

# Westside Subway Extension

*Final Environmental Impact Statement/Environmental Impact Report—Volume 4*  
APPENDIX D: Memorandum of Agreement and Section 106 Correspondence



U.S. Department  
of Transportation  
Federal Transit  
Administration

**THIS PAGE INTENTIONALLY LEFT BLANK**

## **Memorandum of Agreement**

**THIS PAGE INTENTIONALLY LEFT BLANK**



**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL TRANSIT ADMINISTRATION  
AND THE  
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER**

**REGARDING THE LOS ANGELES WESTSIDE SUBWAY EXTENSION PROJECT,  
LOS ANGELES COUNTY, CALIFORNIA**

**WHEREAS**, the Federal Transit Administration (FTA) is considering providing funding to the Los Angeles County Metropolitan Transportation Authority (LACMTA or Metro) for the Los Angeles Westside Subway Extension Project (Undertaking) within the cities of Los Angeles and Beverly Hills, as well as within unincorporated portions of Los Angeles County, pursuant to Federal transit law (49 USC Chapter 53); and,

**WHEREAS**, the Undertaking consists of extending the LACMTA heavy rail subway system for nearly nine (9) miles via Wilshire Boulevard from the current western terminus of the Metro Purple Line at the Wilshire/Western Station to a new western terminus near the West Los Angeles Veterans Affairs (VA) Hospital. The Undertaking may be built entirely in one phase or built in three consecutive construction phases. The Undertaking includes construction of seven (7) new stations and will provide direct connections from the west side of the county to all elements of the existing Metro system, improve transit travel time, and provide more reliable transit service to transit riders. Improvements are also planned for the existing Division 20 Maintenance and Storage Facility west of the Los Angeles River between E. 1<sup>st</sup> Street and Jesse Street. There are two station options for each of the Century City, Westwood/UCLA, and Westwood/VA Hospital stations; and,

**WHEREAS**, FTA has defined the Undertaking's area of potential effect (APE) for archaeological resources as a radius of 100-feet along the potential subway alignment and maintenance facilities, including areas where the alignment veers outside the roadway right of way. FTA has defined the Undertaking's APE for architectural resources as extending one parcel past the limits of the above-ground project improvements for the stations, service areas, construction staging and laydown areas and any above-ground facilities; and,

**WHEREAS**, the FTA has determined that the project would constitute an Undertaking as per 36 CFR § 800.16(y), which requires compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (16 USC § 470f); and,

**WHEREAS**, FTA will be the lead Federal agency for the Undertaking, with the LACMTA, a grant applicant, as required by FTA, and as an invited signatory to this MOA; and,

**WHEREAS**, FTA has consulted with the California Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (16 USC § 470f) on eligibility and effects for properties within the APE; and, regarding the Undertaking's potential to affect historic properties, has decided to prepare a Memorandum of Agreement (MOA) pursuant to 36 CFR §§ 800.4(b)(2) and 800.6(c); and,

**WHEREAS**, FTA, in consultation with SHPO, has determined that, pursuant to 36 CFR § 800.3, the Ace Gallery is eligible for inclusion in the National Register of Historic Places (NRHP); and pursuant to 36 CFR § 800.5(a), FTA, in consultation with SHPO has determined that the Undertaking will have an adverse effect on a historic property, the Ace Gallery; and,

**WHEREAS**, FTA, in consultation with SHPO, pursuant to 36 CFR § 800.5(a), has determined that the Undertaking would have no adverse effect on the thirty-eight (38) individual architectural historic properties and two (2) historic districts which are on or eligible for listing in the National Register of Historic Places, and mitigation measures are included in this MOA to minimize the effects on the historic properties within the APE.

**WHEREAS**, FTA, in consultation with SHPO, pursuant to 36 CFR § 800.5(a), has determined that the Undertaking would have no adverse effect on the one (1) identified archaeological historic property, CA-LAN-2610 or undocumented archaeological resources within the APE provided the measures in this MOA are implemented.

**WHEREAS**, in accordance with 36 CFR § 800.6(a)(1), FTA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with the required documentation and the ACHP has not chosen to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and,

**WHEREAS**, no Federally-recognized Indian tribes (as defined in 36 CFR § 800.16(m)) expressed an interest in consulting on the Undertaking; however, LACMTA, on behalf of the FTA, consulted with the Native American Heritage Commission and the local Native American community regarding the cultural sensitivity of the project area; and,

**WHEREAS**, LACMTA, on behalf of the FTA, has consulted with eighteen (18) local government offices, historical organizations, and individuals interested in historic preservation in Los Angeles County about the Undertaking and its effects on historic properties; and,

**WHEREAS**, this MOA was developed with appropriate public involvement (pursuant to 36 CFR §§ 800.2(d) and 800.6(a)) and the public was provided the opportunity to comment on the Undertaking and will hereafter be provided with further opportunities to comment on the Undertaking as stipulated further in this MOA; and,

**WHEREAS**, the FTA and the SHPO are signatories pursuant to 36 CFR § 800.6(c)(1) and LACMTA is an invited signatory pursuant to 36 CFR § 800.6(c)(2); and,

**NOW, THEREFORE**, all signatories agree that, upon FTA's decision to proceed with the Undertaking, FTA shall ensure that the Undertaking is implemented in accordance with the following stipulations in order to take into account the effects of the Undertaking on historic properties; and further agree that these stipulations shall govern the Undertaking and all of its parts until this MOA expires or is terminated.

## **STIPULATIONS**

FTA will ensure that the terms of this MOA are carried out and will require, as a condition of any approval of Federal funding for the Undertaking, adherence by LACMTA to the stipulations set forth herein.

### **I. ARCHITECTURAL HISTORIC PROPERTIES**

#### **A. Treatment to Resolve Adverse Effect**

##### **1. HABS/HAER Documentation**

The adverse effects of the Undertaking on the Ace Gallery will be resolved by FTA by requiring LACMTA to implement and complete National Park Service Historic American Building Survey (HABS) or Historic American Engineering Record (HAER) documentation, pursuant to Section 110(b) of the National Historic Preservation Act for the adversely-affected property. Prior to any action, the photo-recording and documentation consistent with the standards of the National Park Service HABS or HAER will be prepared by a Secretary of Interior qualified professional architectural historian or historic architect. Whenever possible, HABS/HAER documentation Level 2 would be employed whenever measured drawings for a property are available. If measured drawings are not available, HABS/HAER documentation Level 1 would be employed.

The HABS/HAER documentation will be forwarded by the LACMTA to the FTA and SHPO for review. The FTA, in consultation with LACMTA and SHPO, will approve the materials and permit LACMTA to proceed with demolition of the adversely-affected property.

Following approval of the HABS/HAER documentation, LACMTA will ensure that the materials are placed on file with LACMTA and Responsible Agencies, historical societies and preservation groups, local university and community libraries, and other appropriate national and local repositories and archives, as identified by LACMTA.

##### **2. Public Website Development**

In connection with HABS/HAER documentation, LACMTA will develop a public website linked to LACMTA's website concerning the history of the Ace Gallery. The website would be based on the photographs produced as part of the HABS/HAER documentation, and historic archival research previously prepared as part of the Undertaking and historic documentation. A public website, which provides historic and documentary information regarding historic properties that would be substantially altered or demolished as a result of the Undertaking, will be prepared and maintained for a ten-year period.

## **B. Treatment to Avoid Adverse Effects**

### **1. Design Phase Planning**

The Undertaking would be designed in adherence to the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Rehabilitating Historic Buildings* and the *Guidelines for the Treatment of Cultural Landscapes* at the following four historic properties that will be altered by either construction staging activities or station entrances to ensure there is no adverse effect to these properties:

- LACMA West May Company – WSE 24 (6067 Wilshire Boulevard)
- Union Bank Building—WSE 14 (9460 Wilshire Boulevard)
- Linde (Westwood) Medical Plaza - WSE 10 (10921 Wilshire Boulevard)
- VA Medical Center Historic District—WSE 41 (11301 Wilshire Boulevard) including the Wadsworth Theater and Contributing Landscape Elements

Designs will ensure the preservation of the character-defining features of the historic properties, and would avoid damaging or destroying materials, features, or finishes that are important to the property, while also considering economic and technical feasibility. LACMTA will ensure that the SHPO has opportunity to review the design by the architectural historian.

