighborhood disruption and costs associated with acquisition of property in Westchester and El Segundo and the need for approvals from jurisdictions outside of the City of Los Angeles.

The Major Expansion Theme is described in Section 3.1.3.1 of the Final EIS as a compromise between the new airport theme and the minimal change theme. This theme included the following five options:

Option 2 – Hawthorne Concept – redevelop Hawthorne Municipal Airport to provide runway capacity for commuter aircraft and provide a transit link to LAX.

Option 3 Crosswind Concept – add two intersecting runways on the west end between the existing runways.

Option 4 Single Ocean Runway Concept – Construct one additional runway in the ocean linked by a taxiway.

Option 5a – Two Ocean Runways Concepts (converging) – construct two parallel runways in the Pacific Ocean, west of the existing airfield oriented in a northeast/southwest configuration. A pair of runways on the south side of airport would then be reconstructed so that they would slightly converge together at the western ends but would remain in an essentially east/west configuration.

Option 5b – Two Ocean Runways Concepts (parallel) – construct two parallel runways in the Pacific Ocean, west of the existing airfield oriented in a northeast/southwest configuration, with runways on the south side of the airport remaining parallel to each other in an east/west configuration.

Section 3.1.3.2 of the Final EIS states the concepts that involved construction of runways into the ocean and a cross wind runway at the west end of the airport were rejected from further consideration because of construction costs, construction difficulty, and environmental concerns. Expansion of the existing runways to the west into the Los Angeles/El Segundo Dunes and constructing new runways into the Pacific Ocean were also rejected because the effort would have required construction within an environmentally sensitive area within the Los Angeles/El Segundo Dunes west of Pershing Drive. This area contains the federally listed El Segundo blue butterfly. Furthermore, these concepts were considered cost prohibitive.

The second iteration of development alternatives refined the concepts developed in the first iteration. These concepts were carried forward to the scoping process for the joint EIS/EIR. The Hawthorne Airport Concept was continued into the next step and three new concepts based on the Major Expansion of the existing airport theme were added. The concepts that were presented include:

Concept 1 - Build a fifth runway on the north side of the airport and relocate the existing north runway complex runways to the south to increase separation and relocate the south airfield runways for increased separation.

Concept 2 - Build two new 6,000-foot-long runways, one in the north runway complex and one in the south runway complex, shift and extend other runways to the east.

Concept 3 - Build two new 6,000-foot-long runways as in Concept 2, but shift the north airfield runways to the west.

Concept 4 - Develop a 6,000-foot-long runway at Hawthorne Municipal Airport and connect the airport to LAX via transit.

Following the conclusion of scoping, the concept of further development of Hawthorne Municipal Airport and Concept 3 were dropped from further consideration. These concepts were not retained for detailed evaluation because of strong opposition from the city of Hawthorne for development of this type of runway within its jurisdiction and at its own airport. Further, the airlines using LAX opposed this alternative. Concept 3, which would have shifted the north runway complex to the west into the Los Angeles/El Segundo Dunes was dropped because of opposition from the U.S. Fish and Wildlife Service (the Service). In their July 31, 1997 scoping letter, the Service expressed its concern about placing an active runway into potential habitat for the federally listed El Segundo blue butterfly and several other species that were later determined not present at the site.

From the scoping process two alternatives were added to the evaluation. These included a new alternative with a new runway on the south side of the airport to provide a third arrival stream and a new alternative that maintained the same number of runways as currently exist. This evolution of these alternatives is graphically shown on Figures F3-1, F3-2 and F3-3 in Part I – Volume I of the Final EIS.

Other alternatives that were eliminated from further consideration include “Alternate Modes of Transportation,” “Alternative Airport Locations,” and “Aviation Activity or Demand Management Alternatives.”

ALTERNATIVE MODES OF TRANSPORTATION

The use of modes of transportation other than aviation was dropped because they do not compete well with air travel in terms of travel time, convenience and price to the traveler. Section 3.1.1.1 of Part I – Volume 1 of the Final EIS states that neither the California High Speed Rail Authority’s proposed plan for a state wide high speed rail or the Southern California Association of Governments (SCAG) plans for a magnetic levitation train system would be operational during the planning period for the LAX Master Plan. Therefore, neither of these potential railroad transportation systems would be available for use either instead of or as a supplement to LAX. Further, rail transportation cannot compete effectively for long haul trips compared to aviation, when travel time is a factor. Railroad transportation cannot compete for international transportation for obvious reasons. At this time, there is no approved plan to implement the High Speed Rail Plan or the magnetic levitation plan by SCAG. Because these proposed plans are still in the early development stages, they are not reasonable alternatives for further evaluation for the LAX Master Plan.

ALTERNATIVE AIRPORT LOCATIONS

The Alternative Airport Location concept involves doing nothing at LAX and instead developing other regional airports to accommodate forecasted future demand. The Final EIS notes that making no improvements at LAX in an attempt to force the development of other airports would likely result in air service leaving the region. This would adversely impact the regional economy of Southern California and would therefore not be consistent with the sponsor’s goals for the proposal. In addition, these strategies alone could not meet the purpose and need to improve efficiency at LAX, to maintain the international commercial gateway role of LAX, and to increase safety related to runway incursions at LAX.

Furthermore, the airlines themselves make airline business decisions on routes and destinations based on many criteria including demand, capacity, revenue potential, and accessibility. In 1978, Congress eliminated the Federal Government’s role in regulating airline destinations. The Federal government does not dictate where, when, and how airlines provide their services; nor is the Federal government the driving force in airport capacity development or airport utilization. Although the FAA does not divide demand between airports, FAA can support an airline’s decision to begin operations at other regional airports or an airport sponsor’s decision to use other strategies to encourage such airline decisions.

Finally, while strategies intended to divert airlines to other airports in the Los Angeles region were not evaluated in detail as a stand-alone alternative, shifting some demand to other airports in the Los Angeles region was inherent in the other alternatives considered in detail. For example, Alternatives A, B, and C assume that other airports in the Los Angeles region will accommodate an increasing share of the regional demand in the future, with a resulting reduction in LAX’s share of the regional market from 75 percent in 1997 to 67 percent in 2015. The LAX Master Plan assumed that passenger activity at Ontario International Airport would grow from its 1997 activity level of 6.3 MAP to as much as 20.7 MAP (see Table F1-13 of Part I – Volume 1 of the Final EIS). Palmdale Regional Airport, which currently has no scheduled air service, was assumed to accommodate up to 0.7 MAP in 2015. Other airports in the Los Angeles region were also

projected to assume an increasing share of the regional demand under Alternatives A, B, and C. Alternative D more clearly reflects LAWA's efforts to encourage airlines to shift service to other airports in the Los Angeles region. Alternative D was designed by the sponsor to create physical characteristics, such as a limited number of gates at the airport that are likely to produce market responses resulting in utilization of the airport at a level equivalent to the No Action Alternative. Other airports in the Los Angeles region are relied upon to satisfy the portion of future demand that would not be accommodated at LAX at full build-out of Alternative D. Finally, Federal law (including the Airport Noise and Capacity Act of 1990 and its implementing regulations found at 14 CFR Part 161) limits the City of Los Angeles' authority to place restrictions on aircraft activity at LAX.

AVIATION ACTIVITY OR DEMAND MANAGEMENT ALTERNATIVES

Several different varieties of demand management alternatives were considered but dropped from further detailed review. The demand management strategies considered can generally be described as of two general varieties: strategies that shift specific types of service to other airports within the Los Angeles region, and strategies affecting utilization at LAX.

Shift Specific Types of Service to Other Airports within the Los Angeles Region

Section 3.1.2 of Part I – Volume 1 of the Final EIS addresses other Aviation Activity or Demand Management Alternatives that were considered but rejected. One alternative called for displacing general aviation aircraft operations to other airports in the Los Angeles region to open up space at LAX for additional commercial airline activities. The City of Los Angeles is a multi-airport proprietor, and could encourage general aviation aircraft operators to use reliever airports such as the city owned Van Nuys Airport. However, general aviation operations at LAX comprised about 4 percent of the number of all aircraft operations at LAX in 1996. Furthermore, the facilities that accommodate them at the airport only account for 14 acres (about 0.47 percent of the total area of LAX). This alternative was rejected from further consideration because removing General Aviation aircraft from the airport would not materially improve capacity concerns related to commercial air transportation at LAX. Further, this alternative would require LAWA to comply with the Airport Noise and Capacity Act of 1990 and its implementing regulations found at 14 CFR Part 161, that establishes a national program to review noise and access restrictions on aircraft operations. Many general aviation aircraft operators have already moved away from LAX voluntarily because they do not wish to interact with the high number of large heavy jet aircraft that use LAX. Similarly, diverting all commuter aircraft operations to other regional airports was considered. This proposal was rejected in part because some of the commuter traffic at LAX connects to international and long-haul domestic operations, making it impractical to divert all commuter operations while still meeting the project's purpose and objectives. Furthermore, this shift in air service pattern is predicted to occur unassisted as the airfield system reaches its practical capacity under the four runway alternatives (No Action Alternative, Alternative C, and Alternative D).

Strategies Affecting Utilization of LAX

Demand Management strategies intended to affect how activity is accommodated at LAX such as pricing, achieving higher load factors, using aircraft with larger average seating capacity and shifting aircraft operations to non-peak periods of the day were also not considered in detail. These strategies standing alone were not considered viable alternatives. With respect to pricing policies (offering lower landing and operations fees, for instance) by the airport operator to induce airlines to decrease operations, increase average seat size or load factors, or move to non-peak hour periods, such policies are not considered an effective strategy to respond to demand for air transportation or to advance the international trade component of the local economy. The airlines at LAX are already taking steps to increase their ability to serve demand by voluntarily using larger aircraft with higher load factors and scheduling flights during less congested periods (peak spreading) in response to capacity constraints and increased competition. Pricing policies

designed to encourage these practices are unlikely to produce significant additional benefits, while setting fees to discourage operations would lower the service available to the public. Finally, these strategies would not address LAWA's goals of providing additional safety enhancements on the airfield to help prevent runway incursions and improving efficiency of aircraft movement on the airfield.

ALTERNATIVES CONSIDERED IN DETAIL

The following is a summary of the four so-called "build" Alternatives, and the No Action Alternative that were evaluated in detail in the Final EIS. Table F-3-2 in Part I - Volume 1 of the Final EIS provides a summary of the facilities of each alternative by the year 2015.

Alternative A – Added Runway North. Under this alternative, a new runway 6L/24R (the outboard runway on the north side) would be added to the reconfigured north runway complex. The new runway would be 6,700 feet long and designed to provide a third arrival stream accommodating up to Boeing 757 sized aircraft. Existing Runway 6L/24R would be reconstructed about 400 feet south of its current location and renamed Runway 6C/24C. Runway 6C/24C would be extended 3,075 feet to the east. Existing Runway 6R/24L would be relocated 500 feet to the south and extended 1,715 feet to the east. Parallel taxiways between each of the runways would be constructed. In the South Runway Complex, Runway 7R/25L would be relocated 156 feet to the south to accommodate aircraft that will succeed the Boeing 747 in size, as described in Section 3.2.6 of the Final EIS. This alternative included new roadways, cargo facilities and a new passenger terminal in the West side of the airfield. The proposed West Terminal would include 121 new aircraft gates in satellite concourses with a total building space of about 6.27 million square feet. The satellite terminals on the north side of the Central Terminal Area would be demolished and reconfigured into an east/west linear terminal. Under this alternative, there would be a total of 199 nominal aircraft gates at LAX. This alternative includes construction of the so-called Ring Road and the LAX Expressway along I-405, which would provide freeway speed access to the West Terminal around the perimeter of the airport. In addition, under Alternative A, collateral development would occur to the north of the northern runway complex and would represent a 2.62-million square-foot mixed-use development named the "Westchester Southside Project." The Continental City site would be used for air cargo facilities.

Alternative B – Added Runway South. Under this alternative, a new 6,700-foot-long Runway 7R/25L would be constructed in the southeastern portion of the airport parallel to Imperial Highway. As with the proposed new runway in Alternative A, this new runway in Alternative B would accommodate aircraft up to a B-757 sized aircraft. This runway is not parallel to the existing runways and would provide a third arrival stream for smaller and slower aircraft into the South Runway Complex. Under this alternative, Runway 7R/25L would be relocated 500 feet to the north and renamed Runway 7C/25C. This runway would also be extended 950 feet to the east. Existing Runway 7L/25R would be relocated 555 feet to the north and shortened 91 feet on the east end. The parallel taxiways between the runways on both the north and south runway complexes would be constructed to reduce the opportunity for runway incursions. The proposed West Terminal would include 122 new aircraft gates in satellite concourses with a total building space of about 6.17 million square feet. The satellite terminals on the south side of the Central Terminal Area would be demolished and reconfigured into an east/west linear terminal. As with Alternative A, there would be a total of 199 nominal aircraft gates at LAX. This alternative also includes construction of the so-called Ring Road and the LAX Expressway along I-405 that would provide freeway speed access to the West Terminal around the perimeter of the airport. As with Alternative A, collateral development would occur to the north of the northern runway complex and would represent a 2.62-million square-foot mixed-use development named the "Westchester Southside Project." The Continental City site would be used for air cargo facilities. This alternative would also include the construction of an off-site fuel farm at the Scattergood Electric Generating Station in Los Angeles or the oil refinery south of the airport in El Segundo.

Alternative C – No Additional Runway. Under this alternative the existing configuration of four runways at LAX would be maintained. However, Runway 6L/24R would be extended 500 feet to the west, widened to 200 feet and moved 340 feet to the north. Runway 6R/24L would be extended 2,900 feet to the east and shortened by 1,185 feet on the west end 1,280 feet for a total length of 12,000 feet. Within the south airfield, Runway 7R/25L would be relocated approximately 55 feet to the south to accommodate the construction of a parallel taxiway between the runways. The increased length permits departures by the largest aircraft at either the north or south airfield. The increased runway width would accommodate Airplane Design Group VI aircraft such as the New Large Aircraft (NLA) and subsequent variations of the Boeing 747. The taxiways between both pairs of runways on both the north and south runway complexes would be constructed to reduce the opportunity for runway incursions. Under Alternative C, a smaller West Terminal would be constructed. This smaller facility would include 71 new aircraft gates in satellite concourses with a total building space of about 3 million square feet. Alternative C would have a total of 168 aircraft gates at LAX. This alternative also includes construction of the so-called Ring Road and the LAX Expressway along I-405, which would provide freeway speed access to the West Terminal around the perimeter of the airport. As with Alternatives A and B, collateral development would occur to the north of the northern runway complex and would represent a 2.62-million square-foot mixed-use development named the “Westchester Southside Project.” The Continental City site would be used for maintenance and ancillary facilities.

Alternative D – Enhanced Safety and Security Plan. Alternative D is both the FAA’s preferred alternative and the environmentally preferred alternative. Under this alternative the existing four runways would be improved by lengthening Runway 6L/24R and 6R/24L and further separating them all. Specifically, Runway 6L/24R would be extended approximately 1,495 feet to the west for a total length of approximately 10,420 feet. Runway 6R/24L would be reconstructed approximately 340 feet south of the existing runway centerline to allow for the construction of a new parallel taxiway between the runways. Runway 6R/24L would be extended approximately 135 feet west and approximately 1,280 feet to the east. The total runway length would be approximately 11,700 feet long and 200 feet wide. Runway 7R/25L would be relocated approximately 55 feet south of the existing centerline to allow for construction of a new parallel taxiway between this runway and Runway 7L/25R. This parallel taxiway is proposed to reduce the risk of runway incursions. This alternative includes extensive changes to the Central Terminal Area including relocation of the existing passenger curbside to a new Ground Transportation Center, to be developed east of the airport in an area known as Manchester Square. Alternative D also includes construction of a new Intermodal Transportation Center near the intersection of Imperial Highway and Aviation Boulevard. An Automated People Mover system connecting all these facilities would be constructed. This alternative was developed to accommodate approximately the same number of passengers that would be accommodated under the No Action Alternative. Alternative D would respond to future demand for air transportation by encouraging, but not requiring, other airports in the Los Angeles Basin to increase capacity to make up for the limitations of LAX. This is accomplished by restricting the overall availability of gates where passengers will board and exit an aircraft. Having passengers enplane (board) and deplane (exit) an aircraft only at a so-called “contact gate” will limit the availability of gates at the airport. Further, the remote gates on the west pad will be eliminated and this area will be prohibited from use as a remote passenger boarding location. See page 3-75 in Chapter 3 of Part I of the Final EIS. In addition to design components at LAX that encourage use of other regional airports, LAWA itself is in the process of preparing Master Plans for Ontario International Airport, Palmdale Regional Airport, and Van Nuys Airport to make improvements that encourage use of these airports. Under this alternative, a modified version of the 340-acre, LAX Northside project proposed under the No Action/No Project Alternative is proposed by LAWA to be built. Under Alternative D, the trip cap that the City previously imposed for LAX Northside under the No Action/No Project Alternative would be further reduced to limit vehicle trips to a level comparable to that associated with the 2.6-million-square-foot Westchester Southside development proposed under Alternatives A, B and C. In addition, under Alternative D, the Continental City site would be used for the Intermodal Transportation Center.

No Action Alternative. This alternative was identified in the joint 2001 Draft EIS/EIR and 2003 Supplement to the Draft EIS/EIR as the “No Action/No Project Alternative.” For the purposes of Title 40 CFR 1502.14(d) in the Final EIS, this alternative is simply identified as the No Action Alternative. Under this alternative, the proposed Master Plan improvements would not be implemented. It is important to note that other non-master plan improvements have been previously approved. These include improvements to taxiways, passenger terminal improvements (renovations), reconstruction of on-airport automobile parking structures, air cargo facility improvements, demolition of facilities on acquired real estate and so-called collateral development. The No Action Alternative includes previously approved projects and other actions consistent with the 1981 Interim Plan for LAX. These include the so-called LAX Northside and Continental City development projects. Under the No Action Alternative, the LAX Northside project includes 4.5 million square feet of commercial and airport-related industrial land uses built on 340 acres of vacant land. LAX Northside is subject to a vehicle trip cap established by the Los Angeles City Council through adoption of a city ordinance on November 7, 1984. The Continental City project is located at the southeast corner of the airport and would be developed with approximately 3.1 million square feet of office and retail uses. The No Action Alternative includes the continued voluntary acquisition of single and multi-family dwellings in Manchester Square. This acquisition is being undertaken independent of the LAX Master Plan at the request of the residents of Manchester Square. The No Action Alternative assumes that purchased property in the Manchester Square area would remain undeveloped.

