



**CHAPTER 6  
SECTION 4(f) EVALUATION**



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## 6.0 SECTION 4(F) EVALUATION

### 6.1 Section 4(f) Evaluation

This section contains the Section 4(f) evaluation of the Crenshaw/ Los Angeles International Airport (LAX) Transit Corridor Project on parklands and historic properties. The Section 4(f) evaluation includes a description of the proposed action, a list of eligible properties for the National Register of Historic Places (NRHP), and an evaluation of individual parklands or historical resources potentially impacted by the project. The evaluation of each resource includes information on the location and of the property impacted, impacts of the project on the property, measures to minimize harm, and coordination with the agency having jurisdiction over the resource.

Section 4(f) of the Department of Transportation Act of 1966, as amended, (49 *United States Code* [USC] 303) states that the U.S. Department of Transportation (USDOT) may not approve the use of land from a significant publicly-owned public park, recreation area, wildlife or wildfowl refuge, or any significant historic site unless a determination is made that:

- There is no feasible and prudent alternative to the use of land from the property; and
- The action includes all possible planning to minimize harm to the property resulting from such use.

The Section 4(f) evaluation follows the guidance established in the *Federal Highway Administration (FHWA) Section 4(f) Policy Paper* (USDOT 2005), which has been adopted by the Federal Transit Administration (FTA).

#### 6.1.1 Section 4(f) “Use” Definitions

An evaluation of a 4(f) resource is required when a project would result in a use of that resource. As defined in 23 *Code of Federal Regulations* (CFR) 774.17, the “use” of a protected Section 4(f) property occurs when any of the following conditions are met.

- **Direct Use** - occurs when property is permanently incorporated into a proposed transportation project (23 CFR Section 774.17). This may occur as a result of partial or full acquisition of the Section 4(f) property, permanent easements, or temporary easements that exceed regulatory limits noted below.
- **Temporary Use** - occurs when there is a temporary occupancy of property (direct use) that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. Under the FTA regulations (23 CFR Section 774.13), a temporary occupancy of property does not constitute a use of a Section 4(f) resource when all the following conditions are satisfied:
  - ▶ Duration is temporary (i.e., less than the time needed for construction of the project), and there should be no change in ownership of the land;

- ▶ Scope of work is minor (i.e., both the nature and magnitude of the changes to the Section 4(f) property are minimal);
  - ▶ There are no anticipated permanent adverse physical impacts, nor is there interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
  - ▶ The land being used will be fully restored (i.e., the property must be returned to a condition that is at least as good as that which existed prior to the project); and
  - ▶ There must be documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions.
- **Constructive Use** - occurs when a transportation project does not permanently incorporate land from a resource, but the proximity of the project results in impacts (e.g., noise, vibration, visual, and property access) that, including mitigation, are so severe that the protected activities, features, or attributes that qualify the resource for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only if the protected activities, features, or attributes of the resource are substantially diminished (23 CFR 774.15).

#### **FTA Construction Vibration Criteria Used for Constructive Use Evaluation of Sensitive Structures on 4(f) Resources**

**Construction.** Constructive use could occur when vibration during construction of a project would permanently damage a structure that is a Section 4(f) resource. Ground-borne vibration would be generated by general construction activity. The FTA construction vibration damage criteria of 0.3 inches per second peak particle velocity (PPV) for non engineered timber and masonry buildings was used for the analysis.<sup>1</sup> Often, historic buildings are susceptible to vibration because of their age and composition. The FTA has published a construction vibration damage criteria of 0.12 inches per second PPV in inches per second for buildings extremely susceptible to building damage. This threshold was used for the construction use evaluation of 4(f) resources. Per Metro policy, pile driving would not be used within the proximity of any identified sensitive structures during construction of the project. General construction activity typically generates a vibration level of 0.089 inches per second PPV at 25 feet. This reference level would result in a vibration level of 0.12 inches per second PPV at 21 feet. Resources that are located beyond 21 feet, would not result in adverse vibration levels during general construction activity and no adverse effects to sensitive structures would occur.

**Operation.** The FTA has published criteria for assessing construction vibration impacts in *Transit Noise and Vibration Impact Assessment* (May 2006). The vibration impact level is identified as 65 vibration velocity levels (VdB) for Category 1 land uses. These land uses include buildings where vibration would interfere with operation activity (e.g., concert halls and recording studios).