### **2. Design Review and Monitoring**

LACMTA will retain the services of a qualified historic preservation consultant with experience in architectural preservation to review structural designs and construction activities, and will require onsite periodic construction monitoring by a historic preservation consultant to ensure protection of historic fabric and compliance with approved designs and the *Secretary of the Interior's Standards for the Rehabilitation of Historic Properties*.

## **C. Construction Phase**

### **1. Geotechnical Investigations**

For the historic properties noted in Stipulation II.D.1, further geotechnical investigations will be undertaken to evaluate soil, groundwater, seismic, and environmental conditions along the alignment. This analysis will assist in the development of appropriate support mechanisms and measures for cut and fill construction areas. The subsurface investigation would also identify areas that could cause differential settlement as a result of using a tunnel boring machine (TBM) in close proximity to historic properties. An architectural historian or historical architect who meets the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) will provide input and review of final design documents prior to implementation of the mechanisms and measures. The review will evaluate whether the geotechnical investigations and support measures for cut and fill, and measures to prevent differential settlement meet the Secretary of the Interior's *Standards for the Treatment of Historic Properties*. The evaluation of measures will be forwarded by the LACMTA to the FTA and SHPO for review. Then FTA, in consultation with the SHPO, upon the SHPO's concurrence, shall approve the evaluation and permit the LACMTA to proceed with construction.



## **D. Treatment to Avoid Adverse Effect to Historic District Contributing Historic Landscape Element**

### **1. Pre-Construction Survey**

LACMTA will develop a survey of the contributing landscape elements of the VA Medical Center Historic District located within twenty (20) feet of the Westwood/VA Hospital North and South Station portal-related cut-and-cover and construction staging areas during final design. The survey will be prepared by a qualified architectural historian and historic landscape architect and/or qualified arborist with the assistance of a technician/surveyor using high-resolution GPS equipment. The survey will establish an inventory of each mature historic tree species and the precise location of each individual tree in the survey area. The inventory survey will also assess the feasibility of temporarily removing and then replanting the extant trees in their original location, including how the trees should be moved and temporarily stored.

A report on the results of the inventory will be submitted to FTA, LACMTA and the SHPO for review and will be placed on file with LACMTA and supplied to other signatories to this MOA if requested.

### **2. Landscape Protection Measures**

The results of the pre-construction survey will be used for marking trees to be avoided during construction, for implementation of relocation recommendations as necessary if avoidance of any of the trees is infeasible, and for onsite use during construction activities to ensure the historic trees remaining in place are protected.

Should any of the trees that are temporarily removed not survive a reasonable period after they are replanted, as determined by a qualified arborist, LACMTA will obtain and plant adult-aged replacement trees of the same species to rehabilitate the historic landscape.

### **3. Construction Monitoring**

LACMTA will retain the services of a qualified historic preservation consultant with experience in the preservation of historic landscapes. The consultant will review the existing landscape designs and proposed construction activities, and develop a plan for onsite periodic construction monitoring to ensure protection of historic fabric and compliance with the *Guidelines for the Treatment of Cultural Landscapes*.

## **E. Reporting Reviews**

### **1. SHPO Review and Comment**

Upon completion of construction and any reports prepared for resolution of adverse effects, the SHPO shall have thirty (30) days to review the draft and comment on the level of effort, results, and eligibility recommendations; those comments shall be incorporated into the final technical report, as appropriate. If no response by the SHPO is received by the FTA and/or LACMTA within thirty (30) days, the FTA and LACMTA shall assume concurrence and authorize the final technical report and/or the historic architectural documentation.

### **2. Document Submittal**

Within thirty (30) days of receipt of comments on any draft report, the FTA and LACMTA shall submit the final technical report and/or historic architectural documentation to the SHPO, the appropriate California Historical Resources Information System information center, and the appropriate Indian tribe(s), and shall make it available to other interested persons who meet the confidentiality requirements. Reports prepared with archaeological site information shall not be distributed to the general public, except in an abridged form that does not include sensitive information about archaeological site locations or human remains.

### **3. Report Standards**

All reports generated as a result of this MOA shall be consistent with contemporary professional standards and the Secretary of the Interior's guidelines.

## **II. ARCHAEOLOGICAL RESOURCES**

This MOA accordingly sets forth the following measures to be implemented to reduce potential construction impacts within the APE to known archaeological historic properties and to undocumented archaeological resources, including human remains.

### **A. Consultation with Native American Individuals, Tribes and Organizations and Treatment of Cultural Remains and Artifacts.**

1. The parties to this MOA agree that Indian burials and related items discovered during the implementation of the MOA and the Undertaking will be treated in accordance with the requirements of § 7050.5(b) of the California Health and Safety Code. If, pursuant to § 7050.5(c) of the California Health and Safety Code, the county coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery shall be treated in accordance with the provisions of §§ 5097.98 (a) - (d) of the California Public Resources Code.
2. LACMTA will ensure that the expressed wishes of Native American individuals, tribes, and organizations are taken into consideration when decisions are made regarding the disposition of other Native American archaeological materials and records relating to Indian tribes.

## **B. Confidentiality**

The signatories to this MOA acknowledge that archaeological historic properties covered by this MOA are subject to the provisions of § 304 of the National Historic Preservation Act of 1996 and § 6254.10 of the California Government Code (Public Records Act), relating to the disclosure of archeological site information, and having so acknowledged, will ensure that all actions and documentation prescribed by this MOA are consistent with §304 of the National Historic Preservation Act.

## **C. Worker Training**

Prior to initiating ground-disturbing activities, a qualified archaeologist will conduct a short cultural resources awareness training session for all construction workers and supervisory personnel. Each worker will learn the proper procedures to follow in the event cultural resources or human remains are uncovered during ground-disturbing activities.

## **D. Unanticipated Discoveries**

If FTA and LACMTA determines, after any future construction of the Undertaking has commenced, that project activities will affect a previously unidentified property that may be eligible for the NRHP, or affect a known historic property in an unanticipated manner, FTA and LACMTA will address the discovery or unanticipated effect in accordance with 36 CFR § 800.13(b)(3). The LACMTA must notify the FTA and SHPO within forty-eight (48) hours of the discovery. FTA, at its discretion, may hereunder, and pursuant to 36 CFR § 800.13(c), assume any unanticipated discovered property to be eligible for inclusion in the NRHP.

For properties determined eligible or assumed to be eligible pursuant to Stipulation I.E., LACMTA will notify the FTA, ACHP, and SHPO of those actions that it proposes to avoid, minimize, or mitigate adverse effects. Consulting parties will have forty-eight (48) hours to provide their views on the proposed actions. The FTA will ensure that the timely-filed recommendations of consulting parties are taken into account prior to granting approval of the measures that the LACMTA will implement to resolve adverse effects. The LACMTA will carry out the approved measures prior to resuming construction activities in the location of the discovery.

## **III. ADMINISTRATIVE PROVISIONS**

### **A. Standards**

#### **1. Definitions**

The definitions set forth at 36 CFR § 800.16 are applicable throughout this MOA.

## **2. Professional Qualifications**

LACMTA shall ensure that all historic preservation and archaeological work are performed by LACMTA under the direct supervision of a person or persons who meet(s) or exceed(s) the pertinent qualifications in the Secretary of the Interior's *Professional Qualification Standards* (48 CFR §§ 44738-44739) in those areas in which the qualifications are applicable for the specific work performed.

## **3. Documentation Standards**

Written documentation of activities prescribed by Stipulations I, II of this MOA shall conform to *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* as amended and annotated (48 CFR §§ 44716-44740) as well as to applicable standards and guidelines established by the SHPO.