VI. ENVIRONMENTAL CONSEQUENCES AND MITIGATION

The impacts of the four development Alternatives and the No Action Alternative are summarized below. Detailed discussions for each environmental impact category are contained in Volume A and Chapter 4 of Part I of the Final EIS. In this ROD, each environmental impact category studied is listed with a brief discussion of the results of the impact analysis, and, if necessary, any mitigation measures. Those actions or measures to avoid or minimize environmental harm that are practicable to implement are summarized in each environmental impact category, as appropriate.

The Draft EIS/EIR and the Supplement to the Draft EIS/EIR were prepared as joint federal/state documents under the requirements of the National Environmental Policy Act of 1969, as amended (NEPA), and the California Environmental Quality Act of 1970 (CEQA), FAA Order 5050.4A, *Airport Environmental Handbook*, and other applicable federal, state, and local regulations. Subsequent to the certification of the Final EIR by the City of Los Angeles, the FAA prepared the Final EIS to satisfy FAA guidelines for preparation of an Environmental Impact Statement. The Final EIS has been independently reviewed by the FAA and found to be adequate for the purpose of the proposed Federal action.

At the outset of this discussion of environmental consequences, it is appropriate to first address the methodology used to determine the future capacity of the alternatives analyzed in the Final EIS. The LAX Master Plan and Final EIS’s prediction of future capacity plays an important role in the analysis of reasonably foreseeable environmental consequences. For many resource categories, the degree of environmental impact disclosed in the Final EIS will be influenced by the operating capacity of the airport predicted for the various alternatives. For this reason, it is important to prepare a reliable capacity analysis that that can be properly utilized in analyzing environmental impacts.

The FAA is the Federal government’s expert agency on civilian aviation activity and forecasting. The FAA’s expertise in aviation forecasting has been developed through and is demonstrated by the Agency’s regularly published Terminal Area Forecasts (TAF). Data in the TAF are presented annually on a U.S. Government fiscal year basis (October through September). The March 2005 TAF contains historical and forecast data for enplanements, airport operations, instrument

operations and based aircraft. The data contained in the TAF cover the 266 FAA towered airports, 219 Federal contract tower airports, 30 terminal radar approach control facilities and 2,959 non-FAA airports as of September 30, 2003. Further, the TAF indicates that the analysis of hub city airports includes additional consideration for the effect of local economic variables (such as income and employment) and the growth of originating and connecting traffic as well as the price of flying from that airport. The hub forecasts also include assumptions regarding the seating capacity and load factors for commercial aircraft operating out of the airport.

As explained in the EIS, the TAF's methodology includes a straight-line regression analysis based on historical trends and includes an assumption that all required facility or airspace improvements necessary to handle the unconstrained demand exist or will be made. Because of the assumption in the TAF that all improvements exist or will be made to accommodate the unconstrained demand, the TAF was not the sole forecast methodology used for the Master Plan. However, many of the elements considered in the TAF are also reflected in the methodology used to prepare the capacity analysis for the LAX Master Plan. The methodology used to determine the capacity for the alternatives analyzed in the Final EIS is a practical capacity methodology. The Final EIS defined practical capacity as the maximum activity that can be processed by the facility over a specific period at a specified level of delay. Practical capacity is a forecast of activity determined by how an airport's various components will function together in reality, particularly given the market conditions projected in any given airport's market forecast. Practical capacity is not based solely on "market assumptions." It takes into account the expected physical characteristics of the various functional elements of the airport and how they are planned to work together, given how the market is likely to respond to, and utilize, the resulting airport.

FAA has received comments that suggest FAA's methodology for forecasting future activity levels at LAX for Alternative D is not reasonable, and that a different methodology suggested in comments should instead be considered the proper methodology. The capacity methodology suggested in comments is in sharp contrast to the approach used in the LAX Master Plan, and FAA does not consider it appropriate or reliable for purposes of analyzing capacity or as one basis, among others, for analyzing environmental impacts. The practical capacity methodology used in the LAX Master Plan and Final EIS was not designed just for use at LAX, nor is it unique to the environmental analysis of LAX Alternatives A, B, C, D, and No Action/No Project. Rather, it represents a methodology regularly used for capacity analyses at major airports, as indicated in Response to Comment FAL00003-2 in Appendix B of this ROD. FAA therefore considers the practical capacity analysis used as a basis for determining environmental effects in the Final EIS and LAX Master Plan to be a reliable and appropriate methodology. Based upon this methodology, and other relevant considerations, the Final EIS discloses the environmental impacts of Alternatives A, B, C, D and No Action/No Project, as summarized below. The following is a summary of the various environmental impact categories required by FAA Order 5050.4A.

NOISE: Section 4.1 of Part I - Volume 1 of the Final EIS analyzes the noise impacts of the four development alternatives and the No Action Alternative on the surrounding community. Alternatives A and B include the addition of new runways, while Alternatives C and D maintain the existing number of runways.

Under the No Action Alternative, the overall operation of the airport would continue as it does today. The inboard runways, 6R/24L and 7L/25R, would be used primarily for takeoffs, while the outboard runways, 6L/24R and 7R/25L, would be used for landings. The on-going over-the-ocean approaches from midnight to 6:30 a.m. would continue to be used, weather and traffic permitting, to relieve noise impacts on communities to the east of the airport. During the hours of 10 p.m. to 7 a.m. the inboard runways would also be used for both takeoffs and landings, weather permitting, to reduce the impacts on the communities to the north and south of the airport. Table F4.1-11 in Part I – Volume 1 of the Final EIS (on page 4-60) indicates that, for the year 2015, the total population within the 65 CNEL noise contour would be 44,330 people.

Alternative A proposes a new third runway on the north airfield side of LAX. The effect of this action would be to increase the total population within the 65 CNEL noise contour. Table F4.1-15 in Part I – Volume 1 of the Final EIS indicates that the total population within the 65 CNEL noise contour for the year 2015 would be 44,380. Table F4.1-16 indicates that under Alternative A the total population exposed to a 1.5 CNEL increase in noise within the 65 CNEL or higher noise contour would be 18,300, with a population of 10,310 newly exposed to noise levels of 65 CNEL.

Under Alternative B, a new third runway would be added to the south runway complex. Unlike the new runway in Alternative A, this runway would not be parallel to the existing runways in order to create a third arrival stream. The noise contour from this runway would extend into portions of Lennox and Inglewood as shown on Figure F4.2-20 in Part I – Volume 1 – Main Document of the Final EIS. Table F4.1-21 in Part I - Volume 1- of the Final EIS (page 4-73) indicates that for the year 2015, the total population within the 65 CNEL noise contour would be 60,830 people. Table F4.1-22 indicates that under Alternative B the total population exposed to a 1.5 CNEL increase in noise would be 37,310. The table also indicates the population newly exposed to noise of 65 CNEL or greater under Alternative B would be 24,370 people.

Alternative C would maintain the same number of runways as currently exists. This alternative would widen, lengthen and further separate the runways in order to improve the flexibility of use. Table F4.1-30 of Part I – Volume 1 of the Final EIS indicates the population newly exposed to noise of 65 CNEL or greater under Alternative C would be 6,000 people with 4,610 people exposed to a 1.5 CNEL increase in noise. Table F4.1-27 indicates that under Alternative C the total population exposed to 65 CNEL noise would be 44,580.

Like Alternative C, Alternative D would retain the same number of runways as currently exists in a similar configuration. Runways would be further separated in order to accommodate construction of parallel taxiways between the runways to reduce runway incursions. Runway 6R/24L would be lengthened at each end and widened to 200 feet. The landing threshold for this runway would be located at about the same location where it is today. The runway pavement to the east of the displaced threshold would be used for takeoffs to the west and rollouts from landings to the east. Table F4.1-33 indicates that the total population within the 65 CNEL noise contour in the year 2015 under Alternative D would be 42,980 people, an overall reduction compared to No Action Alternative conditions. Table F4.1-36 indicates that the population newly exposed to noise of 65 CNEL or greater under Alternative D would be 2000 people, with 250 people exposed to a 1.5 CNEL increase in noise.

Section 4.1.8.1 of the Final EIS identifies a wide range of noise abatement and mitigation measures that may be used to reduce the aircraft noise impacts on the surrounding communities. Appendix A to this ROD identifies those noise mitigation measures that are a condition of approval of this ROD.

COMPATIBLE LAND USE: The Proposed Action would accommodate most of the physical changes on existing airport property with the exception of approximately 78 acres of land to be acquired (refer to Figure F3-19 in Part I – Volume 1 of the Final EIS) and the redevelopment of the Belford and Manchester Square areas. These Belford and Manchester Square areas are being acquired under a voluntary acquisition program initiated by the residents of the areas; the acquisition is not part of the Master Plan. Alternatives A, B, and C include acquisition of additional property and the construction of the proposed LAX Expressway. Alternative D does not include the LAX Expressway.

Changes under the Proposed Action to existing on-Airport land uses would not conflict with adopted environmental plans and goals of the relevant local communities. Since the Proposed Action would not result in a material change in the level of operations at LAX compared to the No Action Alternative, the Proposed Action would not be incompatible with surrounding land uses due to forecasted increases in airport operations.

The LAX Master Plan has been developed in coordination with various public agencies. Appropriate action has been or will be taken to restrict, to the extent practicable, the use of land in the vicinity of the airport to purposes compatible with airport operations. The Southern California Association of Governments (SCAG) is the designated Metropolitan Planning Authority for the Los Angeles Basin. The Final EIS states that the LAX Master Plan is consistent with SCAG's 2001 and 2004 Regional Transportation Plan. Further the LAX Master Plan is consistent with the South Coast Air Quality Management District's 1997/1999 Air Quality Management Plan. The Los Angeles County Airport Land Use Commission (ALUC) determined that LAX Master Plan is inconsistent with the County's Airport Land Use Plan (ALUP). Pursuant to state law, on October 19, 2004, the Los Angeles City Council voted with a supermajority of 12 to 3 of the 15 council members to propose to overrule the ALUC determination. Following that initial vote, the city followed state law to notify the ALUC and other appropriate parties of the city's intent to overrule the ALUC. On December 7, 2004, the Los Angeles City Council overruled the ALUC determination by a vote of 12-3. The City of Los Angeles, during the preparation of the EIS, expressed its intent to diligently pursue the compatibility of land uses around the airport. The City of Los Angeles has also provided the required written land use compatibility assurance letter to the FAA (See Appendix E to Part I of the Final EIS).

SOCIAL IMPACTS: Section 4.4.2 of Part I – Volume 3 of the Final EIS describes the projected social impacts of the LAX Master Plan Alternatives and the No Action Alternative. Under each of the development alternatives and the No Action Alternative, LAWA would continue to implement the voluntary acquisition of the Manchester Square and Belford areas.

Relocation

Under Alternatives A, B, and C, the same 84 dwelling units would be acquired, impacting a total of 172 residents. In addition, each of these alternatives would require acquisition of non-residential property. Under Alternative A, 264 acres of light industrial, office and retail use occupied by about 330 businesses would also be acquired. Under Alternative B, approximately 345 acres of land to the north and east of the airport would be acquired. This includes the 84 dwelling units and approximately 172 residents identified above. Alternative C would acquire 208 acres of light industrial, office and retail use occupied by about 239 businesses in addition to the 84 dwelling units identified above.

Alternative D of the LAX Master Plan does not propose any residential acquisition as part of the proposed actions. However, the Ground Transportation Center, proposed under Alternative D, is planned to be constructed in a residential area known as Manchester Square. At the request of local residents of Manchester Square, the City of Los Angeles has been voluntarily acquiring homes and relocating the residents as a separate action under the city's Aircraft Noise Mitigation Program (ANMP). LAWA's existing ANMP must provide fair and reasonable relocation payments and assistance pursuant to Title II of the Uniform Act. Section 4.4.2.5 of Part I - Volume 3 of the Final EIS states that comparable decent, safe, and sanitary dwellings are available for occupancy on the open market or are forecast to be built prior to the actual displacement under the ANMP. Master Plan Commitment RBR-1 identifies that LAWA will implement a housing program similar to its existing "Move On Housing Program" in conjunction with the existing ANMP Relocation Plan. Thus, these residential relocations are part of the No Action Alternative, as stated in Section 4.4.2.6.1 on page 4-542 of Part I - Volume 3 of the Final EIS.

This acquisition of properties in the Manchester Square and Belford areas has been on a voluntary basis on the part of the property owner. Section 4.4.2.6.5 of Part I – Volume 3 of the Final EIS notes that in the unlikely event that the land acquisition under LAWA's existing ANMP Relocation Plan for Manchester Square is not completed City of Los Angeles when the time comes to build the Ground Transportation Center, LAWA will consider its options on how to complete the acquisition of any remaining properties. LAWA has indicated to FAA that it expects only a few, if any, residents to remain at the end of the voluntary ANMP acquisition program prior

to beginning construction of the GTC. Any actions to complete such acquisition would be undertaken in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Since the voluntary acquisition of properties is on-going, FAA expects this action to be completed before the area is needed for the Ground Transportation Center. Therefore, acquisition of properties within Manchester Square is not considered to be part of Alternative D.

Alternative D would require the acquisition and relocation of approximately 78 acres of light industrial, air freight, office and retail uses occupied by 34 businesses. Any displacement or relocations of people under Alternative D of the LAX Master Plan must comply with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (the Uniform Act). Compliance with the Uniform Act is a condition of approval of this ROD.

Environmental Justice

Volume A of the Final EIS presented FAA's analysis of environmental justice impacts to address the particular requirements of NEPA analysis. In general, NEPA and CEQA approach the analysis of environmental impacts of a proposed action in fundamentally different ways. CEQA requires comparison of future conditions under the "action" alternatives to the conditions existing at the time the environmental analysis is undertaken, known as the environmental "baseline." NEPA, on the other hand, more clearly isolates the impacts of the proposed action and its alternatives, by comparing the effects of the "action" alternatives to conditions that would otherwise exist under the No Action Alternative. In the Draft EIS/EIR and Supplement to the Draft EIS/EIR, the federal analysis of environmental justice impacts under the analytical scheme of NEPA was not clearly distinguished from the state analysis required under CEQA. This distinction was clarified in Volume A of the Final EIS, and the environmental justice discussion was presented to address the particular requirements of federal law as embodied in the NEPA analytical scheme.

Volume A of the Final EIS evaluated the various impacts created by the LAX Master Plan with respect to Executive Order 12898 – Environmental Justice. As explained above, FAA presented a refined analysis of Environmental Justice in Section A.2.2 of Volume A of the Final EIS. This section addresses the requirements of the Executive Order and U.S. Department of Transportation Order 5610.2. Table A2.2-1 documents the significant number of outreach efforts conducted by LAWA since June of 1995 regarding the proposed Master Plan improvements. Figures A2.2-2, A2.2-3 and A2.2-4 illustrate that the location of minority and low-income communities are currently concentrated mainly east of LAX. These communities are separated from the airport by predominantly commercial and industrial airport-related land uses and Interstate 405. The communities north and south of the airport (Westchester and El Segundo, respectively) do not have high concentrations of minority or low-income populations. As stated in Volume A of the Final EIS, LAX has always had runways in an east-west configuration to take advantage of the prevailing winds. The minority and low-income residential communities are directly under the primary arrival path used by aircraft to the airport. As stated in Section 4.1.3.1.1 in Volume 1 of the Final EIS, departures to the west occur 95 to 98 percent of the time. The remainder occur to the east over the minority communities during inclement weather. Additionally, late night aircraft departures to the east for destinations in Asia also occur as stated in Section 4.1.6.1.5.4.1 "Nighttime Awakenings" of Volume 1 of the Final EIS. Sections 4.1.8.1 and 4.1.9.2.1 of Volume 1 of the Final EIS identifies a mitigation measure proposed by LAWA to conduct a Part 161 Study to make Over-Ocean Procedures mandatory for Alternatives, A, B, C and D during Over-Ocean Operations or when Westerly Operations remain in effect during the Over-Ocean Operations time period. FAA reserves its opinion on this proposed restriction until such time as LAWA formally submits it to the Agency for review and approval pursuant to 14 CFR Part 161.

Section A.2.2.5 of Volume A of the Final EIS presents the environmental justice findings for LAX Master Plan Alternatives A, B, C and D. The significance threshold for noise is defined as a 1.5 CNEL increase at or above the 65 CNEL over noise sensitive land uses. Significant impacts would occur within minority and/or low-income communities under Alternatives A, B and C compared to the No Action Alternative. For Alternatives A, B and C, FAA has concluded that the noise impacts on the community are considered disproportionately high and adverse prior to mitigation. The implementation of noise mitigation measures would reduce the impact of noise on these communities. However, due to certain constraints, such as building code compliance issues, substandard housing, and inconsistent zoning or land use designations, some property owners may be unwilling or unable to participate in the sound insulation program.

As described in the Final EIS, Alternative D would have no significant noise impacts on minority and/or low-income populations because these communities would not experience a 1.5 CNEL increase or greater at or above the 65 CNEL noise contour as compared to the No Action Alternative. Also, under Alternative D, there is an overall reduction in population exposed to 65 CNEL or greater within the minority and/or low-income communities compared to the No Action Alternative. While the Final EIS identifies that some noise sensitive land uses would be newly exposed to noise of 65 CNEL or greater compared to the No Action Alternative, there is a net benefit to these communities with an overall reduction in the total number of people exposed to high noise impacts. Therefore, Alternative D would not have a disproportionately high and adverse effect on minority and/or low-income populations in terms of noise.