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<sup>1</sup>Federal Transit Administration. 2006. *Transit Noise and Vibration Assessment*.

**6.1.2 De Minimis Impacts**

The requirements of Section 4(f) would be considered satisfied if it is determined that a transportation project would have only a de minimis impact on the Section 4(f) resource (direct use). The provision allows avoidance, minimization, mitigation, and enhancement measures to be considered in making the de minimis determination. The agencies with jurisdiction must concur in writing with the determination. De minimis impact is defined in 23 CFR 774.17 as follows:

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

**6.1.3 Avoidance Alternatives**

Avoidance alternatives were evaluated for each resource with a greater than de minimis Section 4(f) use.

**6.1.4 Measures to Minimize Harm**

Avoidance alternatives were evaluated for each resource with a Section 4(f) use.

**6.1.5 General Agency Coordination and Consultation**

All property owners adjacent to the project alignment were notified of public workshops and meetings conducted for the Crenshaw/LAX Transit Corridor Project and were provided an opportunity to provide comments on the project. Under Section 4(f), public involvement is not required except under de minimis impact determinations. As documented in Chapter 7.0 of the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR), an extensive public involvement program has been implemented for the project. No objections have been received regarding project-related impacts to Section 4(f) properties. Comments received on the Draft Section 4(f) Evaluation have been addressed in the Responses to Comments Section of the FEIS/FEIR.

The methodology for determining eligibility of properties for listing on the National Register of Historic Places and determining the effects of the project on eligible resources was coordinated with the California State Historic Preservation Office (SHPO). FTA has delegated some of the local and State consultation responsibilities to Metro. Metro has coordinated with SHPO through meetings and correspondence to resolve issues on methodology, APE definition, and documentation content throughout the project. Metro and its consultant team met with SHPO personnel to further discuss the proposed undertaking, methods for identification of historic properties, and documentation standards. Coordination and consultation has occurred with SHPO and the Cities of Los Angeles and Inglewood for the 4(f) resources that each agency has



jurisdiction over. Consultation with the cities of Los Angeles and Inglewood, the two agencies with jurisdiction over the 4(f) parkland resources was sought to verify that the project is unlikely to substantially impair the features and attributes of the 4(f) uses evaluated below. Concurrence on a de minimis impact for the southwest portal at Crenshaw/King option was received on April 15, 2011 from the City of Los Angeles. Although not required under Section 4(f) both public agencies also provided written concurrence that the LPA would not affect any 4(f) resources. Consultation with SHPO and the concurrence regarding the project APE and the findings of no effect occurred in May of 2011.

## 6.2 Determination of Properties Eligible for the National Register of Historic Places

Table 6-1, Table 6-2, and Figure 6-1 show the parklands or recreational facilities within the APE for the project and the properties that are determined to be eligible for the National Register of Historic Places or are parklands or recreational facilities. The effects of the proposed project are evaluated against this list to determine what resources are to undergo 4(f) evaluation. For each resource with a Section 4(f) use, the individual evaluations of Section 4(f) properties discuss coordination specific to that resource.

**Table 6-1. Parklands and Recreational Facilities within the Project APE**

Name	Distance to Alignment	Location	Jurisdiction Over Resource	Requires 4(f) Evaluation
<b>Parklands</b>				
Rogers Park/Community Center	300 feet	400 W. Beach Ave., Inglewood	City of Inglewood Parks and Recreation	<b>Yes</b>
Grevillea Park	800 feet	231 S. Grevillea Ave., Inglewood	City of Inglewood Parks and Recreation	No
Centinela (Edward Vincent Jr.) Park	Adjacent	700 Warren Ln., Inglewood	City of Inglewood Parks and Recreation	<b>Yes</b>
Leimert Plaza Park	Adjacent	4395 Leimert Blvd, Los Angeles	City of Los Angeles Department of Parks and Recreation	<b>Yes</b>



Figure 6-1. Location of National Register Eligible Properties and Parklands



Source: SWCA, 2011.