## **4. Curation and Curation Standards**

LACMTA shall ensure that, to the extent permitted under §§ 5097.98 and 5097.991 of the California Public Resources Code, the materials and records resulting from the activities prescribed by this MOA curate in accordance with 36 CFR Part 79. FTA will ensure that, to the extent permitted by applicable law and regulation, the views of the Most Likely Descendant(s) are taken into consideration when decisions are made about the disposition of other tribal archaeological materials and records.

## **B. Dispute Resolution**

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FTA shall consult with such party to resolve the objection. If FTA determines that such objection cannot be resolved, FTA will:

1. Forward all documentation relevant to the dispute, including the FTA's proposed resolution, to the ACHP. The ACHP shall provide FTA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FTA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. FTA will then proceed according to its final decision.
2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, FTA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FTA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
3. FTA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

### **C. Amendments**

Any MOA party may propose that this MOA be amended, whereupon the MOA parties will consult for no more than thirty (30) days to consider such amendment. FTA may extend this consultation period. The amendment process shall comply with 36 CFR §§ 800.6(c)(1) and 800.6(c)(7). This MOA may be amended only upon the written agreement of the signatory parties. If it is not amended, this MOA may be terminated by any of the signatory parties in accordance with Section D of Stipulation III.

### **D. Termination**

If any signatory to this MOA determines that its terms will not or cannot be carried out, that signatory shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation C of Stipulation III, above. If within thirty (30) days (or another time period agreed to by all signatories) agreement on an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the Undertaking, FTA must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. FTA shall notify the signatories as to the course of action it will pursue.

### **E. Duration of the MOA**

1. Unless terminated pursuant to Section D of Stipulation III above, or unless superseded by an amended MOA, this MOA will be in effect following execution by the signatory parties until FTA, in consultation with the other MOA parties, determines that all of its stipulations have been satisfactorily fulfilled. This MOA will terminate and have no further force or effect on the day that FTA notifies the other MOA parties in writing of its determination that all stipulations of this MOA have been satisfactorily fulfilled.
2. The terms of this MOA shall be satisfactorily fulfilled within twenty (20) years following the date of execution by the signatory parties. If FTA determines that this requirement cannot be met, the MOA parties will consult to reconsider its terms. Reconsideration may include the continuation of the MOA as originally executed, amendment of the MOA, or termination. In the event of termination, FTA will comply with Section D of Stipulation III, above, if it determines that the Undertaking will proceed notwithstanding termination of this MOA.
3. If the Undertaking has not been implemented within ten (10) years following execution of this MOA by the signatory parties, this MOA shall automatically terminate and have no further force or effect. In such event, FTA shall notify the other MOA parties in writing and, if it chooses to continue with the Undertaking, shall reinstate review of the Undertaking in accordance with 36 CFR Part 800.

**F. Effective Date**


This MOA will take effect on the date that it has been fully executed by FTA, LACMTA, and SHPO.

**G. Execution**

Execution of this MOA by FTA, LACMTA, and SHPO, its transmittal by FTA to the ACHP in accordance with 36 CFR § 800.6(b)(1)(iv), and subsequent implementation of its terms, shall evidence, pursuant to 36 CFR § 800.6(c), that this MOA is an agreement with the ACHP for purposes of Section 110(1) of the NHPA, and shall further evidence that FTA has taken into account the effects of the Undertaking on historic properties and has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties.


**SIGNATORY**

**Federal Transit Administration**

By   
Leslie T. Rogers  
Regional Administrator  
FTA Region IX

Date MAR 6 2012

**California State Office of Historic Preservation**

By  FOR MILFORD WAYNE DONALDSON Date 3/7/12  
Milford Wayne Donaldson  
State Historic Preservation Officer  
Office of Historic Preservation, Sacramento

**INVITED SIGNATORY PARTY:**

**Los Angeles County Metropolitan Transportation Authority**

By Arthur T. Leahy  
Arthur T. Leahy  
Chief Executive Officer  
Los Angeles County Metropolitan Transportation Authority

Date 12-19-11

**THIS PAGE INTENTIONALLY LEFT BLANK**



## **Section 106 Correspondence**

**THIS PAGE INTENTIONALLY LEFT BLANK**



U.S. Department  
of Transportation  
Federal Transit  
Administration

REGION IX  
Arizona, California,  
Hawaii, Nevada, Guam  
American Samoa,  
Northern Mariana Islands

201 Mission Street  
Suite 1650  
San Francisco, CA 94105-1839  
415-744-3133  
415-744-2726 (fax)

Mr. Milford Wayne Donaldson, F.A.I.A.  
State Historic Preservation Officer  
Office of Historic Preservation  
California State Department of Parks and  
Recreation Post Office Box 942896  
Sacramento, CA 94296-0001

Attention: Dr. Susan Stratton, Supervisor, Project Review Unit

Re: Metro Westside Extension Project

Dear Mr. Donaldson:

The Federal Transit Administration (FTA), in coordination with the Los Angeles County Metropolitan Transportation Authority (LACMTA or Metro), is pleased to initiate efforts in the identification of historic properties and the analysis of effects on those properties for various components of the proposed Metro Westside Extension Project within the Cities of Los Angeles, West Hollywood, Beverly Hills, and Santa Monica, as well as within unincorporated portions of Los Angeles County (near the West Los Angeles Veteran's Administration Hospital). This letter is to request your review and concurrence with the Area of Potential Effects (APE) and to delegate the authority to consult directly with the LACMTA.

Cultural resources identification and analysis will be prepared in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, as required by the Advisory Council on Historic Preservation, with regulations contained in 36 Code of Federal Regulations (CFR), Part 800, and applicable sections of the California Environmental Quality Act (CEQA).

#### Project Description

The Metro Westside Subway Extension would extend the Metro Rail heavy rail technology via Wilshire Boulevard from the current terminus of the Metro Purple Line at Wilshire/Western Station or possibly via a combined alternative that would extend the Metro Purple Line via Wilshire Boulevard and also extend the Metro Red Line from the Hollywood/Highland Station to the Westside, potentially as far as Santa Monica.

The purpose of the project is to address the mobility needs of residents, workers, and visitors traveling to, from, and within the highly congested Westside Extension Study Area by providing faster and more reliable high-capacity public transportation than existing services which operate in mixed-flow traffic. This proposed subway

improvement will bring about a significant increase in east-west capacity and improvement in person-mobility by reducing transit travel time. On a county-wide level, the project will strengthen regional access by connecting Metro bus, Metro rail, and Metrolink networks to a high-capacity transit serving the Study Area. The overall goal of the project is to improve mobility in the Westside Extension Transit Corridor by extending the benefits of the existing Metro Red/ Metro Purple Line rail and bus services beyond their current termini near Highland Avenue and/or Western Avenue in Los Angeles as far as Ocean Avenue in Santa Monica.

### Alternatives

The Westside Transit Corridor Extension Alternative Analysis Report, prepared by LACMTA was completed in January 2009, and is available on the project website at [www.metro.net/westside](http://www.metro.net/westside). This report identified four alternatives for further consideration in a Draft Environmental Impact Statement/Report (DEIS/DEIR). The four alternatives include the following two subway alignments alternatives plus the No Build and Transportation Systems Management (TSM) alternatives:

- *Wilshire Boulevard Alignment Heavy Rail Transit (HRT) Subway (Alternative I):* This alternative alignment extends underground from the Metro Purple Line Wilshire/Western station to 4th Street and Wilshire Boulevard in Santa Monica (approximately 12.5-miles in length). It has 10 stations and 1 optional station (Refer to enclosed maps for station locations and names). The alignment is generally under Wilshire Boulevard with various route alignments between Century City and Santa Monica.
- *Wilshire/Santa Monica Boulevard Combined HRT Subway (Alternative II):* This alignment alternative extends underground from the Metro Purple Line Wilshire/Western station and from the Metro Red Line at the Hollywood/Highland station to 4th Street and Wilshire Boulevard in Santa Monica (approximately 17-miles in length). It has 14 stations and 1 optional station (Refer to enclosed maps for station locations and names). This alternative has two alignment options in the Beverly Center area. One option follows San Vicente Boulevard from Santa Monica Boulevard to La Cienega Boulevard, where it curves south and then west to meet the Wilshire Boulevard alignment. The second option follows La Cienega Boulevard from Santa Monica Boulevard, past the Beverly Center, and curves west at Wilshire Boulevard.
- *No Build Alternative:* This EIS will also consider the No Build Alternative that includes all existing highway and transit services and facilities and the committed highway and transit projects in the current LACMTA Long Range Transportation Plan and the current 2008 Southern California Association of Governments' Regional Transportation Plan. No new infrastructure would be built within the Study Area, aside from projects currently under construction, or funded for construction and operation by 2030 by the recently approved Measure R and identified in the LACMTA Long Range Transportation Plan. Proposed major highway improvements affecting the Westside Extension Transit Corridor

between now and 2030 include completing missing segments of high occupancy vehicle (HOV) lanes on Interstate 405 (I-405) Freeway. From a rail transit perspective, the No Build Alternative includes the Metro Purple and Metro Red Lines along the eastern and northeastern edges of the study area. This alternative also includes a rich network of local, express, and Metro Rapid bus routes that will continue to be provided, with both bus route and additions and modifications proposed.