For air quality impacts, Alternative D would result in lower total emissions than those under the No Action Alternative for all pollutants except PM₁₀ and SO₂ in the Interim Year. The emissions of criteria pollutants were found to conform to the State Implementation Plan. Moreover, pollutant concentrations under Alternative D would be lower than the National Ambient Air Quality Standards for all criteria pollutants in the Interim Year and 2015. To ensure that there is no potential for disproportionately high and adverse impacts relating to air quality, the mitigation measures described for air quality in Section A.2.2.6 Environmental Justice Program, in Volume A of the Final EIS are to be implemented.

In addition to the distinctions between CEQA and NEPA requirements noted above, a further distinction pertains to the preparation of a Human Health Risk Assessment (HHRA) regarding human exposure to toxic air pollutants (TAPs). CEQA requires preparation of an HHRA, but such an analysis is not required under NEPA. As the NEPA analysis and CEQA analysis were undertaken jointly in a single document, the HHRA was included in the Draft EIS/EIR and Supplement to the Draft EIS/EIR with a clear explanation that the analysis was prepared only for purposes of CEQA compliance. With respect to the Final EIS, the environmental justice section of Volume A of the Final EIS included a reproduction and summary of the Human Health Risk Assessment (HHRA) with a clear indication that its inclusion was for informational purposes only. As indicated in Volume A of the Final EIS, there are no federal standards regarding exposure to TAPs. Furthermore, there is an absence of TAPs emissions data and limitations on TAPs speciation profiles for commercial jet aircraft engines. As a result, the data that would be necessary to make scientifically supportable conclusions is lacking. As is clearly indicated in Volume A of Part I of the Final EIS, Section A.2.2.4, page A.2-88, the HHRA is not being relied on by the FAA in evaluating the choice among alternatives presented in the Final EIS. Therefore, the information, analyses, and conclusions reached in the CEQA HHRA analysis and presented in Volume A of the Final EIS are not relied upon in this Record of Decision, and do not constitute a part of the Final EIS for purposes of NEPA compliance.

To provide for full public participation in the NEPA process, FAA provided an official comment period following publication of the Final EIS, soliciting comments regarding the material provided in Volume A of the Final EIS.

Surface Traffic

The topic of surface transportation is normally discussed in an EIS under the heading of Social Impacts. However, because FAA and LAWA began the environmental review process by preparing a joint CEQA/NEPA document, this topic is discussed in a separate section of Part I – Volume 3 of the Final EIS, as supplemented by additional information in Section A.2.1 of Volume A of the Final EIS. The major difference between the information presented in Part I of the Final EIS and the information presented in Volume A of the Final EIS is that throughout the development of the EIS, a nearby project known as Playa Vista Phase II was assumed to be implemented by the year 2015. However, on September 22, 2004, the Los Angeles City Council approved a much smaller, less intensive Playa Vista development project than was previously proposed. This results in a lower background level of traffic to add to the various alternatives for the LAX Master Plan. Volume A presented newly revised traffic impacts based on the reduction in the Playa Vista Project, which represented an overall improvement in traffic conditions from those disclosed in Part I of the Final EIS. The City of Los Angeles has committed to implementing measures to reduce traffic impacts in the vicinity of LAX, including intersection and other roadway initiatives.

The implementation of these measures, for the proposed action, as described in Section A.2.1.2.4.3 of Volume A, would improve the level of service for various roadway intersections. While a small number of roadway segments or intersections may experience greater traffic volumes, overall, traffic conditions would improve. Similar results would be likely to occur under Alternatives A, B, and C due to the fact that the trip generation for these alternatives does not change. Instead, like Alternative D, the only change is an overall reduction in the level of background traffic. If the No Action Alternative were selected, none of the proposed roadway improvements associated with Alternative D would be implemented.

As a separate matter, FAA is stating in this Record of Decision that the formerly proposed interchange on Interstate Highway 405 (San Diego Freeway) at Arbor Vitae is not part of the LAX Master Plan. The City of Los Angeles has advised FAA that it has no plans to develop an interchange on I-405 at Arbor Vitae. FAA is making this statement to reassure residents in the vicinity of Arbor Vitae and I-405 that the LAX Master Plan does not include an interchange at this location.

INDUCED SOCIOECONOMIC IMPACTS: As described in Sections 4.4.1 and 4.5 of the Final EIS, under the LAX Master Plan, construction jobs would not contribute meaningfully to regional or local growth forecast. Section 4.4.2 of the Final EIS states that construction activities would be distributed throughout the three phases of the Proposed Action. Under Alternative D of the LAX Master Plan, the shifting of Runway 7R/25L and construction of the partial parallel taxiway would be accomplished in the first phase.

Section 4.5.6.1 of the Final EIS states that under the No Action Alternative a decrease in employment and associated employee households and population would occur. For the five-county region (Los Angeles, Ventura, Orange, Riverside and San Bernardino Counties), the estimated employment decrease by the year 2015 would be 57,560 with a population reduction of 123,637. The Final EIS states that the No Action Alternative would not remove obstacles to growth because no significant changes or expansion of infrastructure are proposed to open new areas to population growth.

Alternatives A and B would generate substantially more job growth than the No Action Alternative. Alternative A would provide an estimated 97,973 increase in jobs within the five-county region. Section 4.5.6.3 of the Final EIS states that the economic impact linked to the annual passenger volume and annual cargo tonnage values for Alternative B are identical to Alternative A. Therefore the growth-inducing effects of Alternative B are very similar to Alternative A. Alternative C would provide an estimated 75,259 more jobs in the five-county region. Under Alternative D, an estimated 48,778 construction related jobs would be created. Alternative D is

projected to support about the same level of employment as the No Action Alternative for the year 2015. As with the other alternatives, Alternative D would not remove obstacles to population growth.

AIR QUALITY: Section A.2.3 of Volume A and Section 4.6 of Part I -Volume 3 of the Final EIS describe the impacts to air quality resulting from the four LAX Master Plan build Alternatives and the No Action Alternative. Table A.2.3-1 of Volume A presents a comparison of the total mitigated operational and construction emissions for Alternatives A, B, C, D and the No Action Alternative. This table provides information on the following criteria pollutants: Volatile Organic Compounds (VOC), Carbon Monoxide (CO), Oxides of Nitrogen (NO_x), Sulfur Dioxide (SO₂) and Particulate Matter with a diameter of 10 micrometers or less (PM₁₀).

Pursuant to 40 CFR Part 93, FAA prepared a draft and final General Conformity Determination for Alternative D of the LAX Master Plan. FAA prepared these documents for Alternative D because it was the LAWA staff preferred alternative. If the Los Angeles City Council had selected a different alternative to implement, FAA would have had to revise or prepare a new General Conformity Determination for that alternative.

Under the LAX Master Plan, the City of Los Angeles has committed to implementing mitigation measures to reduce air pollutant emissions in the vicinity of LAX. These are specified in Section 4.6.8 in Part I - Volume 3 of the Final EIS. Mitigation Measure MM-AQ-4 proposes to convert the ground support equipment to extremely low emission technology (such as electric power, fuel cells, or future technological developments).

As described in Volume A 2 of the Final EIS (see Appendix A-2a), Alternative D of the LAX Master Plan is designed to accommodate future (2015) aircraft activity at LAX at a level comparable to that which would otherwise be accommodated by the No Action Alternative. FAA conducted an evaluation of the emissions of criteria pollutants in the South Coast Basin that would be generated by the implementation of Alternative D. This evaluation was conducted under 40 CFR Part 93 Subpart B. The results of the evaluation are presented in Section 8 of the Final Conformity Determination and summarized below:

- Alternative D is not subject to a general conformity determination for CO or VOC because the emissions associated with Alternative D are less than the general conformity de minimis threshold and they are not regionally significant.
- Alternative D conforms to the purpose of the State Implementation Plan for NO_x because the net emissions associated with Alternative D, taken together with all other NO_x emissions in the South Coast Air Basin, would not exceed the emissions budgets in the approved SIP for the years required for the general conformity evaluation.
- Alternative D conforms to the purpose of the SIP for PM₁₀ because the predicted peak concentrations for combined operational and construction emissions for Alternative D as designed, when added to the future background concentrations, would be less than the annual and 24-hour PM₁₀ NAAQS for the years required for the general conformity evaluation.
- The aircraft emissions inventories for Alternative D are below the baseline aircraft emission budgets in the applicable SIPs, described in Section 5.2.1 of the Final General Conformity Determination and specifically shown in Table 9 of that section. This was confirmed with the SCAQMD.
- Therefore, FAA had determined Alternative D, as designed, conforms to the purpose of the approved SIP and is consistent with all applicable requirements.

As stated in Section 6 of the Final General Conformity Determination, as further described in Section 4 of Appendix B to FAA's Final General Conformity Determination, Alternative D

conforms to the SIP because it was developed to incorporate a variety of air quality mitigation measures required under CEQA. The mitigation measures required for approval of this ROD for air quality are identified in Appendix A of this ROD.

WATER QUALITY: None of the four development alternatives of the LAX Master Plan are expected to have a significant impact on water quality in the vicinity of Los Angeles International Airport. As described in Section 4.7 of the Final EIS, Alternatives A, B, C and D would increase the total amount of impervious surfaces within the study area. Specifically, Alternative A would increase the total amount of impervious surfaces within the study area by the year 2015 by 48 acres compared to the No Action Alternative. Alternative B would actually decrease the total impervious surface within the study area by one acre compared to the No Action Alternative. Alternative C would increase the total acreage within the study area by five acres, and Alternative D would increase the total acreage of impervious surfaces in the study area by 91 acres. The increase in total acreage of impervious surfaces under Alternative D is the result of the construction of various Master Plan improvements, including airfield pavements, the proposed Ground Transportation Center and associated roadways, and the LAX Northside development.

Under the No Action Alternative, some construction of airport facilities would occur, as would construction of the LAX Northside and Continental City developments. The voluntary acquisition of homes in Manchester Square and Belford would continue. Once completed, under the No Action Alternative, the 123-acre Manchester Square area and the 20-acre Belford area are assumed to remain vacant.

The increase in impervious surfaces under Alternatives A, C and D compared to the No Action Alternative would have the potential to collect and release additional contaminants into storm water runoff compared to the No Action Alternative.

However, under all the build alternatives, the implementation of Best Management Practices would fully mitigate additional pollutant loads and no impacts to water quality in receiving water bodies would occur.

Short-term impacts to water quality due to construction related activities would be regulated under California State Water Resources Control Board Water Quality Order No. 99-08-DWQ (General Construction Permit), that regulates water quality associated with stormwater runoff from construction projects. The General Construction Permit is issued in accordance with National Pollutant Discharge Elimination System (NPDES) requirements of the Clean Water Act, but under the authority of state law (See 33 U.S.C. § 1342(b); Cal. Water Code §13377). Under this permit, the City of Los Angeles would implement the LAX Storm Water Pollution Prevention Plan (SWPPP) for all the development alternatives and the No Action Alternative. Best Management Construction Practices would be implemented under the Proposed Action to ensure that no significant impacts to water quality would occur during construction.

DEPARTMENT OF TRANSPORTATION (DOT) ACT OF 1966, SECTION 4(f), as amended, and DEPARTMENT OF THE INTERIOR LAND AND WATER CONSERVATION FUND ACT OF 1965, Section 6(f): Section 4.8 of Part I - Volume 3 of the Final EIS discloses the potential impacts to properties protected under both of these statutes. DOT Section 4(f)² 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 significance for a transportation project unless the Secretary of Transportation has determined 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. Section 6(f) of the Land and Water Conservation Act (L&WCF) provides funding for recreational resources for public parks and other recreational lands. Section 6(f) requires that where such

² Section 4(f) of the Department of Transportation Act of 1966 is codified at 49 U.S.C. § 303 (c), as amended, but continues to be commonly referred to as "Section 4(f)."

funds were used for the planning, acquisition, or development of public parks and other recreational lands, these properties may be converted to a transportation use only if the land is replaced with property that is reasonably equivalent in usefulness and is of at least the same fair market value.

Department of Transportation Act, Section 4(f)

Existing Resources

Figure F4.8-1 of the Final EIS depicts the potential Section 4(f) properties within the LAX Master Plan study area. Of these properties, four are located on LAX. These include Hangar Number One, which is listed on the National Register of Historic Places (NRHP), the Theme Building, a World War II Munitions Storage Bunker, and an archaeological site within the Los Angeles/EI Segundo Dunes recorded during the study for the LAX Master Plan EIS. These latter three properties are eligible for listing on the NRHP. Section 4.9.1 of the Final EIS also identifies four previously recorded archaeological properties located on LAX property, none of which is eligible for the NRHP due to a loss of integrity.

Section 4.8.3 of the Final EIS notes that two recreational facilities within the study area called the Carl E. Nielson Youth Park and the Westchester Golf Course are not considered properties subject to Section 4(f) because they are owned by a transportation agency and the property is used as a park on an interim basis.

An additional recreational facility is the Vista del Mar Park, a small park used by visitors primarily to view departing aircraft from LAX. This park is located along Vista del Mar, west of the Airport Operations Area of LAX. Section 4.8.6.1.2 of the Final EIS notes that 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.

The Habitat Restoration Area for the federally listed endangered El Segundo blue butterfly is not a designated wildlife refuge. However, FAA decided to treat the area for the purposes of this analysis as if it were a wildlife refuge. FAA came to this decision because the Habitat Restoration Area is being used on a permanent basis to conserve a federally endangered species.

Impacts to Resources

Section 4.8.6.1.1 of the Final EIS states the No Action Alternative would not introduce new activities resulting in either a direct or constructive use of Section 4(f) properties.

Under Alternatives A, B, C, and D, Vista del Mar Park would experience an increase in noise exposure. However, this park is currently exposed to high aircraft noise levels and is not used for traditional recreational purposes. Since Vista del Mar Park has been and is currently exposed to high noise levels from both aircraft and vehicular traffic and is a favorite public location for viewing aircraft overhead, the increase in noise from all alternatives would not substantially interfere with the normal use of the park. Therefore, under all alternatives there is no direct or constructive use of this park.

The Carl E. Nielson Youth Park and the Westchester Golf Course are not considered properties subject to Section 4(f). Even were they considered subject to Section 4(f), none of the development alternatives would use either property. There would be no direct use of either property under Alternatives A, B, C or D. In addition, under Alternatives A, B, C and D, the Carl E. Nielson Youth Park would not experience noise increases sufficient to result in a "constructive use." With respect to the Westchester Golf Course, noise levels under Alternatives A, B and D decrease compared to the No Action Alternative. Thus, there would be no "constructive use" of this property under these alternatives. Under Alternative C, the Westchester Golf Course would experience only a 0.2 dB increase, with the resulting noise levels well below levels sufficient to interrupt the normal use of the property. Therefore, there would be no constructive use of the Westchester Golf Course under Alternative C.

Alternative A would not directly affect any historic or archaeological properties of national, state or local significance. Alternative B would affect the Merle Norman Headquarters complex, a National Register eligible property and Hangar Number One, which is listed in the National Register of Historic Places. Under Alternative B, Hangar Number One is proposed to be relocated. While FAA expects Hangar Number One's National Register status would remain, relocation of the structure would be considered a use under Section 4(f). The alignment of the Ring Road under Alternative C would not affect the Merle Norman Headquarters Complex.

Alternative D does not include the Ring Road or the LAX Expressway, consequently, Alternative D would not affect any properties listed or eligible for listing on the NRHP.

Alternatives A, B, and C would each generate a noise increase over the Academy Theater, a property that is eligible for listing on the NRHP. Implementation of Master Plan Commitment HR-1 would prevent noise mitigation from adversely affecting the Academy Theater. Alternative D would have no direct or indirect impacts on this site.

One of the two optional alignments of the proposed LAX Expressway under Alternatives A and C would result in a direct and constructive use of the Centinela Adobe, a property listed on the National Register of Historic Places. Alternative D does not include the LAX Expressway and therefore does not present a risk of direct or constructive use of Centinela Adobe.

Section 4.9.1 of the Final EIS also identifies four archaeological properties located on LAX property. Each of these sites is not eligible for the National Register due to a loss of integrity. None of the alternatives would adversely affect any significant, known archaeological sites on the airport.

There would be no direct use of any historic properties of local, state or national significance under Alternative D. Furthermore, none of the properties that are listed or eligible for listing on the National Register has a quiet setting as a generally recognized feature or attribute of the site's significance. Therefore, there would be no constructive use issues associated with noise under Alternative D.

With respect to the El Segundo Blue Butterfly Habitat Restoration Area, under Alternatives A, B, C and D, a small portion of the Habitat Restoration Area would be used for the installation of replacement navigational aids and associated service roads that coincide with the relocation of the North Runway Complex. This is the only Section 4(f) property impacted by Alternative D. FAA has determined there is no feasible and prudent alternative to the use of the Habitat Restoration Area. As a condition of approval of this ROD, FAA is requiring mitigation including replacement of affected El Segundo Blue Butterfly habitat at a ratio of 2:1 acres of replacement habitat for every one acre affected. This mitigation is to be completed three years before relocation of the navigational aids.

Land and Water Conservation Fund Act, Section 6(f)

The analysis in the Final EIS also addresses impacts to parks in the vicinity of the airport that would be affected by the alternatives of the Master Plan under Section 6(f) of the Land and Water Conservation Fund Act of 1965, as amended. Section 6(f) of the Land and Water Conservation Act (L&WCF) provides funding for recreational resources for public parks and other recreational lands. Table F4.8-1 on page 4-794 of Part I - Volume 3 of the Final EIS identifies the Section 6(f) properties within the study area. These include: Dockweiler Beach State Park, Jesse Owens County Park and the South Bay Bicycle Trail. Each of these three parks has received funds from the Land and Water Conservation Fund. Section 4.8.6.2 of the Final EIS states that none of these facilities are within the acquisition areas proposed under the LAX Master Plan. Therefore there would be no conversion of L&WCF properties resulting from the No Action Alternative or Alternatives A, B, C or D of the LAX Master Plan.

HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL AND CULTURAL RESOURCES: The Final EIS describes the potential impacts of Alternatives A, B, C, D and the No Action Alternative on archaeological and historic properties in Section 4.9. Figure F4.9.1-1 displays the composite Area of Potential Effects (APE). This APE includes the existing airport property, parcels that would be acquired under Alternatives A, B, and C as areas along the proposed LAX Expressway right-of-way and three long thin areas extending from the airport to the east. These three areas represent the indirect impacted areas due to aircraft noise. The APE also identifies 11 properties where FAA has made a determination of eligibility on the National Register of Historic Places. Four properties within the APE were determined not eligible for the National Register. These include the 1961 Airport Traffic Control Tower, the Intermediate Terminal Complex, International Airport Industrial District and Morningside Park Neighborhood in Inglewood. Section 4.9.1 of the Final EIS also identifies eight archaeological properties located on LAX property. Seven of these archaeological sites are not eligible for the National Register due to a loss of integrity. One site, CA-LAN-2345, located on airport property appears potentially eligible for listing as a prehistoric site, however; it is not located within the APE of any of the alternatives (see Table F4.9.1-4 of the Final EIS).

In accordance with 36 CFR Part 800, the FAA conducted the required consultation with the State Historic Preservation Officer (SHPO) (Section 106 of the National Historic Preservation Act of 1966). The FAA provided the SHPO with its conclusions regarding Alternative D's impacts on properties listed or eligible to be listed on the National Register. FAA did not receive any objections on its conclusions. Pursuant to 36 C.F.R. § 800.3(c)(4), 36 C.F.R. §800.5(b), and 36 C.F.R. § 800.5(c)(1), a lack of response from the SHPO after 30 days is deemed a concurrence in the agency's conclusions. Therefore, consistent with the regulations, FAA has determined that it is appropriate to carry out the project.

Section 4.9.1.6.1 of Part I –Volume 3 of the Final EIS documents that the No Action Alternative would not affect any properties listed or eligible for listing on the National Register of Historic Places (NRHP).

Under Alternative A, the proposed actions on the airport would not directly affect any properties listed or eligible for listing on the NRHP. However, one of the two optional alignments of the proposed LAX Expressway under Alternative A would result in a direct impact on the Centinela Adobe, a property listed on the National Register of Historic Places.

Alternative B would adversely affect the NRHP eligible Merle Norman Headquarters complex and NRHP listed Hangar Number One with the proposed Ring Road and redevelopment of the Imperial Cargo complex, respectively. Under Alternative B, Hangar Number One would be relocated to another site. While FAA expects Hangar Number One's National Register status would remain, relocation of the structure would be considered a use under Section 4(f).

Under Alternative C, the proposed Ring Road would be located further south than is proposed under Alternative B. Therefore, Alternative C would not affect the Merle Norman Headquarters complex. However, one of the two optional alignments of the proposed LAX Expressway under Alternative C would result in a direct impact on the Centinela Adobe, a property listed on the National Register of Historic Places.

Section 4.9.1.6.5 of the Final EIS states that Alternative D would not affect any properties listed or eligible for listing on the National Register of Historic Places. While Alternative D does not affect any NRHP listed or eligible properties, Section 4.9.1.8 of the Final EIS documents the mitigation measures for preservation of currently unknown archaeological properties on LAX. Measures for the preservation of unknown archaeological properties, required as a condition of approval of this ROD, are identified in Appendix A of this ROD.

An additional mitigation measure related to archaeological resources was requested by the California Coastal Commission and was accepted by the FAA. This measure, Mitigation Measure MM-HA-11

requires FAA to prepare an archaeological treatment plan (ATP) that ensures the long-term protection and proper treatment of previously unknown significant archaeological resources including any Native American remains encountered during grading or excavating within the Coastal Zone. Pursuant to 36 CFR Part 800, the draft ATP shall be submitted by FAA to the California State Historic Preservation Officer, the California Coastal Commission's staff archaeologist, the California Native American Heritage Commission and interested parties for 30-days for review and comment.

The FAA determined that the implementation of Alternative D of the LAX Master Plan would not affect any properties listed or eligible for listing on the National Register of Historic Places.

BIOTIC COMMUNITIES: Section 4.10 of Part I - Volume 3 of the Final EIS addresses the potential impacts of the proposed action on Biotic Communities. The analysis conducted in the Final EIS addresses both direct and indirect impacts to biotic communities. Figure F4.10-7 shows the various plant communities present in the study area for the No Action Alternative. The primary communities of concern are located in the Los Angeles/EI Segundo Dunes. The majority of the airfield itself is either developed with pavements and structures or disturbed/bare ground.

The No Action Alternative would have direct impacts to the biotic communities that comprise the mature trees in the area where the so-called "LAX Northside project" would be located. The Final EIS states that 300 mature trees would be removed and this represents a loss of nursery sites for raptors. Indirect impacts such as air pollutant emissions associated with the No Action Alternative would not adversely affect the sensitive receptors in the Los Angeles/EI Segundo Dunes since the majority of the operational emissions occur at the east end of the airport due to the aircraft beginning their takeoff roll to the west into the prevailing wind off the ocean.

Under Alternative A, direct impacts to biotic communities would result from the installation of navigational aids and associated service roads within the Los Angeles/EI Segundo Dunes. The Final EIS notes that one sensitive plant species, Lewis' evening primrose, is located on the westerly end of the north runway. This species is a state-listed species and is not federally listed. Alternative A would also have a loss of existing habitat for the western spadefoot toad that currently inhabits 2.01 acres of disturbed/bare ground and 6.96 acres of non-native grassland/ruderal within the south western portion of the Airport Operations Area of the airport. The primary impacts to biotic communities under Alternative A would be the conversion of disturbed/bare ground to developed land uses (pavements). Under Alternative A, airfield improvements and the Westchester Southside project would result in the removal of approximately 300 mature trees. This would represent a loss of habitat to raptors for nursery sites.

Alternative B would have similar impacts to Alternative A regarding areas of disturbed/bare ground. Also, the installation of navigational aids in the Los Angeles/EI Segundo Dunes would impact approximately 1.16 acres of state-designated sensitive habitat. Similar to Alternative A, under Alternative B, airfield improvements and the Westchester Southside project would result in the removal of approximately 300 mature trees. This would represent a loss of habitat to raptors for nursery sites.

Alternative C would also include the installation of navigational aids in the Los Angeles/EI Segundo Dunes. This action would impact approximately 0.69 acres of state-designated habitat. As with Alternatives A and B, under Alternative C, airfield improvements and the Westchester Southside project would result in the removal of approximately 300 mature trees. This would represent a loss of habitat to raptors for nursery sites.

Alternative D includes the installation of navigational aids, as with Alternatives A, B, and C. The total area of impact under Alternative D amounts to approximately 1.53 acres of state-designated sensitive habitat within the Los Angeles/EI Segundo Dunes. Within this area, approximately 10,600 square feet of habitat is considered occupied by the federally endangered EI Segundo blue butterfly. There is no designated critical habitat for this species. As described in Volume A

of the Final EIS and in detail in the biological opinion issued by the US Fish and Wildlife Service, the FAA has committed to implement mitigation measures for this action three years **before** the installation of the navigational aids. This is necessary in order for the Coast Buckwheat to mature and support the El Segundo blue butterfly. Section 4.10.6 of the Final EIS states that the implementation of Alternative D would not result in significant air quality impacts to biotic communities. However, as with Alternatives A, B and C, construction activities have the potential to result in deposition of fugitive dust within state-designated sensitive habitat.

Section 4.10.8 of Part I of the Final EIS describes the proposed mitigation measures to minimize harm to biotic communities from implementation of the LAX Master Plan. With the exception of measures specifically identified to address impacts to federally listed threatened or endangered species, these measures are not a condition of approval of this ROD. Further, measures that are intended to enhance habitat must be consistent with LAWA's Wildlife Hazard Management Plan and obligations as a certificate holder under 14 CFR Part 139 that requires the certificate holder to reduce or eliminate hazardous movements of wildlife and wildlife attractants on the airport.

ENDANGERED AND THREATENED SPECIES: Section 4.11 of Part I – Volume 3 of the Final EIS states two federally listed endangered species are located on or in the immediate vicinity of LAX. One of the federally listed species is the El Segundo blue butterfly located in the Los Angeles/El Segundo Dunes west of the Airport Operations Area (AOA) of the airport. The Los Angeles/El Segundo Dunes are located between Vista del Mar and Pershing Drive. The other federally listed species is the embedded cysts (eggs) of the Riverside fairy shrimp (RFS). The embedded cysts are located in nine individual ephemerally wetted areas comprising a total of 1.3 acres located in the western portion of LAX. These areas are considered as ephemerally wetted areas, not vernal pools, and are under the jurisdiction of the U.S. Army Corps of Engineers. Section 4.11.6.1 of the Final EIS states that these have been and are now subject to continued operations and maintenance activities (removal of standing water and discing or mowing vegetation). This is done to prevent the introduction of hazardous movements of wildlife into the AOA which can create a hazard to air navigation. Enhancement of these areas where the RFS cysts are located is not feasible due to the obligations of LAWA to comply with the provisions of 14 CFR Part 139. This regulation requires a certificate holder to ensure that it removes wildlife attractants immediately when they are detected. This includes standing bodies of water. Due to the continuous implementation of these guidelines, no habitat exists on the airfield that retains standing water for a sufficient duration to allow the RFS to complete its life cycle (six to eight weeks). As documented in Section 4.11.3 of the Final EIS, the FAA believes that the creation of artificial pools that will have standing water for longer than a few hours does and will continue to attract hazardous movements of birds which creates an unacceptable hazard to air navigation. This position is supported by the U.S. Department of Agriculture, Wildlife Services Office that is currently working on a bird hazard reduction program at LAX. This office is responsible for managing wildlife that is injurious to human health and safety pursuant to the Animal Damage Control Act of 1931, as amended. Further, FAA believes the introduction of new attractants to birds and other wildlife is contrary to FAA's statutory mission to ensure the safe and efficient use of navigable airspace in the United States. Raptors flying in the immediate vicinity of aircraft are at risk for being struck or ingested into an engine causing significant damage to the aircraft.

The Final EIS notes that directed surveys for RFS indicate that no adult or juvenile shrimp have been observed at the airport. The Biological Assessment indicates the conditions of adequate water, amount of time needed for inundation, temperature and correct water chemistry necessary for the RFS cysts to hatch are not present at LAX. This is confirmed in the U.S. Fish and Wildlife Service's (USFWS) final rule designating critical habitat for the Riverside fairy shrimp. See Designation of Critical Habitat for the Riverside Fairy Shrimp, 70 Fed. Reg. 19,154-01 (April 12, 2005).

Alternatives, A, B and C would each require the conversion of 1.3 acres of degraded wetland habitat containing the embedded cysts of the RFS. Alternative A would also require the conversion of 8,514 square feet of occupied habitat for the El Segundo Blue Butterfly (ESB),

where Alternative B would require only 2,316 square feet of occupied ESB habitat. The use of occupied ESB Habitat is necessary to accommodate the relocation of navigational aids associated with new runways and changes to the existing runways under Alternatives A and B. Alternative C would not require the conversion of any of the occupied ESB habitat. Sections 4.11.7.1 through 4.11.7.3 of the Final EIS state none of the alternatives would adversely affect the state listed American Peregrine Falcon.

With respect to Alternative D, FAA determined that the proposed Master Plan improvements would adversely affect the federally listed RFS. Normally formal consultation is to be completed 135 days following the initiation of formal consultation. However, for this project, detailed consultation and directed surveys required several years. During this extended consultation period, the U.S. Fish and Wildlife Service (USFWS) had proposed to designate areas within the Los Angeles-Orange County Management area as critical habitat for RFS. This proposed designation added complexity to the on-going Section 7 consultation. Further, litigation brought against the USFWS forced them to abandon its proposed designation.³

On April 20, 2004, the USFWS issued its Biological Opinion for the proposed LAX Master Plan improvements under Alternative D. The Biological Opinion indicated that the Proposed Action was not likely to jeopardize the continued existence of RFS or ESB. The April 20, 2004 Biological Opinion (BO) did not make a conclusion about critical habitat because at the time of the BO the USFWS had not proposed for designation or actually designated any critical habitat for RFS or the ESB at LAX. Although critical habitat has subsequently been designated for the RFS, it does not include any areas on or adjacent to LAX, and there remains no designated critical habitat for the ESB. The Biological Opinion, included in Appendix F-E in Part I- Volume 5 of the Final EIS includes a series of mitigation and conservation measures that must be implemented as a condition of approval of this ROD. These measures are specifically identified in Appendix A to this ROD.

The Biological Opinion also addresses the potential impacts of the proposed relocation of navigational aids to occupied habitat of the ESB. The mitigation measures specified in the Biological Opinion for the ESB would be implemented at least three years **before** the proposed relocation of the nav aids. This action will allow for the planting and maturation of Coast Buckwheat plants – the host plant and sole food source for the ESB.

The City of Los Angeles has agreed to implement this and other mitigation measures for construction, that were recommended by USFWS in their April 20, 2004, Biological Opinion, as documented in the Final EIS. These mitigation measures are a condition of approval of this ROD.

Under the No Action Alternative, no Master Plan construction or site modifications would occur, and no projects previously approved and therefore considered as part of the No Action Alternative occur within threatened or endangered species habitat. This alternative would not affect any federally listed threatened or endangered species. However, on-going operations and maintenance activities would continue in order for LAWA to comply with the provisions of 14 CFR Part 139⁴. The FAA and LAWA - as the applicant, completed formal Section 7 consultation for

³ See: *Building Industry Legal Defense Foundation, et al. v Gale Norton, Secretary of the Interior, et al., and Center for Biological Diversity, Inc. and Defenders of Wildlife, Inc.* Civil Action No. 01-2311(JDB) (U.S. District Court, District of Columbia). A description of vacation of the proposed designation was published in the *Federal Register* on April 27, 2004. (See FR 69 23026).

⁴ Prior to the preparation of the EIS, the FAA initiated both informal and formal consultation with the U.S. Fish and Wildlife Service about LAWA's need to comply with the provisions of 14 CFR Part 139. Those consultation efforts have been ongoing and are not part of the Master Plan, and LAWA's actions to comply with Part 139 would occur even under the No Action scenario. Part 139 prescribes rules governing the certification and operations of land airports which serve any scheduled or unscheduled passenger operation of an air carrier that is conducted with an aircraft having a seating capacity of more than 30 passengers [See 14 CFR Part 139.1]. These rules provide instructions to airport operators who hold a certificate issued pursuant to Part 139 to ensure the continued safe operation of the facility. The

this effort effective April 8, 2005 with the issuance of the USFWS's Biological Opinion. It is important to note that this formal Section 7 consultation effort is independent of the LAX Master Plan. FAA also notes the USFWS published its final rule on the designation of critical habitat in the Federal Register on April 12, 2005, See FR Vol. 70 page 19154. The final rule excludes those areas on LAX that were previously identified by the USFWS on April 27, 2004 as proposed for designation as critical habitat. Therefore, there is no designated critical habitat for a federally listed threatened or endangered species on LAX.

WETLANDS: Section 4.12.3 of Part I - Volume 3 of the Final EIS states approximately 1.3 acres of jurisdictional wetlands are located within the western part of the Aircraft Operations Area of LAX. Wetlands subject to jurisdiction by the U.S. Army Corps of Engineers (USCOE) are defined by three parameters: wetland vegetation, wetland soils and hydrology. The USCOE exerts jurisdiction over a variety of special aquatic habitats, including vernal pools. According to the Los Angeles District of the USCOE, an area shall be considered a vernal pool if it meets the following definition: "*Vernal pools are wetlands that seasonally pond in small depressions as a result of a shallow, relatively impermeable layer (e.g. clay or other impervious soil or rock layer) that restricts downward percolation of water. The dominant water source for vernal pools is precipitation, with pools typically filling after fall and winter rains and evaporation during spring and summer. These seasonal ponds are fragile, easily disturbed ecosystems that provide habitat for indigenous, specialized assemblages of flora and fauna, including several species which are either proposed or already federally-listed as threatened or endangered.*"

Historically the western portion of the airport supported a complex of vernal pools and native grasslands until the 1930s. Since the 1930s, construction activities -- including staging, borrow and fill activities, road construction, in addition to airfield maintenance activities such as discing -- have resulted in substantial alteration to the natural vegetation, soils and hydrology that precludes the presence of wetland parameters. However, during the preparation of the EIS, the USCOE directed FAA to consider the presence or absence of wetlands in light of the atypical situation caused by human activities. Under the atypical situation, ephemerally wetted areas that are seasonally inundated or saturated for more than 12.5 percent of the growing season (18-days) in a year of at least average rainfall meet the criteria for "waters of the United States."

Section 4.12.3 of the Final EIS states that with the exception of one Ephemerally wetted area (EW006) 12 sites ponded water for 18-days following a storm event in 1997/98. These sites include all the sites that contain embedded cysts of the federally listed Riverside fairy shrimp.