**Table 6-2. Properties Determined or Eligible for National Register of Historic Places**

Name	NR Status Code	Distance to Alignment	Location	Jurisdiction	Section 106 Determination
<b>Properties Eligible for National Register of Historic Places</b>					
Merle Norman	3S	Adjacent	9130 Bellanca Ave, Los Angeles	SHPO	No Adverse Effect
Inglewood Park Cemetery Historic District	3D	150	720 E Florence Ave, Inglewood	SHPO	No Adverse Effect
Harrison Ross Mortuary	3S	50 feet	4601 Crenshaw Blvd., Los Angeles	SHPO	No Adverse Effect
Broadway Department Store (Walmart)	3S	Adjacent	4101 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
May Company (Macy's)	2S2	80 feet	4005 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
Department of Water and Power	3S	25 feet	4030 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
Angelus Funeral Home	3S	100 feet	3887 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
Leimert Park Historic District	3D	Adjacent to 200 feet	Numerous Properties (35)	SHPO	No Adverse Effect

**National Register Status Code**

**2S2** - Individual property determined eligible for NR by a consensus through Section 106 process.

**3D** - Eligible for NR as a contributor to a historic district.  
Source: SWCA, 2011.

**3S** - Appears eligible for NR as an individual property through survey evaluation.

### 6.3 Individual Evaluations of Section 4(f) Properties

The project would not result in the direct use of any parklands or recreational areas identified in Table 6-1. Three of the four parklands are evaluated for potential constructive use based on the nature of the use and their proximity to the alignment. The project would result in the direct use of one National Register Eligible property identified in Table 6-2 and individual 4(f) evaluation is required. The finding under section 106 is that the project would not adversely affect the remaining ten National Register Eligible properties. Under the 23 CFR 774.15(f)(1), if there is no adverse effect determination under Section 106, there is no constructive use and Section 4(f) requirements do not apply. Therefore, the remaining ten National Register-Eligible properties do not require Section 4(f) Evaluation. There are no wildlife or waterfowl refuges in the project area.



**Figure 6-2. Rogers Park/Community Center, Location and Photograph of Community Center**


Source: TAHA, 2011

**6.3.1 Rogers Park/  
Community Center**
**Description of the Property**

Rogers Park/Community Center (Figure 6-2) is located at 400 West Beach Avenue, approximately 300 feet north of the Harbor Subdivision near Beach and Eucalyptus Avenues. This park is located in the City of Inglewood and has a 33,500-square-foot multipurpose recreation building. The park also has a playground, basketball court, two lighted tennis courts, a baseball field, a lighted football/soccer field and a wading pool. These features qualify the park as a recreational resource under Section 4(f). The City of Inglewood Department of Parks and Recreation has jurisdiction over Rogers Park/Community Center.

**Table 6-3. Summary of Section 4(f) Evaluation**

Resource	APN	Location	Impact	4(f) Use Determination
<b>Parklands</b>				
Rogers Park/ Community Center	4017-032-912, 4017-032-911, 4017-032-902, 4017-031-905	320, 400, 534 W. Beach Ave., Inglewood	Potential noise impact	No Direct Use No Constructive Use
Centinela (Edward Vincent Jr.) Park	4015-015-900, 4015-015-901, 4015-016-025	560, 700 Warren Ln., 301 Centinela Ave., Inglewood	Potential noise and vibration impacts	No Direct Use No Constructive Use
Leimert Park	5024-018-900	4395 Leimert Blvd, Los Angeles	Underground easement required for Vernon station (Design Option 5)	No Direct Use No Constructive Use
<b>Properties Eligible for National Register of Historic Places</b>				
Broadway Dept. Store	5032-002-054	4101 Crenshaw Blvd, Los Angeles	Potential surface or underground easement for station portal  Potential view obstruction of small portion of building features;	Direct Use - De Minimis  No Constructive Use

### Section 4(f) Evaluation

The LPA alignment would travel at-grade along the existing Harbor Subdivision. The La Brea Station would be located approximately one half mile to the east, which would improve access.

#### Direct Use

The project would not require the use or acquisition of any property from the Rogers Park/Community Center during construction or operation. Therefore, the project would not result in a direct use of this resource.

#### Constructive Use

**Construction.** Rogers Park is beyond the 21-foot criteria for vibration damage described previously and no adverse ground-borne vibration effects from general construction activity would occur. Access to Rogers Park would not be restricted, and all remaining potential effects of project construction (including fugitive dust, noise, and traffic) would be temporary and would not substantially impair the features of this resource. Therefore, project construction activity would not result in a constructive use of this resource.