- *Transportation System Management (TSM) Alternative:* The EIS will also consider the TSM Alternative which enhances the No Build Alternative and improves upon the existing Metro Rapid Bus service and local bus service in the Westside Extension Transit Corridor study area. This alternative emphasizes more frequent service and low cost capital and operations improvements to reduce delay and enhance mobility. Although the frequency of service is already very good, this alternative considers improved bus services during peak periods on selected routes.

For the most part, the various alternatives to be considered for the Metro Westside Extension project generally traverse Wilshire Boulevard from the Metro Purple Line Wilshire/Western station to 4<sup>th</sup> Street and Wilshire Boulevard in Santa Monica (Alternative 1), and a second line extending west from the Metro Red Line Hollywood/Highland Station via Santa Monica Boulevard to join the Wilshire Line in Beverly Hills (Alternative 11).

#### Area of Potential Effects

A proposed project-specific APE was established in accordance with 36 CFR Part 800.16 (d), which defines an APE as:

The geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

The proposed project-specific APE (see enclosed map) was delineated to ensure identification of significant historic and architectural resources that may be directly or indirectly affected by the proposed project and are listed in or eligible for inclusion in the National Register of Historic Places (National Register) and/or California Register of Historical Resources (California Register). The APE was established using methodology consistent with those of previous LACMTA projects, in addition to information and data obtained from the South Central Coastal Information Center (SCCIC), agency records (e.g., City of Los Angeles Office of Historic Resources, County of Los Angeles Assessor, Department of Water and Power), and through historical research (e.g., Sanborn Fire Insurance Maps).

For historic and architectural resources, the proposed built environment APE includes all parcels adjacent to both sides of the proposed project alignment, including stations,

subway or open cut construction areas, and areas proposed for acquisition. In addition, the APE includes areas that may be subject to potential project-related effects, including visual or audible effects, and settlement effects that may result from construction or implementation the proposed project. Additionally, the built environment APE includes the boundaries of seven known identified historic structures, and one historic district that have been listed in or evaluated and considered eligible for the listing on the National Register. The built environment APE generally will not consider properties set far back from the edge/boundary of their parcel (*e.g.*, where there is a sliver impact); entire complexes or rows of structures on a parcel or multiple parcels (*e.g.*, shopping center) - only the front row of structures are included in the survey area; properties elevated high above the alignment due to topographic features; and, properties separated from the Project improvements by frontage roads or large retaining/sound barrier walls. Very large linear properties will not be identified or evaluated beyond the area reasonably subject to effect by the Project. Rather, the identification and evaluation of these complex linear properties within the APE considered whether the segment in the APE would be a contributor or non-contributor to a larger significant property as a whole (should that larger property ever be determined eligible for inclusion to the National and California.

For archaeological resources, the proposed APE includes the proposed at-grade and underground right-of-way and/or areas of direct ground disturbance. The APE also includes areas with permanent site improvements and areas for staging and temporary construction activities. Most Pleistocene Age sediments within the project area that have the potential to contain archaeological resources, in most areas, do not exceed a depth of 40 ft. However, due to geologic distortion, prehistoric sediment deposits, and early historic period disturbance (trenching, tunneling, or structural foundations), the potential for archaeological resources may be encountered at depths greater than 40 ft. Therefore, the proposed vertical APE for archaeological resources extends from the ground surface to approximately 100 feet below the existing ground surface. The proposed horizontal APE for archaeological resources extends from the edge of the existing ROW to 100 ft on either side of the ROW (100 ft radius), except in those areas where excavation, earth moving, or staging will occur beyond 100 feet; in which case, those areas will be included in the horizontal APE.

For purposes of this project, the survey identification efforts will be focused on parcels containing improvements constructed up until 1968. Information regarding the date of improvement will be obtained from Los Angeles County Assessor, historical research, and/or visual survey. Properties will be evaluated for National and California register eligibility as part of the project identification phase, as well as noting all previously identified historic properties and historical resources.

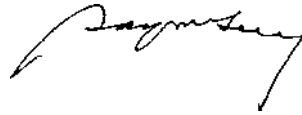
#### Consultation Coordination

To the extent that it facilitates the review and approval process, FTA has authorized certain experienced and knowledgeable agencies to consult directly with you in addressing Section 106 requirements. In permitting this arrangement, agencies have been instructed to keep FTA informed by forwarding copies of all transmittals to our attention, and immediately contacting FTA on matters deemed to be of significant importance. Until further notice, this authority is extended to the LACMTA for the Metro Westside Extension project.

Previous scoping efforts have taken place and are expected to continue over the next several months. On behalf of FTA, the LACMTA supported by its consultant Parsons Brinckerhoff and sub-consultant URS Corporation, is currently contacting local historic groups, Native American groups, and other stakeholders that may have an interest in the project. The LACMTA has met with the City of Los Angeles, Office of Historic Resources, and expects to meet with the other jurisdictional agencies and groups like the Los Angeles Conservancy to address their concerns.

Please let us know if you have comments on the project description, APE definition, methodology, or maps. If you or your staff is interested in a site visit of the corridor, we would be pleased to accommodate your request. The LACMTA appreciates your assistance in the preservation of cultural resources related to all aspects of their transit system. If you or any members of your staff have questions, please contact Mr. Ray Tellis of our Los Angeles Metropolitan Office at (213) 202-3956.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie T. Rogers", written in a cursive style.

Leslie T.  
Rogers  
Regional  
Administrator

Enclosure: Draft Area of Potential Effects Map

cc: David Meiger, Project Manager, LACMTA

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896  
SACRAMENTO, CA 94296-0001  
(916) 653-6624 Fax: (916) 653-9824  
calshpo@ohp.parks.ca.gov  
www.ohp.parks.ca.gov



27 September 2010

Reply To: FTA100816B

Roger Martin  
Transportation Planning Manager  
Westside Area Planning Team  
Los Angeles County  
Metropolitan Transportation Authority  
One Gateway Plaza  
Los Angeles, CA 90012-2952

Re: Section 106 Consultation for the Westside Subway Extension DEIS/DEIR, Los Angeles County, CA

Dear Mr. Martin:

Thank you for your letter of 13 August 2010 initiating consultation for the Federal Transit Authority (FTA) for the above referenced undertaking in order to comply with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. FTA has delegated authority to consult directly with the Los Angeles County Metropolitan Transportation Authority (LACMTA) although FTA remains responsible for all findings. You are requesting at this time that I concur with the determination of the Area of Potential Effect (APE).

FTA established the APE as shown on the maps attached to your letter. For archaeological resources, the APE was defined as a radius of 100-feet along the potential subway alignment and maintenance facilities including areas where the alignment veers outside the roadway right away. For architectural resources, the APE extends one parcel past the limits of the above-ground project improvements for the stations, service areas, and any above-ground facilities. This includes the areas expected to be directly or indirectly affected by either construction or operation of the project, areas where property takes are required and areas that may be affected by noise and vibration from the construction and operation of the proposed project. I find the APE is satisfactory pursuant to 36 CFR 800.4(a)(1).