The ephemerally wetted areas in the western portion of LAX were further evaluated through an analysis of directed surveys for vernal pool-associated species of flora and fauna. As summarized in the Endangered and Threatened Species Section above in this ROD, the ephemerally wetted areas do not contain the flora and fauna that would define these areas as vernal pools. Table F4.11-2 in Section 4.11 of the Final EIS describes the ephemerally wetted areas that contain embedded cysts of the federally listed Riverside fairy shrimp. Each of these sites is located on top of fill material that was placed during the 1950 through the early 1990s. Since these ephemerally wetted areas are not naturally occurring they are considered to be artificial and therefore are not defined as naturally occurring "vernal pools."

consultation with the U.S. Fish and Wildlife Service continues pursuant to Section 7 of the Endangered Species Act of 1973, as amended, and 50 CFR Part 402. This on-going consultation effort was completed on April 8, 2005 with the issuance of the USFWS's Biological Opinion. That Biological Opinion permits removal of all cysts of Riverside fairy shrimp from the airport that were not previously covered by the April 20, 2004 Biological Opinion for Master Plan Alternative D. These actions are necessary so that LAWA can comply with its obligations under 14 C.F.R. Part 139 while also permitting the cysts of RFS to be relocated to habitat with the conditions necessary for the RFS to complete its life cycle are present.

Section 4.12.2 of the Final EIS states the Argo Ditch, located north of Runway 6L/24R was identified as having isolated wetlands. In 1997, the USCOE authorized emergency operations and maintenance activities to clean out the ditch. The isolated wetlands had emerged as a result of a lack of routine maintenance over a 20-year period. The Corps of Engineers determined that following the completion of the emergency maintenance activities the Argo Ditch would no longer be subject to the Corps' jurisdiction pursuant to Section 404 of the Clean Water Act. The clean out of the Argo Ditch was not part of the LAX Master Plan.

Under Alternatives A, B and C the 1.3 acres of jurisdictional wetlands would be permanently converted to uplands as a result of construction staging, airfield operations and maintenance activities and/or airfield improvements. Under Alternative D 1,853 square feet (0.04 acre) would be affected by the proposed LAX Master Plan improvements. This conversion results from construction staging, airfield operations and maintenance activities and airfield improvements. As stated in Section 4.12.6.5 of Part I - Volume 3 of the Final EIS, this action requires a permit from the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act. Section 4.12.6.5 of the Final EIS states that under Alternative D, the remaining 1.26 acres of jurisdictional wetlands, not directly affected by Alternative D would be subject to on-going operations and maintenance activities. This 1.26-acre area would be subject to on-going operations and maintenance no matter which alternative the City of Los Angeles had selected including the No Action Alternative.

Section 4.12.6 of the Final EIS states that 14 CFR Part 139 requires that the Airport Operations Area (AOA) be maintained in such a condition so as to minimize or eliminate hazards to public safety resulting from wildlife utilization of the AOA. 14 CFR § 139.339 requires a certificate holder under this part (LAWA) to eliminate wildlife attractants on the airfield as soon as they are detected. This requires LAWA to conduct routine maintenance activities such as mowing or discing of vegetation to reduce its attractiveness to wildlife and the elimination of standing water, which can be attractants to birds. Aircraft collisions with birds can cause significant damage to aircraft and pose a serious threat to the safety of passengers and crew on an aircraft. Through formal consultation with the U.S. Fish and Wildlife Service, LAWA is permitted to drain the ephemerally wetted areas of water in such a manner that they do not disturb the bottom of the ponded area that contains the embedded cysts of RFS.

While the 1.3 acres of jurisdictional wetlands on LAX do not meet the specific definition of wetlands defined in Section 6 of Executive Order 11990⁵ - *Protection of Wetlands*, dated May 24, 1977, the FAA has determined that Executive Order 11990 nonetheless applies to these areas. FAA has determined that there is no practicable alternative to using the 1.3 acres of jurisdictional wetlands areas of the airport containing the ephemerally wetted areas for actual construction and construction staging.

The FAA has determined that there is no practicable and prudent alternative to the use of the 1.3 acres of jurisdictional wetlands within the Airport Operations Area of the airport. The FAA's determination of no practicable alternative is based on the immediate proximity of these jurisdictional wetlands to the Runway Safety Areas for all four runways and the lack of other available open space on the airport for construction staging. This lack of space and the obligation of LAWA to comply with the provisions of 14 CFR Part 139 preclude avoidance of impacts to jurisdictional wetlands. The Final EIS documents all practicable measures to minimize harm to wetlands in Section 4.12.8. Furthermore, once the cysts of Riverside fairy shrimp are relocated

⁵ Section 6 of the Executive Order defines wetlands as "...those areas that are inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds."

off-airport consistent with the Biological Opinions from the USFWS dated April 20, 2004 and April 8, 2005, it appears that the conditions upon which the U.S. Army Corps of Engineers relied in asserting jurisdiction over these areas will no longer exist.

FLOODPLAINS: Section 4.13 of Part I - Volume 3 of the Final EIS states that none of the development alternatives or the No Action Alternative would encroach on a 100-year floodplain. As described in Section 4.13.3 of the Final EIS, a 13-acre parcel along Imperial Highway had been previously designated as a 100-year floodplain. This area had been designated in a 1987 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map based on information collected in the early 1970s. Subsequent to the designation as a 100-year floodplain, the area had been substantially filled and regraded so that it no longer exhibited any characteristics of a floodplain. On September 6, 2002, FEMA issued a Letter of Map Revision indicating the area was no longer a floodplain (See Appendix S-A, *Agency Consultation Letters*). It is important to note that the area had no direct connection to any stream, river or the Pacific Ocean or any other body of water.

COASTAL ZONE MANAGEMENT AND COASTAL BARRIERS: As stated in Section 4.14 in Part I – Volume 3 of the Final EIS, the Coastal Zone Management Act is implemented locally through a Local Coastal Program that is administered and certified by the California Coastal Commission. The California Coastal Act of 1976 grants the authority to the California Coastal Commission to regulate development and related resource-depleting activities within the coastal zone boundary. This boundary extends inland 1,000 feet from the mean high tide line in developed areas. Los Angeles International Airport property west of the eastern right-of-way of Pershing Drive is located within the coastal zone. This comprises Pershing Drive and the Los Angeles/El Segundo Dunes.

Section A.2.5 of Volume A of the Final EIS provides updated information to Section 4.14 of Part I - Volume 3 of the Final EIS. The provisions of the Coastal Zone Management Act apply to the airport because the airport is located adjacent to the Pacific Ocean and the LAX Master Plan includes actions within the coastal zone. The specific development action in the Coastal Zone is the relocation of the approach lighting system and Instrument Landing System equipment in the Los Angeles/El Segundo Dunes for the Runways 6R/24L and 6L/24R. The navigational aid equipment is owned, operated and maintained by the FAA and is a federal installation. FAA prepared a Coastal Zone Consistency Determination for the relocation of existing navigational and safety aids at LAX. The Consistency Determination evaluated relocation of the navigational aids associated with Alternative D. FAA determined that the relocation of the existing navigational aids and associated service roads at LAX is consistent, to the maximum extent practicable, with the California Coastal Management Program pursuant to the requirements of the Coastal Zone Management Act of 1972, as amended and the California Coastal Act of 1976, as amended. FAA's Consistency Determination is provided in Appendix A-3a of Volume A of the Final EIS. On November 17, 2004, the California Coastal Commission concurred with the FAA's Coastal Zone Management Act consistency determination. A letter from the Commission's Federal Consistency Coordinator indicating the Commission's concurrence is provided at the end of Appendix A-3d of Volume A of the Final EIS.

Certain mitigation measures proposed by FAA and LAWA to address impacts in the coastal zone were modified as a result of the California Coastal Commission hearing. The refinements to the specific mitigation measures resulting from the consultation with the California Coastal Commission are presented in Section A.2.5.4.4.1. in Volume A of the Final EIS. The primary change from what is shown in Section 4.14 in Part I – Volume 3 of the Final EIS is that FAA, and not LAWA or its designee, is responsible for ensuring the implementation of these measures. During the hearing before the California Coastal Commission, FAA agreed to remove or bury the foundations of the existing navigational aids when they are no longer required to assist aircraft approaching from the west. FAA also agreed to replace the 1.4 acres currently covered by concrete foundations and footings for navigational aids that would no longer be required at a ratio of 2:1 as described in the Los Angeles/El Segundo Dunes Habitat Restoration Plan. The basis

for the modification was to further the conservation and restoration of the degraded habitat in the dunes consistent with the habitat restoration plan for the dunes. This habitat was degraded because it was previously a residential development. The roadways that were constructed in the 1920s still exist in the areas along with remains of houses that were demolished along with various non-native ornamental plants.

An additional mitigation measure related to archaeological resources was requested by the Commission and accepted by the FAA. This measure, Mitigation Measure MM-HA-11, requires FAA to prepare or cause an archaeological treatment plan (ATP) to be prepared that ensures the long-term protection and proper treatment of previously unknown significant archaeological resources including any Native American remains encountered during grading or excavating within the Coastal Zone. Pursuant to 36 CFR Part 800, the draft ATP shall be submitted by FAA to the California State Historic Preservation Officer, the California Coastal Commission's staff archaeologist, the California Native American Heritage Commission and interested parties for 30-days for review and comment.

The California Coastal Commission likewise reviewed a Coastal Zone Management Act Consistency Certification prepared by LAWA. The Consistency Certification addressed improvements and actions associated with Alternative D that are located adjacent to, but outside of, the boundaries of the coastal zone. Those elements of the Alternative D proposal that were considered to potentially affect the coastal zone were addressed. On November 17, 2004, the California Coastal Commission conditionally approved LAWA's Consistency Certification. The condition imposed under the concurrence requires LAWA to submit additional consistency certifications to the Commission in the future. These future Consistency Certifications will be prepared when project-specific design has been completed. At the present time the Commission has information at the programmatic level. When project-specific design is completed, the additional certifications are intended to provide appropriate assurances that each of the proposed Alternative D projects identified in the Consistency Certification concurrence will, in fact, be consistent with the enforceable policies of the state's management program. LAWA's compliance with this requirement is a condition of FAA approval of this project. The conditions imposed by the California Coastal Commission only require submission of additional information in the future and do not require alteration at this time of any project component included in Alternative D. The California Coastal Commission approved its revised findings and staff report for both the FAA's Coastal Zone Management Act Consistency Determination and LAWA's Coastal Zone Management Act Consistency Certification at a public hearing on February 17, 2005 in Monterey, California.

Under the No Action Alternative, no master plan actions would occur within the Coastal Zone. However, FAA would continue to operate and upgrade the existing navigational aids within the Coastal Zone.

The Coastal Barriers Resources Act refers to undeveloped coastal barriers along the Atlantic and Gulf Coasts. All the build alternatives in LAX Master Plan and the No Action Alternative do not create an impact to this geographic area. No mitigation for this environmental impact category is necessary.

WILD AND SCENIC RIVERS: There are no rivers or segments of rivers that are categorized as wild and scenic that would be affected by any of the so-called "build" alternatives or the No Action Alternative as described in Section 4.15 of Part I – Volume 3 of the Final EIS. Two "wild and scenic" river segments are located within Santa Barbara County. These include a 33-mile segment of the Sisquoc River and a 31.5-mile long segment of the Sespe Creek located approximately 50 miles northwest of LAX in the Los Padres National Forest. Due to the substantial distance and the intervening mountains between the airport and the rivers, Alternatives A, B, C and D and the No Action Alternative would not impact any wild or scenic rivers. No mitigation for this environmental impact category is necessary.

FARMLAND: Section 4.16 in Part I of Volume 3 of the Final EIS states that there are no existing agricultural operations on the Airport site or in the immediate vicinity of the Airport. LAX is located in an urbanized area. There are no prime or non-prime farmland areas located in or adjacent to the area that would be affected by the proposed project. Therefore, Alternatives A, B, C, and D and the No Action Alternative would not result in a removal of any agricultural land from production.

ENERGY SUPPLY AND NATURAL RESOURCES: Section 4.17 of Part I – Volume 3 of the Final EIS indicates that the development alternatives would result in increased use of fuel and energy compared to the No Action Alternative due to the addition of new buildings, conversion of ground support equipment to alternative fuels, increased vehicular traffic, and use of construction equipment.

Consumption of electricity and natural gas would differ between each of the alternatives due to differences in building space and due to the conversion of ground support equipment (under the development alternatives only) to alternative fuels. Although energy consumption would increase under the No Action Alternative due to the construction of new buildings for the LAX Northside and Continental City sites, the development alternatives would result in even greater energy consumption associated with new facilities. Construction-related energy consumption under the development alternatives would be greater than under the No Action Alternative due to the greater level of construction activities associated with these alternatives.

The Final EIS states that the Los Angeles Department of Water and Power (DWP) is the local power supplier and is obligated to provide power to its customers as stated in the Los Angeles City Charter. Heating and air conditioning provided to the Central Terminal Area is provided by LAWA at its Central Utility Plant at the airport. Electrical power is also generated at this facility and is traded to DWP for credits to LAWA's electrical purchases. The Final EIS states on page 4-1047 that there is an adequate supply of natural gas to meet the anticipated demand through the year 2015.

The amount of Jet A fuel used would vary under each of the development alternatives and the No Action Alternative. Table F4.17.1-3 indicates that the amount of Jet A consumed for Alternatives A and B would be the same. Under Alternative C, less Jet A would be consumed compared to Alternatives A and B. Jet A consumption under Alternatives A, B and C would be greater than under the No Action Alternative. The amount of Jet A consumed under Alternative D and the No Action Alternative would be similar due to the similar capacities of these two alternatives. The amount of Avgas – used for piston-powered aircraft --is assumed to be the same for all alternatives given the small number of these types of aircraft that use LAX.

Section 4.17.2 of Part I – Volume 3 of the Final EIS states the Hyperion Oil Field is an active oil field under the western half of LAX. Figure F4.17.2-1 displays the location of active and abandoned and plugged wells on and in the vicinity of LAX. One well directly south of LAX produces oil from the Hyperion Oil Field. Another well produces oil and natural gas from the El Segundo Oil Field at the Scattergood site in El Segundo. Both of these wells are outside of the Master Plan boundaries. Alternative B would plug and abandon the oil and natural gas producing well at the Scattergood site to allow for the construction of a fuel farm. Section 4.17.2.6.3 states that this well is a low production well. Drilling methods available would prevent permanent loss of oil from these fields.

The Final EIS states that Alternative A would use approximately 20,477,000 tons of aggregate or about 1 percent of the 1.7 billion tons of aggregate currently permitted in the Los Angeles region. Alternative B would use approximately 20,854,000 tons of aggregate, Alternative C approximately 18,372,000 tons of aggregate and, Alternative D about 11,418,000 tons of aggregate. The No Action Alternative would require a minor amount of aggregate for previously approved projects not associated with the LAX Master Plan. The Final EIS states that recycled construction materials will extend the life of aggregate sources and reserves in the Los Angeles Region.

LIGHT EMISSIONS: The Final EIS concludes in Section 4.18 of Part I – Volume 3, that Alternatives A, B, and C would contribute to increased artificial light emissions. However, overall, changes in lighting sources with airport uses under these build alternatives would not, with a few exceptions, result in an increase in illumination sufficient to create an adverse impact on sensitive receptors adjacent to the study area. Potentially adverse impacts have been identified with Alternatives A, B, and C on residential uses located along the proposed right-of-way for the LAX Expressway. Impacts could also occur with Alternative B where a section of the proposed ring road and associated lighting would be located in close proximity to residential uses.

Similar to the other build alternatives, site-wide improvements and new facilities under Alternative D would add new sources of nighttime illumination and incrementally increase ambient light levels. However, no direct lighting impacts on adjacent properties would occur and light spillover effects would not adversely affect existing or future land uses near the Airport. New runway and taxiway edge lighting for the airfield safety projects under Alternative D would not create a direct lighting impact on adjacent properties. The proposed relocation and/or lengthening of Runways 6R/24L, 7R/25L, and 6L/24R in conjunction with the proposed taxiway improvements would increase the area of the Airport that is illuminated at night.

Under the No Action Alternative, taxiway improvements and new parking and cargo facilities would add new sources of nighttime illumination. These new facilities would incrementally increase ambient light levels. However, the relatively small increase in illumination combined with the distance to the nearest sensitive receptors would avoid impacts. Development of the LAX Northside and Continental City projects would also introduce new sources of nighttime illumination. The Continental City project light sources are expected to be similar in type and operational hours to those in surrounding commercial and industrial land uses, with no light-sensitive receptors in the vicinity. Ambient lighting conditions along the LAX Northside residential interface would not exceed the 2-footcandle threshold established in the City of Los Angeles Municipal Code. Acquisition within the Manchester Square and Belford areas would reduce ambient lighting conditions in these areas.

SOLID WASTE: Each of the various components of the LAX Master Plan build alternatives and the No Action Alternative would generate solid waste at the Airport. Under Alternatives A, B, C and D, construction of passenger terminal buildings, air cargo facilities and the associated automobile parking would require demolition and construction that would result in solid waste impacts that would not occur under the No Action Alternative. Table F.4-19.2 on page 4-1118 of the Final EIS documents the total number of tons of municipal solid waste generated for each alternative including the No Action Alternative. Alternatives A, B, and C would generate more tons of solid waste than the No Action Alternative and Alternative D. Alternative D would generate the lowest amount of municipal solid waste of all five alternatives at LAX. Table F.4-19.1 indicates that no active landfills are within 10,000 feet of any existing or proposed runway ends, therefore the potential for bird strike hazards due to proximity to solid waste landfills does not exist at the Airport. The nearest active landfill to LAX is approximately 30 miles away. Three Master Plan commitments identified in Section 4.19.5 of the Final EIS are applicable to Alternatives A, B, C and D. These commitments are centered on recycling of materials within the passenger terminals and use of recycled construction materials and are identified as Master Plan Commitments SW-1, SW-2 and SW-3. Implementation of these three commitments are a condition of approval of this ROD and are listed in Appendix A of this ROD. Under the No Action Alternative, LAWA would continue to implement existing programs that reduce waste generation and disposal.