Thank your for considering historic properties in your planning process and I look forward to continuing consultation on this project. If you have any questions, please contact Amanda Blosser of my staff at (916) 654-7372 or e-mail at [ablosser@parks.ca.gov](mailto:ablosser@parks.ca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Susan K Stratton for".

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer

MWD:ab





U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION IX  
Arizona, California,  
Hawaii, Nevada, Guam  
American Samoa,  
Northern Mariana Islands

201 Mission Street  
Suite 1650  
San Francisco, CA 94105-1839  
415-744-3133  
415-744-2726 (fax)

SEP 16 2011

Mr. Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer  
Office of Historic Preservation  
California State Department of Parks and Recreation  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

RE: Westside Subway Extension Project,  
Los Angeles County, CA – Section 106  
Consultation / 36 CFR Part 800

Attention: Ms. Amanda Blosser, Project Review Unit

Dear Mr. Donaldson:

The Federal Transit Administration (FTA), in coordination with the Los Angeles County Metropolitan Transportation Authority (LACMTA), is providing the California State Historic Preservation Office (SHPO) with a revised area of potential effect (APE), determination of eligibility, determination of effects and related information pursuant to our responsibilities for compliance with Section 106 of the National Historic Preservation Act (NHPA) as amended (36 CFR 800) for the Westside Subway Extension project in Los Angeles County.

Subsequent to your letter of concurrence on the APE dated September 27, 2010, the proposed project has been refined with the selection of the Locally Preferred Alternative (LPA), which consists of a nearly nine miles subway extension with seven new stations (see attached figures). The LPA is the only build alternative under consideration for the project. The revised APE for archeological resources comprises of 100 feet on both sides of the center line of the alignment, a 500-foot radius around all station locations, and a 100-foot radius around the Division 20 maintenance facility (see attached figures). For historic/architectural resources, the APE extends one property parcel beyond the limits of the above-ground LPA alignment for the station locations and the Division 20 maintenance facility (see attached figures).

The archaeological resources survey concluded that there are no prehistoric or archaeological resources present within the archaeological APE for the LPA. At the Division 20 facility (see Figure 7-2 of *Archaeological Resources Technical Report*), only site CA-LAN-2610, one of four previously recorded sites, is eligible for listing in the National Register of Historic Places (NRHP) under Criteria D (see Table 7-1 of *Archaeological Resources Technical Report*). Site CA-LAN-2610 is located beneath Santa Fe Avenue and will be avoided by the project construction. As a result, FTA has determined that a “*no adverse effect*” is appropriate for this site.

Within the historic/architectural APE, 41 historic resources (39 individual properties and 2 historic districts) eligible for or listed on the NRHP were evaluated for project effect. Five of these properties are currently listed on the NRHP; 36 historic resources including two historic districts (VA Medical Center and Westwood/UCLA) have been determined eligible for inclusion on the NRHP. The following table provides a brief site description, eligibility status/recommendation, and effect determinations.

WSE No.	Common Name	Brief Description	NRHP Eligibility/ Listing	NRHP Criteria	Impact/ Determination
WSE 41	VA Medical Center Historic District	Old Soldiers Home and VA Medical Center buildings; includes WSE 41a Wadsworth Theater, and WSE 41b historic landscape	Eligible	A, C	Protection or temporary removal and return of historic landscape and trees to original site; no impact by tunneling noise or vibration/ No Adverse Effect
HD 1	Westwood/UCLA Historic District	Spanish Revival, Monterey Revival; includes WSE 46, WSE 47, WSE 49, and contributor HD1a/WSE 61	Eligible	C	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 10	Linde Medical Building	Mid-Century Modern	Eligible	C	Removal for station entrance of a section of meeting wall between attached, integrated garage and rear of main structure/ No Adverse Effect
WSE 11	Century Plaza Hotel	Mid-Century Modern	Eligible	C	Avoid/ No Adverse Effect
WSE 12	Century Park Towers	Mid-Century Modern	Eligible	G, C	Avoid/ No Adverse Effect
WSE 13	Beverly Wilshire Hotel	Italian Renaissance	Listed	A, B, C	Avoid/ No Adverse Effect
WSE 14	Union Bank Building	Mid-Century Modern	Eligible	C	Alteration for station entrance of exterior wall on west end of first level/ No Adverse Effect
WSE 15	Ace Gallery Building	Mid-Century Modern - Brutalism	Eligible	C	Demolish/ Adverse Effect
WSE 16	Glendale Federal Savings Building	Mid-Century Modern	Eligible	C	Avoid/ No Adverse Effect
WSE 17	California Bank Building-Sterling Plaza	Art Deco Commercial	Eligible	C	Avoid/ No Adverse Effect
WSE 18	Fine Arts Theater	Art Deco	Eligible	C	Avoid/ No Adverse Effect
WSE 21	Fox Wilshire Theater	Art Deco	Eligible	C	Avoid/ No Adverse Effect
WSE 23	Johnie's Coffee Shop	Googie style design	Eligible	C	Avoid/ No Adverse Effect
WSE 24	May Company Wilshire (LACMA West)	Streamline Moderne	Eligible	C	Station portal entrance will be constructed in the interior of the first level; avoid alterations to the exterior of the building/ No Adverse Effect
WSE 25	Art Deco-style commercial building	Art Deco	Eligible	C	Avoid/ No Adverse Effect
WSE 26	Darkroom Photography Store façade	Streamline Moderne	Eligible	C	Avoid/ No Adverse Effect

WSE No.	Common Name	Brief Description	NRHP Eligibility/ Listing	NRHP Criteria	Impact/ Determination
WSE 27	Art Deco-style commercial building	Art Deco	Eligible	C	Avoid/ No Adverse Effect
WSE 28	Tidewater (Getty) Oil building	International style	Eligible	C	Avoid/ No Adverse Effect
WSE 29	Los Altos Hotel and Apartments	Spanish Revival	Listed	C	Avoid/ No Adverse Effect
WSE 30	Wilern Theater	Art Deco	Listed	C	Avoid/ No Adverse Effect
WSE 31	Pierce National Life	Mid-Century Modern	Eligible	C	Avoid/ No Adverse Effect
WSE 42	Catholic-Protestant Chapels/ Wadsworth Chapel	1890 Chapel	Listed	A, C	Avoid/ No Adverse Effect
WSE 43	Westwood Federal Building	Mid-Century Modern	Eligible	G, C	Avoid/ No Adverse Effect
WSE 44	Ralph's Grocery Store	Spanish Revival	Listed	C	Avoid: No Adverse Effect
WSE 45	Glendon Arcade Shops	Spanish Revival	Eligible	C	Avoid/ No Adverse Effect
WSE 46	Lindbrook Village	Spanish Revival	Eligible	C	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 47	Courtyard Apartment Complex	Monterey Revival	Eligible	C	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 49	University Bible Building	Gothic Revival	Eligible	C	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 54	The Barn	Home and office of A.Q. Jones architect	Eligible	G, B	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 55	Beverly Hills High School	French Eclectic and Streamline Moderne	Eligible	C	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 56	Perpetual Savings Bank Building	Mid-Century Modern	Eligible	C	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 87	AAA Building	Mid-Century Modern	Eligible	C	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 88	Wilshire Beverly Centre Building (Bank of America Building)	Mid-Century Modern	Eligible	C	Avoid/ No Adverse Effect
WSE 89	Beverly Hills Porsche Dealership	1920s Spanish Revival commercial	Eligible	C	Avoid/ No Adverse Effect
WSE 90	Security National Bank Building/Zephyr Club	Art Deco commercial	Eligible	C	Avoid/ No Adverse Effect
WSE 91	1 <sup>st</sup> Street Viaduct	1920s concrete bridge	Eligible	C	Avoid/ No Adverse Effect
WSE 92	4 <sup>th</sup> Street Bridge	1920s concrete bridge	Eligible	C	Avoid/ No Adverse Effect
WSE 93	6 <sup>th</sup> Street Viaduct	1920s concrete bridge	Eligible	C	Avoid/ No Adverse Effect
WSE 94	Clem Wilson /Mutual of Omaha Building	Art Deco and Gothic	Eligible	C	Avoid/ No Adverse Effect
WSE 96	[unoccupied]	Art Deco	Eligible	C	Avoid/ No Adverse Effect
WSE 97	Los Angeles Country Club (South Course)	Private club established in 1897	Eligible	C	No impact by tunneling noise or vibration/ No Adverse Effect

The VA Medical Historic District, WSE 41, includes the contributing landscape that would be in the "cut-and-cover" area associated with the construction of tunnels for the Westwood/VA Hospital Station. This would require the temporary removal of some ficus and palm trees near the Wadsworth Theater and the Palm Garden during construction. Following construction, the trees will be returned to their current location. A qualified Historic Landscape Architect will conduct on-site monitoring to ensure that the trees are properly removed and replaced. Additionally, measures will be taken to protect a large eucalyptus within the historic district (south side of Wilshire Boulevard). Therefore, FTA has determined a finding of "no adverse effect" for this resource.