CONSTRUCTION IMPACTS: Section 4.20 in Part I – Volume 4 of the Final EIS is a summary of the short-term construction-related impacts that are also disclosed in other environmental impact categories in the document. Under the No Action Alternative, construction-related impacts would occur associated with the development of Continental City, LAX Northside, air cargo, automobile

parking and two high-speed taxiways. Localized construction-related impacts resulting from the LAX Master Plan would be short term and include the increased potential for soil erosion, increased air emissions, water quality degradation, and noise. These impacts would be temporary and intermittent in nature, and could be minimized through environmental controls. Specific measures identified to reduce construction impacts are described in the various other environmental impact categories. All on-site construction activities would be conducted according to FAA Advisory Circular 150/5370-10A “Standards for Specifying Construction of Airports” and use of Best Management Practices. Use of these measures would prevent or minimize any significant construction-related impacts to the environment and surrounding community. Figures F4.20-1 and F4.20-2 in Part I – Volume 4 of the Final EIS depict the various construction staging areas for Alternatives A, B, C and D. These staging areas will help to minimize on-road construction equipment trips.

DESIGN, ART, AND ARCHITECTURE: Section 4.21 of Part I – Volume 4 of the Final EIS evaluates this environmental impact category. There is no federal threshold of significance for this environmental impact category. The Final EIS describes each alternative in terms of specific areas of the airport or proposed development. These include: the Century Corridor/Eastern Boundary; Continental City; the Central Terminal Area (CTA); Southern Boundary; Western Boundary and Northern Boundary.

Alternatives A, B, C and D include the construction of new and replacement cargo complexes and ancillary facilities along the south side of Century Boulevard between Aviation and Sepulveda Boulevards. Under Alternatives A and B, the high-rise hotels and office buildings just east of Sepulveda Boulevard would be acquired and redeveloped with ancillary uses and parking and/or maintenance facilities. Manchester Square would remain vacant under Alternative A. The Continental City site would be developed for air cargo facilities under Alternatives A and B. Under Alternatives B and C, the Manchester Square area would be redeveloped as a cargo facility. Under Alternative D, with the exception of one small parcel, property north of Century Boulevard, south of 98th Street, east of Sepulveda Boulevard and west of Airport Boulevard would not be acquired by LAWA for LAX. Under Alternative D, the Manchester Square area would be redeveloped into a new Ground Transportation Center (GTC). This would involve a group of parallel buildings consisting of two multi-level terminal-like structures called piers along with automobile parking garages ranging in height from three to five stories. Section 4.21.6.5 of the Final EIS states that the GTC would be surrounded by landscaped open space that would serve as a buffer for adjacent off site uses and roadways. Also under Alternative D, the currently undeveloped Continental City site would be developed as an Intermodal Transportation Center connected to the other facilities by an Automated People Mover system.

Under the No Action Alternative, the Manchester Square and Belford areas would continue to be acquired under the Aircraft Noise Mitigation Program. These areas are assumed to remain clear of structures under the No Action Alternative. In the CTA, on-going beautification efforts would continue to improve the visual aesthetics of the area. The Continental City site would be developed with currently approved office, hotel, and retail buildings. The currently locally entitled project includes buildings ranging from 3 to 17 stories tall built around a 1.9-acre park. Finally, the LAX Northside site would be developed with approximately 4.5 million square feet of office, retail, and commercial space occupying 340 acres.

Under Alternatives A, B, C and the No Action Alternative, the Central Terminal Area (CTA) would remain largely unchanged. Under Alternative D changes to the CTA would occur and include demolition of the northern portions of Terminal 1, 2 and 3 along with the northern concourse of the Tom Bradley International Terminal (TBIT). A replacement West Satellite Concourse would be built west of TBIT. Terminals 4 through 7 would be reconfigured, as necessary, to improve passenger facilities and integrate the concourses with the new passenger buildings. The existing automobile parking garages would be demolished and replaced with reconfigured passenger processing facilities. As stated in the Final EIS, these structures are designed for functionality rather than form.

Under Alternatives A, B, and C, a new West Terminal would be constructed along the western boundary of the airfield (east of Pershing Drive). The southern and northern boundaries would have a high-speed ring road that would provide access to the west terminal building. Alternatives A, B and C include the proposed LAX Expressway. This roadway would parallel I-405 between Arbor Vitae Street and State Route 90 north of LAX. Alternative D does not include the LAX Expressway.

The various mitigation measures proposed for all four development alternatives include installation of construction fencing and pedestrian canopies to the degree feasible to ensure maximum screening of areas during construction. Other mitigation measures specific to Alternative A, B, and C collectively and Alternative B by itself are described in Section 4.21.8 of Part I – Volume 4 of the Final EIS. Mitigation Measure MM-DA-1 requiring installation of construction fencing is listed in Appendix A to this ROD as a condition of approval.

HAZARDOUS MATERIALS: Section 4.23 of Part I - Volume 4 of the Final EIS addresses the topic of hazardous materials. Section 4.23 states that most hazardous materials are stored in Underground Storage Tanks (UST) and Aboveground Storage Tanks (AST). Section 4.23.3 describes the known contamination within the Master Plan Boundaries for LAX. Table F4.23-1 lists 61 sites within the Master Plan Boundaries and Off-site Fuel Farm sites that have known contamination and the remediation status of each site.

The Final EIS notes that, due to the history of aviation use and aircraft maintenance at the Airport, there is a potential for contamination on the property. Section 4.23.3 of Part I - Volume 4 of the Final EIS states that it is likely and/or known PCB-containing equipment or lead-containing paint is located within the study area. The Final EIS notes that fluorescent light ballasts used within Airport or in buildings to be acquired under the Master Plan may contain PCBs. The Final EIS also states that asbestos containing materials are likely to be present in various buildings that were constructed prior to the prohibition on the use of asbestos by the U.S. Environmental Protection Agency. However, no comprehensive survey for these contaminants has been conducted.

Master Plan Commitments HM-1 and HM-2 described in Section 4.23.5 of Part I - Volume 4 of the Final EIS are a condition of approval as identified in Appendix A of this ROD. These commitments will continue existing remediation efforts and develop a program to coordinate all efforts associated with handling contaminated materials encountered during construction.

The Final EIS indicates that under the No Action Alternative, several previously approved projects would be implemented on the existing airport property. None of these projects involve a substantial amount of excavation or grading in areas of known contamination and remediation. There are a few projects, mainly taxiway improvements, which may involve grading in areas of known soil contamination. During construction of these projects, contaminated soils could be unearthed, potentially exposing construction workers to hazardous materials. This exposure can be minimized, however, by various measures, as outlined in federal, state, and local regulations. Under the No Action Alternative, existing structures within the ANMP areas would be acquired and demolished. Hazardous building materials (i.e., asbestos and lead-containing paint) are known to be, or suspected of being, present in the structures within the ANMP acquisition areas. Construction workers could potentially encounter and be exposed to these hazardous building materials during building demolition. However, exposure can be controlled by a variety of measures outlined in federal, state, and local regulations.

VII. ALTERNATIVES ANALYSIS AND CONCLUSION

In determining which alternative to approve, the FAA considered all pertinent factors including the environmental impact as well as the FAA statutory charter in 49 USC § 40101 et seq., formerly known as the Federal Aviation Act of 1958.

The No Action Alternative was not selected because it was determined not to meet the purpose and need for the project. The No Action Alternative does not meet the purpose and need to improve the level of service provided at LAX. While the No Action Alternative would accommodate a portion of the future demand, it would do so only under extremely congested and inefficient conditions. The quality of service to passengers and others using the airport would decline significantly, impacting not only local travelers, but also those coming from greater distances who use LAX as their entry point to Southern California. This would interfere with LAWA's goal of maintaining and enhancing LAX's international gateway role. Further, the No Action Alternative does not include aviation security enhancements beyond what has been installed and required as a result of the terrorist attacks of September 11, 2001. The sponsor has indicated a desire to implement further security enhancements. The No Action Alternative would not meet the purpose and need of enhancing safety at the airport by reducing the potential for runway incursions. By retaining the existing airfield configuration the potential will continue to exist that pilots of aircraft that are not familiar with LAX could make an error during rollout from a landing by taxiing too close to the inboard runways that are used for takeoff. FAA considers the airport safe to use today, however, FAA's statutory mission to ensure the safe and efficient use of navigable airspace includes working with airport sponsors to reduce runway incursions and resolve other airport and aircraft safety related issues. Further, under the No Action Alternative the existing airfield pavement would be retained, which fails to meet current FAA Airport Design Standards.

FAA has considered Alternatives A and B and their potential impacts. These alternatives would meet the purpose and need to improve the level of service and to further enhance the safety of aircraft operations at LAX. However, both alternatives would attempt to accommodate approximately 98 million annual passengers and would have the most severe adverse environmental impacts of the various alternatives. Alternatives A and B included the proposed LAX Expressway. FAA received significant adverse comments about the proposed LAX Expressway indicating that if it were built it would have had an adverse impact on the Centinela Adobe, a property listed on the National Register of Historic Places. It should be noted, that as discussed above, one of the two alignments of the LAX Expressway, proposed under Alternatives A and C (not Alternative B) would adversely affect the Centinela Adobe. In addition, these alternatives do not address LAWA's desire to enhance security at the airport to the same extent as Alternative D.

The primary difference between Alternatives A and B is the location of the additional runway proposed under both alternatives. Under Alternative B, the new runway would have been located on the south side of the airport but not parallel to the existing runways. The idea of a third arrival stream into the airport would create significant noise impacts on noise sensitive land uses that currently do not experience noise levels above 65 CNEL. Further, Alternative B would likely have had an adverse impact on the continued use of Hawthorne Municipal Airport. The loss of Hawthorne Municipal Airport as a location for general aviation aircraft activity near LAX would have resulted in a transfer of aircraft to other area general aviation airports. Given the complexity of the airspace in Southern California and the level of aviation activity that occurs through-out the year due to the favorable weather, the loss of this airport would have created an unnecessary burden on the other general aviation airports.

Through the course of the development of the EIS, public comments received indicated that the fundamental concept of concentrating all international and domestic air carrier service at LAX was not the public's preference. LAWA staff demonstrated their desire to address public concerns about improvements at the airport by first selecting Alternative C as their preferred alternative in

the 2001 joint Draft EIS/EIR. This alternative was the only “action” alternative in the Draft EIS that did not propose adding an additional runway to the airfield. Following preparation of the Supplement to the Draft EIS/EIR, Alternative D was now considered the alternative best able to respond to public comment in this regard. Both LAWA and the FAA selected Alternative D as the preferred alternative at the time of the Final EIS and Final EIR. Alternatives A and B are the least capable of responding to public comment. Finally, both Alternatives A and B are inconsistent with the policy framework established in the SCAG 2001 Regional Transportation Plan-Regional Aviation Plan. For these reasons, Alternatives A and B have not been selected for implementation by FAA.

FAA also considered Alternative C, the previous LAWA staff preferred Alternative. While this alternative would provide many of the same improvements as Alternative D, it included a new west terminal, ring road and LAX Expressway. As with Alternatives A and B, the LAX Expressway received significant adverse comments and would have had an adverse impact on the Centinela Adobe, a property listed on the National Register of Historic Places should one of the two alignments of the LAX Expressway proposed under Alternatives C be selected. This alternative would also be inconsistent with the SCAG 2001 Regional Transportation Plan-Regional Aviation Plan. Additionally, Alternative C is less capable of responding to the current security environment.

Following receipt of public and governmental agency comments, the terrorist attacks of September 11, 2001, Alternative D was developed. This alternative serves the purpose and need by accommodating an appropriate portion of future demand while improving the level of service at LAX. This alternative is also responsive to public comment encouraging a regional solution to demand for air transportation in the region. In addition, it maintains consistency with local and regional aviation planning goals because it is consistent with the 2001 SCAG Regional Transportation Plan-Regional Aviation Plan.

This alternative was identified in the 2003 Supplement to the Draft EIS/EIR as the LAWA staff preferred alternative. This alternative provides for accommodation of the forecast increase in demand at LAX comparable to the level anticipated to be accommodated by the No Action Alternative. FAA believes Alternative D is superior to the No Action Alternative because it provides various airfield safety enhancements that meet FAA’s statutory mission and provides security enhancements that are not provided in the No Action Alternative or the other so-called “build” alternatives. Alternative D also results in fewer delays in air traffic than the No Action Alternative. LAWA proposes to implement Alternative D in phases. Appendix C to this ROD, repeats the various major projects of Alternative D by phases as presented on pages 3-81 through 3-85 of Part I – Volume 1 of the Final EIS.

Alternative D is also selected because its impact to the surrounding community would be less than the No Action Alternative with regard to a number of resource categories. For example, noise impacts and air quality impacts under Alternative D are less than those under the No Action Alternative. In addition, because of the construction of the proposed Ground Transportation Center, Alternative D would reduce surface traffic impacts of airport users coming from the South Bay communities. Alternative D would also have the fewest environmental impacts of the “action alternatives” including the fewest relocation impacts, with no residential relocation proposed under Alternative D. Alternative D also results in the fewest impacts of the action alternatives with respect to wetlands, threatened and endangered species, Section 4(f) properties, and environmental justice. Further, Alternative D includes enhancements to the airport that would reduce the overall amount of air pollutant emissions. As documented in the Final EIS, Alternative D is the only so-called “build” alternative that conforms to the California State Implementation Plan for the South Coast Air Basin. Section A.2.2.4 of Volume A of the Final EIS states the No Action Alternative would also generate emissions that would be below the National Ambient Air Quality Standards for both the interim year and the year 2015. Alternatives A, B and C would result in increased air pollutant emissions that would exceed the NAAQS for certain pollutants and certain years.

Therefore, after consideration of all the reasonable alternatives, Alternative D – the Enhanced Safety and Security Plan, as identified in Section 3.2.9 of Part I – Volume 1 and Section A.1.4.2 of Volume A of the Final EIS, has been determined by the FAA, to be the FAA’s preferred alternative. Further, FAA has determined that Alternative D is FAA’s environmentally preferred alternative.

Therefore, based on the information disclosed in the Final EIS the FAA has determined Alternative D, which is the City of Los Angeles’ selected alternative to implementing the LAX Master Plan, has demonstrated the best ability to meet the purpose and need of meeting the air transportation needs of the City of Los Angeles and enhancement of safety at LAX. This alternative directly supports the essential and most urgent facility needs at the Los Angeles International Airport with the least adverse environmental effects, and is the most responsive to public comment. This alternative is also considered by the sponsor to be the alternative best able to respond to the current security environment.

As disclosed previously, one of the reasons FAA is selecting Alternative D for implementation is that it is the environmentally preferred alternative. FAA has confidence in the accuracy of the Final EIS’s disclosure of environmental impacts related to the airside and aviation support elements of Alternative D. However, the lack of detail regarding LAX Northside and the markedly different assumptions used in evaluating its environmental impacts indicate that further evaluation of the environmental and aeronautical impacts anticipated for LAX Northside is warranted. FAA has therefore decided that approval of implementation of LAX Northside as proposed under Alternative D is not appropriate at this time. The reasons for this decision and the limits of FAA’s ALP approval are detailed below.

Description of the Collateral Development Project -- LAX Northside

Each of the alternatives analyzed in the Final EIS, including the No Action/No Project Alternative, proposes to undertake collateral commercial development on property owned by LAWA north of the northern runway complex. Under Alternatives D and No Action/No Project, that collateral commercial development has been named “LAX Northside.” LAX Northside refers to this collateral development area only, and does not include any structures or areas existing or proposed for airport operations or functions.

Development of the LAX Northside project has been part of the No Action Alternative since the inception of the environmental analysis. The LAX Northside project is a long-standing plan by LAWA to utilize approximately 340 acres of vacant land previously acquired by LAWA for noise mitigation purposes. The vacant land forms the northern most part of the airport’s property. As described in the No Action Alternative in the Final EIS, LAX Northside is a development proposal that allows approximately 4.5 million square feet of office/retail/commercial space. LAX Northside has been environmentally reviewed and certified by the Los Angeles City Council pursuant to the California Environmental Quality Act, meaning that at the local level it is fully entitled for implementation under the No Action/No Project Alternative.

As compared to the LAX Northside proposal under the No Action Alternative, for Alternatives A, B, and C, development of the area was to be a scaled back project known as “Westchester Southside,” with a substantial portion of the 340 acre area utilized for airfield related uses. With the proposal of Alternative D in the Supplement to the Draft EIS, however, land in the LAX Northside area was no longer needed for airfield operations, and the Westchester Southside approach was eliminated. Instead, LAWA envisioned a modified LAX Northside proposal. The proposal is “modified” in that, like under Alternatives A, B, and C, the collateral development’s size and total development area are scaled back when compared to the LAX Northside proposal under the No Action Alternative. However, unlike Alternatives A, B and C, under Alternative D, none of the planned developments in the LAX Northside area of the property are for airport operations or functions.

In documenting what the vision was for the collateral development area known as LAX Northside under Alternative D, the Final EIS continually defines the area by comparing it to the characteristics of the other alternatives' collateral development proposals, and indicating how Alternative D's collateral development proposal mimics or differs from them. For example, on page 3-78 in Part I – Volume 1 of the Final EIS, it is noted that under Alternative D, a “reduced trip cap” would be imposed that would “limit the amount of total daily traffic generated by the LAX Northside Development to a level comparable to that associated with the Westchester Southside development proposed under Alternatives A, B, and C.” In like fashion, the Final EIS states “[u]nder Alternative D, the existing vehicle trip cap for LAX Northside would be reduced to limit vehicle trips to a level comparable to that of the Westchester Southside project. As such, full development of the 4.5 million square feet of uses currently entitled for LAX Northside [under the No Action Alternative] would not occur under Alternative D.” See Footnote 5 to Table AES-3 in the Executive Summary of Volume A of the Final EIS. The Final EIS again defines LAX Northside under Alternative D by comparing it to the other alternatives on page 3-81 in Part I – Volume 1 of the Final EIS, where it is noted that the “precise square footage and allocation of land uses associated with LAX Northside under Alternative D have not been identified, but would include a mix of office park, hotel, retail/restaurant, and research/development (R/D) business park uses, similar to the original LAX Northside Development.”⁶ The LAX Master Plan provides similarly vague descriptions of the LAX Northside development under Alternative D that evidence the lack of design detail for the proposal. See, for example, the Final LAX Master Plan at page 2-118.

As indicated in these excerpts, the LAX Northside development for Alternative D was intended to contain a mix of land uses similar to that identified for LAX Northside under the No Action Alternative, while being scaled to a size necessary to achieve the “trip cap” initially developed for “Westchester Southside” and later adopted for Alternative D. (See Final EIS, Volume A, Executive Summary, Table AES-3, footnote 5). However, the actual size of the LAX Northside development area that would be necessary to respond to the trip cap under Alternative D, and the precise land uses for the area were not determined by LAWA and thus could not be disclosed in the Final EIS. As a result of the lack of a more detailed project description of the collateral development proposal under Alternative D, analytical assumptions in the Final EIS were used that are, in the final analysis, inconsistent for purposes of FAA's project-level environmental analysis under NEPA.

There are substantial differences between the NEPA analysis conducted for federal decision making purposes, and the CEQA analysis undertaken for state law decision-making purposes. (See *e.g.*, analysis of Environmental Justice (ROD at page 21) and analysis of Human Health Risk Assessment (ROD at page 22). With respect to LAX Northside in particular, a key difference is that the CEQA approval of Alternative D is undertaken at the program level, and additional project level approvals by the City, based on additional project level environmental documents, will be forthcoming. However, for FAA's unconditional approval of the ALP, no further NEPA analysis is contemplated for components of the ALP that are unconditionally approved.⁷ Thus, the differences in assumptions in the environmental impacts analysis of LAX Northside give rise to still-unresolved inconsistencies in the environmental analysis that flow from the lack of an appropriate project level of detail by which the FAA can make its final decisions about LAX Northside.

⁶ By comparison, under the No Action/No Project Alternative, LAWA included a detailed description of LAX Northside, based on existing approvals and entitlements at the local level. See Draft LAX Master Plan, Chapter V, and Technical Report 1 of the Draft EIS/EIR. For each lot within LAX Northside, the Draft EIS/EIR describes the development size (square footage), zoning restrictions, land use, floor area ratios, and estimated vehicle trip generation. See Draft EIS/EIR Technical Report 1, Table 4.

⁷ However, as noted at page 46 of this ROD, any information generated at the local level as a part of the LAX Plan compliance review will be assessed to determine its impact on the Final EIS, and will be addressed, as necessary, consistent with FAA's obligations under NEPA.

Evidence of Inconsistent Assumptions When Analyzing LAX Northside – Alternative D

As a result of defining the LAX Northside proposal for Alternative D only in terms of its comparison to the collateral development proposed under the No Action Alternative and Alternatives A, B, and C, there was not a solid foundation upon which to determine the area's environmental impacts for purposes of FAA's project level review under NEPA. The Final EIS evidences this fact by evaluating LAX Northside under Alternative D as though it contained certain aspects of the long-standing larger LAX Northside project of the No Action Alternative (4.5 million square feet) and certain aspects of the substantially smaller Westchester Southside project of Alternatives A, B, and C (2.62 million square feet). The Final EIS states, "...it is assumed, for purposes of impacts analysis that LAX Northside would be fully built out relative to all environmental topics except traffic and traffic-related issues such as air pollutant emissions and noise" (See Footnote 5 to Table AES-3 in the Executive Summary of Volume A of the Final EIS). The impacts analysis for LAX Northside relating to traffic and traffic-related issues were based not upon 4.5 million square feet of development, but rather on the vehicle trip cap originally applied to Westchester Southside under Alternatives A, B, and C, and that was subsequently also identified for application under Alternative D.⁸ Thus, absent a precise project description, there are inconsistent assumptions regarding land use and traffic activity that form the basis of the analysis of reasonably foreseeable environmental effects.

ALP Approval – No Action Taken on LAX Northside

As indicated above, LAWA's identification and description of the collateral development proposal under Alternative D is incomplete for purposes of a project-level analysis and decision. This incomplete description of the collateral development led to use of inconsistent assumptions when analyzing its environmental effects. While the level of detail available may have been appropriate were FAA addressing this proposed collateral development at a programmatic level of environmental analysis, it is not sufficient in this circumstance, as this ROD represents a project level approval of Alternative D.⁹ In addition to these inconsistencies in the environmental analysis, the lack of basic design detail regarding LAX Northside under Alternative D prevents FAA from making an airspace determination regarding the area of the ALP depicting LAX Northside. FAA understands that LAWA identified a development area of 4.5 million square feet as the underlying assumption for most resource categories analyzed in the EIS/EIR so as to prepare a conservative analysis, erring on the side of overstating impacts rather than understating them. Despite this fact, the disclosure of impacts in the Final EIS does not provide a sufficient basis for final approval of LAX Northside or conducting an airspace review at this time.

The inconsistent assumptions used in evaluating the environmental impacts of LAX Northside and the lack of sufficient information concerning size and potential airspace impacts indicate that there is not a sufficient degree of certainty to warrant unconditional approval of the ALP to depict this collateral development project. Therefore, before a decision is made regarding whether to approve LAX Northside, LAWA must submit a consistent set of assumptions regarding the size

⁸ The trip cap was to limit traffic generation from LAX Northside to "not . . . more than 3,152 project-related [inbound] vehicle trips in the a.m. peak hour, and 3,040 project-related outbound vehicle trips in the p.m. peak hour, resulting in a reduction of 50 percent from the approved LAX Northside trips of 6,340 in the a.m. and a reduction of 57 percent from the approved LAX Northside trips of 7,000 in the p.m." Final LAX Master Plan, page 2-117.

⁹ By comparison, under the No Action/No Project Alternative, LAWA included a detailed description of LAX Northside, based on existing approvals and entitlements at the local level. See Draft LAX Master Plan, Chapter V, and Technical Report 1 of the Draft EIS/EIR. For each lot within LAX Northside, the Draft EIS/EIR describes the development size (square footage), zoning restrictions, land use, floor area ratios, and estimated vehicle trip generation. See Draft EIS/EIR Technical Report 1, Table 4.

and nature of the development proposals for LAX Northside and the basis for those assumptions. LAWA must provide consistent and reasonable planning assumptions regarding the collateral development proposal so that FAA can undertake a review of the environmental consequences and airspace impacts associated with LAX Northside.

FAA will make a final decision on the LAX Northside project after LAWA provides further information regarding the collateral development. When presented with a more consistent set of development assumptions and the basis for those assumptions, or a more concrete development proposal, FAA will prepare a reevaluation of the Final EIS as it relates to LAX Northside. Specifically, FAA will use the information submitted by LAWA to evaluate the continuing reliability of the disclosure of environmental impacts related to LAX Northside in the Final EIS. With the developed LAX Northside proposal, FAA will also determine if the project continues to meet the general conformity requirements of the Clean Air Act and make a final airspace determination for that area. The information FAA is requiring LAWA to submit will permit the subsequent analyses to be made with fewer assumptions that combine, on one hand, aspects of the long-standing LAX Northside project and, on the other hand, aspects of the substantially reduced Westchester Southside project, as is done in the Final EIS. As a result, the FAA will have sufficient information to disclose reasonably foreseeable environmental consequences. FAA directs LAWA to provide the Agency with the requested information as soon as practicable, so that FAA may expeditiously prepare the necessary additional analysis regarding LAX Northside.

Severability of LAX Northside from Alternative D

FAA has determined that it is appropriate at this time to provide approval of the ALP to depict all aspects of Alternative D except LAX Northside, because the development of the Northside property and the development of the other improvements to the airport facilities that form the heart of Alternative D can proceed independently of each other. LAWA has consistently characterized the LAX Northside project as “collateral development.” As stated on page 3-78 in Part I – Volume 1 of the Final EIS, LAX Northside in Alternative D would “develop airport-owned property not required for airfield or aviation support facilities [and would] provide an opportunity for compatible businesses to relocate from the acquisition areas.” However, unlike the situation presented in Alternatives A, B and C, each of which would cause extensive business relocations due to a larger acquisition need (see page ES-11 in Part I – Volume 1 of the Final EIS), Alternative D would require the acquisition of approximately 78¹⁰ acres of property (page 2-2 in Volume A of the Final EIS) and “all business identified for acquisition or relocation can be accommodated in the surrounding business community within the City of Los Angeles.”¹¹ (Page 3-78 in Part I – Volume 1 of the Final EIS). LAX Northside would continue to provide space for businesses identified for acquisition or relocation, once the LAX Northside receives project final ALP approval. Thus, development of LAX Northside is not needed for implementation of the airfield or aviation support facilities that comprise Alternative D.

Because the collateral development proposed as LAX Northside in Alternative D is defined as development “not required for airfield or aviation support facilities...,” there is no improper segmentation of the proposal for airport purposes. Several reasons support this conclusion. First, unconditional approval of the airside/airport support components of Alternative D unrelated to LAX Northside does not automatically trigger action on LAX Northside. Second, airside

¹⁰ The acquisition acreage associated with Alternative D increased slightly from that contained in Part I of the Final EIS (i.e., increased from 77 acres to 78 acres) due to updated property acquisition statistics provide in Section 2.1 of the September 2004 Addendum to the Final EIR; however, this slight increase does not change the conclusion stated on page ES-11 in Part I - Volume I of the Final EIS.

¹¹ In this respect, LAX Northside under Alternative D is different from the Westchester Southside proposal under Alternatives A, B, and C. Under the latter alternatives, Westchester Southside is considered necessary to the successful relocation of businesses impacted by Alternatives A, B, and C.

improvements can and will occur even if there is no development of LAX Northside. Similarly, the LAX Northside proposal could function as intended even if it were approved and the remaining elements of Alternative D were not approved, such as would occur under the No Action Alternative. There is nothing in the description of Alternative D or in the environmental impacts analysis that indicates that construction of the airfield and aviation support facilities depends upon the LAX Northside improvements to proceed, or vice versa. Finally, neither the airfield and aviation support facilities nor the LAX Northside improvements depend upon implementation of the other in order to justify going forward with either component. Each serves a unique and independent function. In fact, as noted, the Draft EIS, Supplement to the Draft EIS and the Final EIS have consistently referred to LAX Northside as “collateral development.” For these reasons, the LAX Northside element of Alternative D and the remaining proposals under Alternative D each have independent utility.

Finally, elimination of LAX Northside from the final approval of Alternative D at this time does not require any change or adjustment in the published final General Conformity Determination for Alternative D. All of the central elements of the Alternative D proposal unconditionally approved in this ROD (those that do not relate to LAX Northside) are consistent with the information relied upon in preparing the final General Conformity Determination. Thus, the conclusions regarding the airfield and airport support facilities of Alternative D in the General Conformity Determination remain unchanged. Because those elements of Alternative D, which are unconditionally approved here, are unchanged from what was analyzed in the final General Conformity Determination, no further action is required at this time. (FAA and EPA General Conformity Guidance for Airports, Questions and Answers (“Questions and Answers”), September 25, 2002, at Question 34, page 23). Furthermore, there is no need to prepare a new conformity determination merely because the action being approved has changed from the proposal initially evaluated. Such action would be required only if the Federal action is changed in a way that results in an increase in emissions above the de minimis level. *Id.* Here, the decision not to approve LAX Northside at this time would not increase emissions from what was disclosed in the final General Conformity Determination. Thus, the validity of the current General Conformity Determination is assured.

When LAWA seeks to obtain approval of LAX Northside, FAA will then determine if the proposed LAX Northside as then constituted will result in an increase of emissions above the de minimis level. If the levels do increase above de minimis as a result of the more fully defined LAX Northside development, then a new conformity determination will be necessary prior to approval of any LAX Northside development. Similarly, if LAWA significantly changes the scope or extent of the LAX Northside component of Alternative D, and analysis demonstrates that the changes in the project results in project related emissions in excess of de minimis, then a new conformity determination would be required. (Questions and Answers at Questions 33 and 34, pages 22-24). For the above reasons, FAA finds that it is appropriate to approve all aspects of Alternative D except LAX Northside, and that this approval does not represent an improper segmentation of the project.

VIII. AGENCY FINDINGS

In accordance with the guidelines described in paragraph 94 of FAA Order 5050.4A, *Airport Environmental Handbook*, the FAA has made the following findings and determinations, as necessary, for the proposed project based upon appropriate evidence set forth in the administrative record required by the Airport and Airway Improvement Act of 1982, as amended.

1. The project is reasonably consistent with existing plans of public agencies for development of the area [49 U.S.C. § 47106(a)]. The Southern California Association of Governments (SCAG) is the designated Metropolitan Planning Authority for the Los Angeles Basin. Alternative D is consistent with SCAG’s 2001 and 2004 Regional Transportation Plan. Further, Alternative D is consistent with the South Coast Air Quality Management District’s

1997/1999 Air Quality Management Plan. The Los Angeles County Airport Land Use Commission (ALUC) determined that Alternative D is inconsistent with the County's Airport Land Use Plan (ALUP). Pursuant to state law, on October 19, 2004, the Los Angeles City Council voted with a supermajority of 12 to 3 of the 15 council members to propose to overrule the ALUC determination. Following that initial vote the city followed state law to notify the ALUC and other appropriate parties of the city's intent to overrule the ALUC. On December 7, 2004, the Los Angeles City Council overruled the ALUC determination by a vote of 12-3. Subsequent to the December 7, 2004 vote, the ALUC introduced a new "impasse appeal procedure" for airport master plans. That procedure was not included in the ALUC's comprehensive land use plan that was applicable at the time of the Los Angeles City Council decisions approving implementation of Alternative D. FAA has closely followed the local decision making process for the LAX Master Plan. After full consideration of the information available to the FAA, the Agency continues to be satisfied that a final decision to implement Alternative D has been made by the Los Angeles City Council. Therefore FAA finds that Alternative D has been developed in coordination with various public agencies. Appropriate action has been or will be taken to restrict, to the extent possible, the use of land in the vicinity of the airport to purposes compatible with airport operations. The City of Los Angeles, during the preparation of the EIS, expressed its intent to diligently pursue the compatibility of land uses around the airport. The City of Los Angeles has also provided the required written land use compatibility assurance letter to the FAA (See Appendix E to Part I of the Final EIS).

2. The City of Los Angeles has certified that it has made available to and has provided upon request from the metropolitan planning organization (MPO) in the area where the proposed project/action may be located a copy of the proposed ALP amendment depicting the proposed project/action and any airport master plan describing or depicting the project [49 U.S.C. § 47106(c)(1)(A)(iii)]. The City of Los Angeles has certified by letter dated February 14, 2005, that it has made the ALP and Master Plan, available upon request, to SCAG, the metropolitan planning organization for Southern California. A copy of the ALP and Master Plan was supplied to SCAG on March 2, 2005.

3. Fair consideration has been given to the interests of communities in or near the project location [49 U.S.C. § 47106(b)(2)]. Throughout the EIS/EIR preparation process, government officials, agencies, organizations, and residents of nearby communities have been consulted, or have participated in activities that have contributed to the preparation of the Final EIS and Final EIR. Section 7.2 in Part I – Volume 4 of the Final EIS identifies the persons and organizations that received the 2001 Draft EIS/EIR, 2003 Supplement to the Draft EIS/EIR and the Final EIS based on legal jurisdiction or special interest. Part II – Volumes 1 through 16, Appendix AD-A of the September 2004 Addendum to the Final EIR and Volume A – Appendix A-1 of the Final EIS contain copies of the comments FAA received and FAA's responses to these comments.

The Draft EIS/EIR was made available to the public on January 18, 2001 (See FR Vol. 66 page 8788). The public comment period on the Draft EIS/EIR ended on November 9, 2001. The Supplement to the Draft EIS/EIR was published on July 11, 2003 (See FR Vol. 68 page 41339); the comment period ended on November 7, 2003. A total of 21 public hearings were held on the 2001 Draft EIS/EIR and 2003 Supplement to the Draft EIS/EIR. FAA's preferred alternative is one that was developed as a result of comments received on the 2001 Draft EIS/EIR. Alternative D is also FAA's environmentally preferred alternative because it creates the least adverse impacts on the community compared to the other so-called "build alternatives" and the No Action Alternative. Alternative D best responds to the environmental concerns raised by the public and various local, state and federal government agencies.

FAA also notes that the formerly proposed interchange on Interstate Highway 405 (the San Diego Freeway) at Arbor Vitae is not proposed by LAWA and is not part of the LAX Master Plan.

4. **The City of Los Angeles has certified that it provided an opportunity for a public hearing to consider economic, social, and environmental effects of the location and the location's consistency with the objectives of any planning that the community has carried out (49 U.S.C. § 47106(c)(1)(A)(i)).** The City of Los Angeles has certified by letter dated, February 14, 2005, that it has provided an opportunity for a public hearing.

5. **The City of Los Angeles has certified that the airport management board has voting representation from the communities in which the project is located or that the sponsor has advised communities that they have the right to petition the Secretary about the proposed project/action (49 U.S.C. § 47106(c)(1)(A)(ii)).** The City of Los Angeles has certified by letter dated February 14, 2005, the Board of Airport Commissions has voting representation from the communities in which the LAX Master Plan is located.

6. **Appropriate action has been or will be taken to restrict, to the extent reasonable, the use of land in the vicinity of the airport to purposes compatible with airport operations [49 U.S.C. § 47107(a)(10)].** In its May 4, 1999, letter, the City of Los Angeles provided the required land use assurances to the FAA (See Appendix E to Part I of the Final EIS).