The LPA would require the placement of station portals in two historic properties: Linde Medical Building (WSE 10) and Union Bank Building (WSE 14). The Westwood/UCLA station entrance (portal) would be placed in the attached, integrated parking garage, which would require the removal of a portion of the meeting wall between the garage and the interior of the Linde Medical Building. The Wilshire/Rodeo station portal would involve alteration of the exterior wall on the first level of the Union Bank Building (WSE 14). However, because the design and construction associated with these two buildings would comply with the Secretary of the Interior Standards for Rehabilitation; therefore, FTA has determined that there would be "no adverse effect" to these two historic properties.

The proposed Wilshire/Fairfax station entrance (portal) would be constructed within the interior of the first level of the May Company Building (WSE 24) and would use existing public entryways. The design and construction would be conducted in adherence to Secretary of the Interior's Standards for the Treatment of Historic Properties, thus, not affecting the elements that contribute to the significance or integrity on the exterior of this building. As a result, FTA has determined a "no adverse effect" to the May Company building.

All other historic properties, except for the Ace Gallery, will be avoided by the project. Therefore, FTA has determined that there would be "no adverse effect" to these properties.

The LPA would require demolition of the Ace Gallery building to accommodate Wilshire/Rodeo station entrance (portal) and a construction staging area; FTA has determined a finding of "adverse effect" for the Ace Gallery. FTA recommends that a Memorandum of Agreement (MOA) be prepared to resolve the adverse effects on this building.

Please review the enclosed reports and the information provided in this letter. If you find the reports adequate, agree with FTA's eligibility recommendations, determination of project effect, and recommendation for preparing a MOA to resolve any adverse effect the project would have on Ace Gallery, please respond within 30 days in accordance with 36 CFR Part 800.

We thank you for your attention to this critical project to the Los Angeles County metropolitan area. FTA will be contacting your office shortly after your receipt of this letter to address any concerns or answer any questions you may have regarding this project and schedule a meeting. If you have any questions or concerns, please contact Mr. Ray Tellis, Team Leader of our

Mr. Milford Wayne Donaldson, FAIA  
September 16, 2011  
Page 5 of 5

Los Angeles Metropolitan Office, 213-202-3956 or [ray.tellis@dot.gov](mailto:ray.tellis@dot.gov). The staff contact person is Mr. Anthony Lee, Environmental Protection Specialist, at 212-668-2173 or 202-695-0846 or [anthony.lee@dot.gov](mailto:anthony.lee@dot.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Leslie T. Rogers". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Leslie T. Rogers  
Regional Administrator

Copy to (by e-mail):

David Mieger, Los Angeles County Metropolitan Transportation Authority

Enclosures

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

1725 23<sup>rd</sup> Street, Suite 100  
SACRAMENTO, CA 95816-7100  
(916) 445-7000 Fax: (916) 445-7053  
calshpo@parks.ca.gov  
[www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)



01 November 2011

Reply To: FTA100816B

Leslie Rogers  
Regional Administrator  
Federal Transit Authority  
201 Mission Street, Suite 1650  
San Francisco, CA 94105-1839

Re: Section 106 Consultation for the Westside Subway Extension Project, Los Angeles County, CA

Dear Mr. Rogers:

Thank you for your letter of 16 October 2011 initiating consultation for the Federal Transit Authority (FTA) for the above referenced undertaking in order to comply with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. You are requesting at this time that I concur with the determinations of eligibility and finding of no effect.

Subsequent to the concurrence on the APE in September, the proposed project description was refined and the Locally Preferred Alternative (LPA) was selected. The LPA consists of nine miles of subway extension with seven new stations as shown in the maps attached to your report. The LPA is the only build option under consideration for this project.

FTA has defined the revised APE for archaeological resources as comprising 100 feet on both sides of the center line of the alignment, a 500-foot radius around the station locations, and a 100-foot radius around the Division 20 maintenance facility. For architectural resources, the APE extends one property parcel beyond the above-ground LPA alignment for the station locations and the Division 20 maintenance facility. The APE is shown in Appendix A of your attached report. I agree the revised APE is sufficient pursuant to 36 CFR 800.4(1)(a).

Within the APE for the project, 11 historic properties that were either listed or determined eligible for inclusion in the National Register of Historic Places (NRHP) were identified as well as a portion of one historic district. Five of those resources were newly identified as the result of field work for this undertaking. They are as follows:

- AAA Building, 1950 Century Park East, eligible under Criterion C
- Wilshire Beverly Center Building (Bank of America Building), 9461 Wilshire Blvd, eligible under Criterion C
- Beverly Hills Porsche, 8423 Wilshire Blvd, Salinas, eligible under Criterion C
- 8400 Wilshire Blvd, eligible under Criterion C
- Los Angeles Country Club (South Course), 10101 Wilshire Blvd, eligible under Criterion C

In addition, the stand of mature ficus and palm trees in the north-west quadrant of the Wadsworth Theater were determined to be a contributing feature to the VA Medical Center Historic District (11301 Wilshire Boulevard). The district was determined eligible for listing in


1981 by the Keeper of the National Register under Criteria A and C. Also, the segment of the AT&SF Railroad, previously recorded and determined eligible in 2000, no longer appears to retain sufficient integrity to convey its significance for inclusion in the NRHP. At this time, I am only able to concur with the determinations for the contributing landscape feature to the VA Medical Center Historic District and that the AT&SF segment is no longer eligible. Insufficient information was provided on the five other built environment resources precluding my ability to concur with the determination. For concurrence, I need the following information:

- AAA Building, a discussion of how the building significantly embodies the distinctive characteristics of a Modern-era architectural style including what those character defining features are. Also in Section B10 of the DPR 523B form, the building is referenced as the Ace Gallery Building which I believe is an error.
- Wilshire Beverly Center Building, again a discussion of the distinctive characteristics of the Modern-era architectural style. Also it would be useful to know whether this building was considered to eligible as a significant work of Victor Gruen.
- Beverly Hills Porsche, how does this building relate to other examples of automobile facilities for the era and what are the character-defining features of a Spanish Revival architectural style.
- 8400 Wilshire Blvd, a better discussion of the distinctive characteristics of Art Deco style and how this building embodies those characteristics.
- Los Angeles Country Club (South Course), define the distinctive characteristics of a golf course and significant golf course design and how this course represents those characteristics.

The properties listed in Table 6-3 were determined not eligible for inclusion in the NRHP. I concur with these determinations. Until we have resolved the additional determinations of eligibility I will not comment on the finding of effect.

Thank you for considering historic properties in your planning process and I look forward to continuing consultation on this project. If you have any questions, please contact Amanda Blosser of my staff at (916) 445-7048 or e-mail at [ablosser@parks.ca.gov](mailto:ablosser@parks.ca.gov).

Sincerely,



Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer

MWD:ab

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

1725 23<sup>rd</sup> Street, Suite 100  
SACRAMENTO, CA 95816-7100  
(916) 445-7000 Fax: (916) 445-7053  
calshpo@parks.ca.gov  
[www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)



8 December 2011

Reply To: FTA100816B

Leslie Rogers  
Regional Administrator  
Federal Transit Authority  
201 Mission Street, Suite 1650  
San Francisco, CA 94105-1839

Re: Section 106 Consultation for the Westside Subway Extension Project, Los Angeles County, CA

Dear Mr. Rogers:

Thank you for continuing consultation for the Federal Transit Authority (FTA) for the above referenced undertaking in order to comply with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. You are requesting at this time that I concur with the determinations of eligibility and finding of effect.

After our teleconference on November 4, 2011, it's come to my attention that a total of 41 potential historic properties were identified in the APE for the undertaking and not 11 as mentioned in my previous letter. Thank you for forwarding information regarding the additional properties and the supplemental information regarding the 5 properties for which I specifically requested more information.

Five of the historic properties are listed on the NRHP and the remainder was determined eligible for inclusion in the NRHP as the result of this study. They are as follows:

1. Linde Medical Building, 10291 Wilshire Boulevard, Criterion C, meets Criterion Consideration G, period of significance 1962-63.
2. Century Plaza Hotel, 2025 Avenue of the Stars, Criterion C, meets Criterion Consideration G, period of significance 1965.
3. Century Park Towers, 2029 Century Park East, Criterion C, meets Criterion Consideration G, period of significance 1973-1977.
4. Union Bank Building, 9460 Wilshire Boulevard, Criterion C, period of significance 1958-1960.
5. Ace Gallery Building, 9430 Wilshire Boulevard, Criterion C, period of significance 1948-1950.
6. Glendale Federal Savings Building, 9450 Wilshire Boulevard, Criterion C, period of significance 1968.
7. California Bank Building-Sterling Plaza, 9429 Wilshire Boulevard, Criterion C, period of significance 1929.
8. Fine Arts Theater, 9554 Wilshire Boulevard, Criterion C, period of significance 1938.
9. Fox Wilshire Theater, 8430 Wilshire Boulevard, Criterion C, period of significance 1930.
10. Johnie's Coffee Shop, 6101 Wilshire Boulevard, Criterion C, period of significance 1956.
11. May Company Wilshire, 6067 Wilshire Boulevard, Criterion C, period of significance 1939-1940.



12. Commercial Building, 5352 & 5354 Wilshire Boulevard, Criterion C, period of significance 1937.
13. Darkroom Photography Store, 5366-5354 Wilshire Boulevard, Criterion C, period of significance 1930s.
14. Commercial Building, 5410 Wilshire Boulevard, Criterion C, period of significance 1931.
15. Tidewater (Getty) Oil Building, 4201 Wilshire Boulevard, Criterion C, period of significance 1958.
16. Pierce National Life, 3807 Wilshire Boulevard, Criterion C, meets Criterion Consideration G, period of significance 1967-1969.
17. Westwood Federal Building, 11000 Wilshire Boulevard, Criterion C, meets Criterion Consideration G, period of significance 1966.
18. Glendon Arcade Shops, 1139 Glendon Avenue, Criterion C, period of significance 1933.
19. Westwood-UCLA Historic District, Criterion C, period of significance 1933-1940.  
The following contributors were identified in the APE for this project:
  - Lindbrook Village, 10830, 10836 Lindbrook Drive
  - Courtyard Apartment Complex, 10840 Lindbrook Drive
  - University Bible Building, 10801 Wilshire Boulevard
  - Dracker Apartments/Lindbrook Manor, 10824 Lindbrook Drive
20. The Barn, 10300 Santa Monica Boulevard, Criterion B, period of significance 1965-1979, meets Criterion Consideration G.
21. Beverly Hills High, 241 Moreno Drive, Criterion C, period of significance 1927 and 1939.
22. Perpetual Savings Bank Building, 9720 Wilshire Boulevard, period of significance 1962.
23. AAA Building, 1950 Century Park East, eligible under Criterion C
24. Wilshire Beverly Center Building (Bank of America Building), 9461 Wilshire Blvd, eligible under Criterion C, meets Criterion Consideration G, period of significance 1960-1965.
25. Beverly Hills Porsche, 8423 Wilshire Blvd, Salinas, eligible under Criterion C, 1920-1935.
26. 8400 Wilshire Blvd, eligible under Criterion C, period of significance 1930-1940.
27. Los Angeles Country Club (South Course), 10101 Wilshire Blvd, eligible under Criterion C, period of significance 1897-1960.

After reviewing the information, I am able to concur that the above resources are eligible for inclusion in the NRHP. The properties listed in Table 6-3 were determined not eligible for inclusion in the NRHP. I also concur with these determinations.

FTA has determined the undertaking will have an adverse effect on one historic property: Ace Gallery Building. As the result of the project the building will be demolished to accommodate the Wilshire/Rodeo station entrance and construction staging. All of the other historic properties will not be adversely affected by the project. I concur with the determination of effect for the project.

Thank you for considering historic properties in your planning process and I look forward to continuing consultation on this project with preparation of an agreement document addressing the adverse effects. If you have any questions, please contact Amanda Blosser of my staff at (916) 445-7048 or e-mail at [ablosser@parks.ca.gov](mailto:ablosser@parks.ca.gov).

Sincerely,

*Susan H Stratton for*

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer

MWD:ab



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION IX  
Arizona, California,  
Hawaii, Nevada, Guam  
American Samoa,  
Northern Mariana Islands

201 Mission Street  
Suite 1650  
San Francisco, CA 94105-1839  
415-744-3133  
415-744-2726 (fax)

Mr. John M. Fowler  
Executive Director  
Advisory Council on Historic Preservation  
Old Post Office Building  
1100 Pennsylvania Avenue, NW, Suite 803  
Washington, DC 20004

DEC 15 2011

Attention: Louise D. Brodnitz, Program Analyst, ACHP

RE: Reissued  
Westside Subway Extension Project,  
Los Angeles County, CA;  
Notification of Adverse Effect

Dear Mr. Fowler:

The Federal Transit Administration (FTA), in coordination with the Los Angeles County Metropolitan Transportation Authority (LACMTA), proposes a subway extension project in Los Angeles County, CA. Pursuant to provisions of Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800.6), FTA is providing this letter to the Advisory Council on Historic Preservation (ACHP) as notification that this undertaking will have an adverse effect on a historic property (Ace Gallery building). The consulting parties for this undertaking include FTA, the State Historic Preservation Officer (SHPO) for the State of California, and the LACMTA (project sponsor).

The proposed project is an extension of the existing Metro Purple Line heavy rail transit subway system from its current western termini at Wilshire/Western Station to a new western terminus near the West Los Angeles Veterans Affairs (VA) Hospital. The extension will be nearly nine miles and will include seven new stations (see attached figures). The project will also include improvements at the Division 20 maintenance facility.

FTA has concluded that there are no prehistoric or archaeological resources present within the archaeological Area of Potential Effects (APE) for the Locally Preferred Alternative (LPA). At the Division 20 facility (see Figure 7-2 of *Archaeological Resources Technical Report*), only site CA-LAN-2610, one of four previously recorded sites, is eligible for listing in the National Register of Historic Places (NRHP) under Criteria D (see Table 7-1 of *Archaeological Resources Technical Report*). Site CA-LAN-2610 is located beneath Santa Fe Avenue and will be avoided by the project construction. As a result, FTA has determined that a *“no adverse effect”* is appropriate for this site. FTA’s consultation with the California SHPO is currently underway. While no official concurrence has been received to date, FTA anticipates agreement from the

California SHPO on both the adverse and no adverse effect findings based on conversations and emails to date.

Within the project's historic/architectural APE, 41 historic resources (39 individual properties and 2 historic districts) were identified eligible for or currently listed on the NRHP. Detailed identification and eligibility determination process for historic resources can be found in the *Historic Properties Survey Technical Report*. These properties were evaluated for project effect. As summarized in the following table, of the total of 41 historic properties, only one individual historic property, the Ace Gallery, has a determination of Adverse Effect.