7. **For actions involving airport location, runway location, or a major runway extension, and found to have a significant adverse effect, there shall be evidence to support the conclusion that (a) there is no feasible and prudent alternative, and (b) all reasonable steps have been taken to minimize adverse effects [49 U.S.C. § 47106(c)(1)(B)].** Under Alternative D of the LAX Master Plan, existing Runway 7R/25L will be shifted approximately 55 feet to the south. Runway 6L/24R will be extended to the west. Runway 6R/24L will be shifted 340 feet to the south. Runway 6R/24L will also be extended approximately 1,280 feet to the east, and 135 feet to the west for a total length of 11,700 feet and will be widened to a width of 200 feet. The landing threshold for the approach end of Runway 24L will be displaced to the west near the current longitudinal position of the threshold of the existing runway. The analysis in the Final EIS shows the extension to the east of Runway 6R/24L creates a 1.5 CNEL increase over noise sensitive land uses within the 65 CNEL contour. Therefore this runway extension meets the definition of a major runway extension as described in FAA Order 5050.4A, *Airport Environmental Handbook*. Relocation of this runway is necessary in order to meet FAA airport design standards to accommodate the construction of a new centerline taxiway between Runways 6R/24L and 6L/24R. The new taxiway is to reduce the frequency of runway incursions on both runways. As discussed in Response to Comments FPC0004-8 and FPC00010-1 in Appendix B of this ROD, FAA and the National Aeronautics and Space Administration (NASA) evaluated the proposed center parallel taxiway and a potential "end-around" taxiway on the south airfield complex at the NASA Ames Research Center. The results of the evaluation concluded that the end-around taxiway greatly increased taxi time and delays for arriving aircraft and thereby increased the operational costs of this option and did not give any increased safety margin. FAA Air Traffic Controllers also found during the evaluation the center parallel taxiway to be an operationally efficient solution to the primary cause of the most severe types of runway incursions experienced at LAX. The extension to Runway 6L/24R is necessary to provide a balanced airport in terms of takeoff distance available on both the north and south sides of the airport. This is especially necessary during the shifting of Runway 7R/25L. The Final EIS and Section VI of this ROD demonstrate that the mitigation measures included to address noise impacts will minimize the adverse effects of the runway extension. FAA has determined that there is no possible and prudent alternative to the proposed project due to the proximity of Los Angeles/El Segundo Dunes to the west, and Aviation Boulevard to the east. Extension of the runway to the west into the Los Angeles/El Segundo Dunes would create significant adverse environmental impacts to the El Segundo blue butterfly, a federally endangered species. Further, FAA has determined every reasonable step has been taken to minimize the adverse effect through the imposition of mandatory mitigation measures.

8. The proposed action does not involve the displacement and relocation of people [42 U.S.C. § 4601 et. seq.]. Alternative D of the LAX Master Plan does not propose any residential acquisition as part of the proposed actions. However, the Ground Transportation Center proposed under Alternative D, is planned to be constructed in a residential area known as Manchester Square. At the request of local residents of Manchester Square, the City of Los Angeles has been voluntarily acquiring homes and relocating the residents as a separate action under the City's Aircraft Noise Mitigation Program. This acquisition has been on a voluntary basis on the part of the property owner. Section 4.4.2.6.5 of Part I – Volume 3 of the Final EIS states that should the land acquisition under LAWA's existing Aircraft Noise Mitigation Program (ANMP) Relocation Plan for Manchester Square and Belford not be completed by the time the city approves the Master Plan, the City of Los Angeles will explore the most appropriate and practical measures to ensure the designated areas are vacated consistent with the Construction Sequencing Plan. Alternative D would require the acquisition and relocation of approximately 78 acres of light industrial, air freight, office and retail uses occupied by 34 businesses. Any displacement or relocations of people under Alternative D of the LAX Master Plan, must comply with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (the Uniform Act). Compliance with the Uniform Act is a condition of approval of this ROD. LAWA's ANMP must provide fair and reasonable relocation payments and assistance pursuant to Title II of the Uniform Act. Section 4.4.2.5 of Part I - Volume 3 of Final EIS states that comparable decent, safe, and sanitary dwellings are available for occupancy on the open market or are forecast to be built prior to the actual displacement in the unlikely event that the Manchester Square voluntary acquisition is not completed in time for construction of the Ground Transportation Center.

9. Actions that involve the use of lands subject to section 4(f) of the DOT Act. No feasible and prudent alternative to the use of such land, and project includes all possible planning to minimize harm to such lands resulting from such use. [49 U.S.C. § 303]. FAA has determined that the LAX Master Plan creates a Section 4(f) use within the Habitat Restoration Area for the El Segundo blue butterfly. While the Los Angeles/El Segundo Dunes are not a designated Section 4(f) property, FAA has treated the Dunes Habitat Restoration Area as if it were a Section 4(f) property because it is permanently being used to conserve a federally listed endangered species. Under Alternative D of the LAX Master Plan, 33,334 square feet of El Segundo Blue Butterfly habitat within the Habitat Restoration Area will be disturbed to install relocated navigational aids for the approach ends of Runways 6R and 6L. Mitigation measures will be implemented approximately three years prior to the installation of the navigational aids that will further enhance the habitat for the El Segundo blue butterfly.

FAA has determined that no actual or physical use under Section 4(f) would occur to identified archaeological and historic sites, since the proposed project will not affect any resources listed or eligible for listing on the National Register of Historic Places. FAA and LAWA have committed to develop a plan to minimize any impacts on previously unknown archaeological resources through avoidance and potential reuse and effects on archaeological resources through preservation, avoidance or, if appropriate, data recovery.

FAA has carefully weighed the information disclosed in the Final EIS and has determined that there is no feasible or prudent alternative to the use of the Habitat Restoration Area for the navigational aids for the existing and relocated runways. FAA has considered the fact that the navigational aids currently exist in the Habitat Restoration Area and the LAX Master Plan would not introduce a new type of use into the area. FAA has described the regulatory requirements for placement of navigational aids in its Coastal Zone Management Act Consistency Determination dated August 5, 2004 [See Appendix A-3a of Volume A of the Final EIS]. To protect human health and welfare from the risk of incursions and aircraft mishaps, the FAA has established extensive safety regulations governing the operation of aircraft as well as the design of airports. Current design standards regarding the placement, alignment and configuration of Approach Lighting Systems is prescribed in FAA Advisory Circular 150/5300-13, Airport Design; Paragraph

605 of FAA Order 6850.2A, Change 1, Visual Guidance Lighting Systems, and paragraph 5.2.3.10 of the International Civil Aviation Organization's (ICAO) Annex 14, Aerodromes, Volume 1, Aerodromes Design and Operations. Based on current FAA and ICAO design standards, the ALS shall be aligned with the extended centerline of the runway, which results in the impacts within the Habitat Restoration Area disclosed in the Final EIS and this ROD. There are no published guidelines or allowances for modifications to these design standards. Modifications are not available due to the risk of pilot confusion with non-standard equipment which could adversely affect the safety of aircraft landing on these runways.

FAA has further determined there is no feasible and prudent alternative and that all possible mitigation measures to minimize harm have been incorporated into the project. The California Coastal Commission has concurred with the FAA's determination of consistency with the California Coastal Zone Management Act based on the mitigation measures set forth in FAA's consistency determination. Further, these mitigation measures will be implemented not less than three years before the planned relocation of the navigational aids. The U.S. Fish and Wildlife Service has also concurred with FAA's determination of effect on the federally listed El Segundo Blue butterfly in its April 20, 2004 Biological Opinion.

10. Any actions that involve new construction affecting wetlands. Approximately 1.3 acres of jurisdictional wetlands are located on existing airport property. Of that amount, 1,853 square feet (0.04 acre) will be affected by the proposed LAX Master Plan improvements. As stated in Section 4.12.65 of Part I - Volume 3 of the Final EIS, this action requires a permit from the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act.

Consistent with the provisions of Executive Order 11990 - Protection of Wetlands, dated May 24, 1977, FAA finds there is no practicable alternative to construction in jurisdictional wetlands located on the airport property. This conclusion is reached due to the fact that the jurisdictional wetlands are located within the existing Airport Operations Area of LAX, and there is little to no developable space available on the airport that would not result in such impacts. The FAA also finds Alternative D of the LAX Master Plan, as described in the Final EIS, includes all practicable measures to minimize harm to these jurisdictional wetlands. Also, because the April 8, 2005 Biological Opinion allows the removal of the Riverside fairy shrimp, the underlying reason for the assertion of jurisdiction by the Corps appears to no longer exist.

11. Any actions that encroach on a floodplain. The Final EIS states none of the development alternatives or the No Action Alternative would encroach on a 100-year floodplain. The Federal Emergency Management Agency (FEMA) redesignated a 13-acre parcel on the southwestern portion of LAX as no longer being in a 100-year floodplain. This area had been designated in a 1987 FEMA Flood Insurance Rate Map based on information collected in the early 1970s. Subsequent to the designation as a 100-year floodplain, the area had been substantially filled and regarded so that it no longer exhibited the characteristics of a floodplain. On September 6, 2002, FEMA issued a letter of Map revision indicating the area was no longer a floodplain. It is important to note that the area had no direct connection to any stream, river or body of water and is not connected to the Pacific Ocean.

12. Any actions within or affecting land or water uses in an area covered by an approved state coastal zone management plan. FAA has determined that actions planned within the coastal zone under Alternative D of the LAX Master Plan are consistent with the enforceable policies of the California Coastal Zone Management Plan (see Appendix A-3 in Volume A of the Final EIS). The airport sponsor additionally determined that actions occurring outside of, but adjacent to, the coastal zone under Alternative D are consistent with the enforceable policies of the Management Plan. On November 17, 2004, The California Coastal Commission concurred with FAA's determination that Alternative D is consistent with the Coastal Zone Management Plan (see letter in Appendix A-3d of Volume A-2 of Final EIS). On that same date, the Commission issued a conditional concurrence with the sponsor's Consistency Certification. The California Coastal Commission approved revised findings and a revised staff

report for both the FAA's Coastal Zone Management Act Consistency Determination and LAWA's Coastal Zone Management Act Consistency Certification at a public hearing on February 17, 2005 in Monterey, California. Approval of Alternative D is conditioned in this ROD on compliance by the sponsor with the conditions imposed by the Coastal Commission in its concurrence, as previously described in this ROD.

13. The FAA has given this proposal the independent and objective evaluation required by the Council on Environmental Quality [40 CFR 1506.5]. As described in the Final EIS, so-called "build" Alternatives A, B, C, and D, and the No Action Alternative were studied extensively to determine the potential impacts and appropriate mitigation measures of each alternative. FAA furnished guidance and participated in the preparation of the EIS by providing input, advice, and expertise throughout the planning and technical analysis. FAA has independently evaluated the EIS, and takes responsibility for its scope and contents. FAA has on file a disclosure statement from the environmental consultant that satisfies the requirement of 40 CFR 1506.3(c).

14. The air emissions resulting from the Alternative D of the LAX Master Plan have been determined by the FAA to conform with the State Implementation Plan for air quality pursuant to Section 176 (c)(1)(a) and (b) of the Federal Clean Air Act as amended in 1990. As described in Volume A2 of Final EIS (see Appendix A-2a), Alternative D of the LAX Master Plan would not accommodate additional aircraft activity at LAX beyond that which would be able to be accommodated by the No Action Alternative. FAA conducted an evaluation of the emissions of criteria pollutants in the South Coast Basin that would be generated by the implementation of Alternative D. This evaluation was conducted under 40 CFR Part 93 Subpart B. The results of the evaluation are presented in Section 8 of the Final Conformity Determination and summarized below:

- Alternative D is not subject to a general conformity determination for CO or VOC because the emissions associated with Alternative D are less than the general conformity de minimis threshold and they are not regionally significant.
- Alternative D is subject to a general conformity determination for NO_x and PM₁₀.
- Alternative D conforms to the purpose of the State Implementation Plan for NO_x because the net emissions associated with Alternative D, taken together with all other NO_x emissions in the South Coast Air Basin, would not exceed the emissions budgets in the approved SIP for the years required for the general conformity evaluation.
- Alternative D conforms to the purpose of the SIP for PM₁₀ because the predicted peak concentrations for combined operational and construction emissions for Alternative D as designed, when added to the future background concentrations, would be less than the annual and 24-hour PM₁₀ NAAQS for the years required for the general conformity evaluation
- The aircraft emissions inventories for Alternative D are below the baseline aircraft emission budgets in the applicable SIPs, as described in Section 5.2.1 of the Final General Conformity Determination and specifically shown in Table 9 of that section. This was confirmed in a telephone conversation with the SCAQMD on January 5, 2005.
- Therefore FAA determined Alternative D as approved conforms to the purpose of the approved SIP and is consistent with all applicable requirements. This determination was made in FAA's Final General Conformity Determination published on January 13, 2005 concurrently with the Final EIS.

15. Determination that the airport development is reasonably necessary for use in air commerce or in the interests of national defense pursuant to 49 U.S.C. § 44502(b). The FAA has determined that Alternative D would improve the safety and efficiency of LAX. The reduction in runway incursions by the further separation of the runway pairs along with the construction of an additional parallel taxiway will help reduce runway incursions and thereby

reduce the potential for a loss of minimum separation and/or a collision. FAA has determined the proposed improvements can be operated safely as described in the Agency's Airspace Determination dated May 20, 2005.

IX. ENVIRONMENTAL IMPACT MITIGATION COMMITMENTS

In accordance with 40 CFR § 1505.3, the FAA will take appropriate steps, through Federal funding grant assurances and conditions, airport layout plan approvals, and contract plans and specifications, to ensure that the mitigation actions are implemented during project development, and will monitor the implementation of these mitigation actions as necessary to assure that representations made in the Final EIS with respect to mitigation are carried out. The approvals contained in this Record of Decision are specifically conditioned upon full implementation of these mitigation measures. These mitigation actions will be made the subject of special conditions included in future Federal airport grants to the City of Los Angeles.

Appendix A to this ROD includes summaries of the mitigation actions discussed more fully in the Final EIS for each environmental impact category. Based upon the information disclosed in the Final EIS FAA finds that all practical means to avoid or minimize environmental harm have been adopted, through appropriate mitigation planning.

The FAA is committed to insuring that the mitigation measures contained in Appendix A of this ROD are implemented per Council on Environmental Quality regulations, Section 1505.3. Appendix A is included as part of this ROD and is part of the FAA's unconditional approval of the Airport Layout Plan as described in this ROD. Appendix A is included to clarify mitigation measures required as a condition of project approval in this ROD. Appendix A lists the environmental resources and the mitigation measures this ROD requires for reducing project-related impacts on affected resources.

X. DECISION AND ORDERS

In Section A.1.4.2 of Volume A of the Final EIS and subsequently in this ROD, the FAA has identified Alternative D – the Enhanced Safety and Security Plan of the LAX Master Plan as the FAA's "preferred alternative." FAA must now select one of the following choices:

- **Approve agency actions necessary to implement the proposed project, or**
- **Disapprove agency actions to implement the proposed project.**

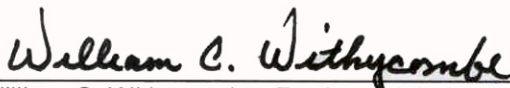
Approval would signify that applicable federal requirements relating to airport development and planning have been met and would permit the City of Los Angeles to implement the proposed eligible development using federal funds or a Passenger Facility Charge. Not approving these agency actions would prevent the City of Los Angeles from proceeding with implementation of Alternative D.

Decision: I have carefully considered the FAA's goals and objectives in relation to the various aeronautical aspects of the proposed LAX Master Plan improvements at Los Angeles International Airport as discussed in the Final EIS. The review included: the purpose and need that this project would serve; the alternative means of achieving the purpose and need; the environmental impacts of these alternatives; and the mitigation necessary to preserve and enhance the human, cultural, and natural environment.

Under the authority delegated to me by the Administrator of the Federal Aviation Administration, I find that the project is reasonably supported. I therefore direct that action be taken to carryout the

following agency actions discussed more fully in the Proposed Agency Actions section of this Record of Decision including:

1. Unconditional approval of the proposed improvements in Alternative D of the LAX Master Plan as shown on the Airport Layout Plan, submitted by the City of Los Angeles for the Los Angeles International Airport, with the exclusion of LAX Northside, pursuant to 49 U.S.C. § 40103(b) and § 47107(a)(16). LAX Northside is excluded for the reasons explained in Section VII of this ROD. The approval of the ALP is based on determinations through the aeronautical study process regarding obstructions to navigable airspace, and that the airport development proposal is acceptable from an airspace perspective, with the exception of that area of the ALP identified as "LAX Northside."
2. The installation, relocation and operation of air navigation facilities depicted on the Los Angeles International Airport Layout Plan approved herein and, where appropriate, operation of navigational and approach aids associated with the shifting of the Runway 7R/25L, shifting, lengthening and widening of 6R/24L and the westerly extension of Runway 6L/24R as described in the Final EIS.
3. Conduct close coordination with the City of Los Angeles, LAWA and appropriate FAA program offices, as required, to ensure safety during construction (14 CFR Part 139) (49 U.S.C. § 44706).
4. Approval of the appropriate amendments to the Los Angeles International Airport Certification Manual, pursuant to 14 CFR Part 139; and to the Airport Security Plan pursuant to 14 CFR Part 107 (49 U.S.C. § 44706).
5. Appropriate amendments to air carrier operations specifications pursuant to 49 U.S.C. § 44705.
6. Development and approval of revisions to Standard Instrument Approach Procedures (SIAP), Standard Instrument Departure (SID) and Standard Approach Routes (STAR) procedures for the reconfigured runways (14 CFR Part 97).
7. Approval to proceed with processing of an application for federal assistance or for an application to collect and use Passenger Facility Charges for those eligible airport development projects described as Alternative D of the LAX Master Plan within the Final EIS and this ROD, under 49 U.S.C. § 47101 et. seq. and 49 U.S.C. § 40117.



William C. Withycombe, Regional Administrator,
Western-Pacific Region, Federal Aviation Administration

MAY 20 2005

Date

These decisions, including any subsequent actions approving a grant of Federal funds or approval of an application to impose and use Passenger Facility Charges to the City of Los Angeles, California, are taken pursuant to 49 U.S.C. § 40101 et seq. and 49 U.S.C. § 47101 et seq., and constitute orders of the Administrator which are subject to review by the Courts of Appeals of the United States in accordance with the provisions of 49 U.S.C. § Section 46110.