WSE No.	Common Name	Brief Description	Impact/ Determination
WSE 41	VA Medical Center Historic District	Old Soldiers Home and VA Medical Center buildings; includes WSE 41a Wadsworth Theater, and WSE 41b historic landscape	Protection or temporary removal and return of historic landscape and trees to original site; no impact by tunneling noise or vibration/ <b>No Adverse Effect</b>
HD 1	Westwood/UCLA Historic District	Spanish Revival, Monterey Revival; includes WSE 46, WSE 47, WSE 49, and contributor HD1a/WSE 61	No impact by tunneling noise or vibration/ <b>No Adverse Effect</b>
WSE 10	Linde Medical Building	Mid-Century Modern	Removal for station entrance of a section of meeting wall between attached, integrated garage and rear of main structure/ <b>No Adverse Effect</b>
WSE 11	Century Plaza Hotel	Mid-Century Modern	Avoid/ <b>No Adverse Effect</b>
WSE 12	Century Park Towers	Mid-Century Modern	Avoid/ <b>No Adverse Effect</b>
WSE 13	Beverly Wilshire Hotel	Italian Renaissance	Avoid/ <b>No Adverse Effect</b>
WSE 14	Union Bank Building	Mid-Century Modern	Alteration for station entrance of exterior wall on west end of first level/ <b>No Adverse Effect</b>
WSE 15	Ace Gallery Building	Mid-Century Modern - Brutalism	Demolish/ <b>Adverse Effect</b>
WSE 16	Glendale Federal Savings Building	Mid-Century Modern	Avoid/ <b>No Adverse Effect</b>
WSE 17	California Bank Building-Sterling Plaza	Art Deco Commercial	Avoid/ <b>No Adverse Effect</b>
WSE 18	Fine Arts Theater	Art Deco	Avoid/ <b>No Adverse Effect</b>
WSE 21	Fox Wilshire Theater	Art Deco	Avoid/ <b>No Adverse Effect</b>
WSE 23	Johnie's Coffee Shop	Googie style design	Avoid/ <b>No Adverse Effect</b>
WSE 24	May Company Wilshire (LACMA West)	Streamline Moderne	Station portal entrance will be constructed in the interior of the first level; avoid alterations to the exterior of the building/ <b>No Adverse Effect</b>
WSE 25	Art Deco-style commercial building	Art Deco	Avoid/ <b>No Adverse Effect</b>

WSE No.	Common Name	Brief Description	Impact/ Determination
WSE 26	Darkroom Photography Store façade	Streamline Moderne	Avoid/ No Adverse Effect
WSE 27	Art Deco-style commercial building	Art Deco	Avoid/ No Adverse Effect
WSE 28	Tidewater (Getty) Oil building	International style	Avoid/ No Adverse Effect
WSE 29	Los Altos Hotel and Apartments	Spanish Revival	Avoid/ No Adverse Effect
WSE 30	Wiltren Theater	Art Deco	Avoid/ No Adverse Effect
WSE 31	Pierce National Life	Mid-Century Modern	Avoid/ No Adverse Effect
WSE 42	Catholic-Protestant Chapels/ Wadsworth Chapel	1890 Chapel	Avoid/ No Adverse Effect
WSE 43	Westwood Federal Building	Mid-Century Modern	Avoid/ No Adverse Effect
WSE 44	Ralph's Grocery Store	Spanish Revival	Avoid/ No Adverse Effect
WSE 45	Glendon Arcade Shops	Spanish Revival	Avoid/ No Adverse Effect
WSE 46	Lindbrook Village	Spanish Revival	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 47	Courtyard Apartment Complex	Monterey Revival	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 49	University Bible Building	Gothic Revival	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 54	The Barn	Home and office of A.Q. Jones architect	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 55	Beverly Hills High School	French Eclectic and Streamline Moderne	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 56	Perpetual Savings Bank Building	Mid-Century Modern	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 87	AAA Building	Mid-Century Modern	No impact by tunneling noise or vibration/ No Adverse Effect
WSE 88	Wilshire Beverly Centre Building (Bank of America Building)	Mid-Century Modern	Avoid/ No Adverse Effect
WSE 89	Beverly Hills Porsche Dealership	1920s Spanish Revival commercial	Avoid/ No Adverse Effect
WSE 90	Security National Bank Building/Zephyr Club	Art Deco commercial	Avoid/ No Adverse Effect
WSE 91	1 <sup>st</sup> Street Viaduct	1920s concrete bridge	Avoid/ No Adverse Effect
WSE 92	4 <sup>th</sup> Street Bridge	1920s concrete bridge	Avoid/ No Adverse Effect
WSE 93	6 <sup>th</sup> Street Viaduct	1920s concrete bridge	Avoid/ No Adverse Effect
WSE 94	Clem Wilson /Mutual of Omaha Building	Art Deco and Gothic	Avoid/ No Adverse Effect
WSE 96	[unoccupied]	Art Deco	Avoid/ No Adverse Effect

WSE No.	Common Name	Brief Description	Impact/ Determination
WSE 97	Los Angeles Country Club (South Course)	Private club established in 1897	No impact by tunneling noise or vibration/ No Adverse Effect

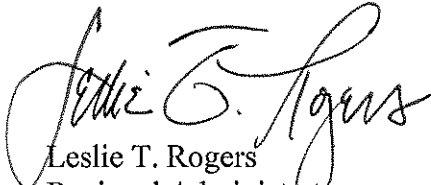
The Ace Gallery building has been determined eligible for listing in the NRHP because it embodies the distinctive characteristics of the Brutalism architectural style. Demolition of the Ace Gallery building will be required to accommodate Wilshire/Rodeo station entrance (portal) and a construction staging area; FTA has determined a finding of *adverse effect* for the Ace Gallery (see attached SHPO letter dated September 16, 2011). Based on conversations to date with the California SHPO, FTA anticipates agreement from the California SHPO on both the adverse and no adverse effect findings.

FTA, in continued consultation with the California SHPO, will develop a Memorandum of Agreement (MOA) to resolve the adverse effects identified. FTA proposes, and expects the California SHPO to agree, that the basis for mitigating the adverse effects of this undertaking will include the following measures:

- Prior to construction, the National Park Service Historic American Building Survey (HABS) or Historic American Engineering Record (HAER) photo-recording and documentation of the Ace Gallery will be produced.
- A public website will be developed concerning the history of the Ace Gallery. The website would be based on the photographs produced as part of the HABS/HAER documentation, and historic archival research previously prepared as part of the Undertaking and historic documentation.

We are requesting that the ACHP review the information outlined in this letter and the attached documentation. If the ACHP chooses to participate in the consultation process of this undertaking, we would appreciate a response within 15 days of receipt of this letter. Should you require additional information, please contact Mr. Ray Tellis, Team Leader of our Los Angeles Metropolitan Office, at (213) 202-3956 or [ray.tellis@dot.gov](mailto:ray.tellis@dot.gov). The staff contact person is Mr. Anthony Lee, Environmental Protection Specialist, at (212) 668-2173 or (202) 695-0846 or [anthony.lee@dot.gov](mailto:anthony.lee@dot.gov).

Sincerely,



Leslie T. Rogers  
Regional Administrator

Enclosures:

Mr. John M. Fowler  
December 15, 2011  
Page 5 of 5

Project Figures  
Archeological Resources Survey Report  
Historic Properties Survey Report



Preserving America's Heritage

January 3, 2012

Mr. Leslie T. Rogers  
Regional Administrator  
Federal Transit Administrator, Region IX  
201 Mission Street, Suite 1650  
San Francisco, CA 94105-1839

**Ref: *Proposed Westside Subway Extension Project  
Los Angeles County, California***

Dear Mr. Rogers:

The Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced project on properties listed on and eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the California SHPO, and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the opportunity to review this undertaking. If you have any questions, please contact Louise Brodnitz at 202-606-8527, or via email at [lbrodnitz@achp.gov](mailto:lbrodnitz@achp.gov).

Sincerely,

Raymond V. Wallace  
Historic Preservation Technician  
Office of Federal Agency Programs