**Operation.** Operation of the project would not restrict access, generate localized pollutant emissions, or create a visual impairment to the park. There is no direct line of sight from the park to the alignment. At a distance of 300 feet, operational activity would generate a vibration level of 47 VdB at Rogers Park. This would be less than the FTA significance criteria of 65 VdB for the most sensitive land uses. Therefore, operational activity would not result in adverse vibration levels. Rogers Park would be approximately 300 feet from the LRT alignment. In addition, intervening buildings would block the line-of-site between Rogers Park and light vehicle operations along the proposed alignment. These intervening buildings act as barriers and would attenuate light rail vehicle noise. Moreover, the FTA screening distance for LRT operational noise is 175 feet when considering obstructed views. Rogers Park is located outside of the operational noise screening distance, and no further analysis is required. No substantial impairment of the use of the park features would occur. Therefore, the project would not result in a constructive use of this resource.

#### Section 4(f) Finding

The project would not cause a use of the Rogers Park/Community Center.

### 6.3.2 Centinela (Edward Vincent Jr.) Park

#### Description of the Property

Centinela (Edward Vincent Jr.) Park is located north and adjacent to the Harbor Subdivision near Centinela and Florence Avenues (Figure 6-3). This park contains the Inglewood Veterans Memorial building and Centinela Springs. The park also contains an outdoor amphitheater used primarily for public concerts and rallies. Uses in this amphitheater occur infrequently (approximately two to three times a year) and generally involve the use of amplified sound and the use of portable speakers. These features qualify the park as a recreational resource under Section 4(f). The City of Inglewood



Department of Parks and Recreation has jurisdiction over Centinela (Edward Vincent Jr.) Park.

**Section 4(f) Evaluation**

The LPA alignment would extend along the southern edge of Centinela (Edward Vincent Jr.) Park at-grade along the existing Harbor Subdivision. The alignment is located approximately 525 feet away from the amphitheater, approximately 475 feet away from the Veteran’s Memorial, and approximately 440 feet away from Centinela Springs.

**Figure 6-3. Centinela (Edward Vincent Jr.) Park, Location and Photograph of Proposed LRT Alignment Along Park**



**Direct Use**

Neither the LPA nor the design options would require the use or acquisition of any property from Centinela (Edward Vincent Jr.) Park during construction or operation. Therefore, the project would not result in a direct use of this resource.

**Constructive Use**

**Construction.** Sensitive structures in Centinela (Edward Vincent Jr.) Park described above are beyond the 21-foot criteria described previously and no adverse ground-borne vibration effects from general construction activity would occur. Construction activity would be temporary and none of the features or attributes of the park would be substantially impaired. Therefore, project construction activity would not result in a constructive use of this resource.

**Operation.** Operation of the LPA and design options would not restrict access, generate localized pollutant emissions, or create a visual impairment to the features or attributes of the park. Operational activity would generate a vibration level of 51 VdB at the Edward Vincent Park land uses. This would be less than the FTA significance criteria of 65 VdB for the most sensitive land uses. Therefore, operational activity would not result in adverse vibration levels. The FTA screening distance for LRT operational noise is 350 feet when considering unobstructed line of sight from a transit noise source. The nearest of sensitive land uses associated with Edward Vincent Park would be located no closer

than 440 feet of the proposed LRT alignment. Thus, the sensitive uses within Edward Vincent Park are located outside of the operational noise screening distance, and no further analysis is required. No substantial impairment of the use of the park features would occur. Therefore, the project would not result in a constructive use of this resource.

### Section 4(f) Finding

The project would not cause a use of Centinela (Edward Vincent Jr.) Park.

### 6.3.3 Leimert Plaza Park

#### Description of the Property

Leimert Plaza Park (Figure 6-4) is a one-acre park located to the south of Leimert Park Village at the northeast corner of the Crenshaw

Boulevard/Vernon Avenue intersection. This park contains picnic tables, benches and a decorative water fountain. This park is one of the most heavily used parks in Los Angeles and is a center of political and cultural activity in the local surrounding community, holding events such as the 4th of July Jazz Festival, Kwanza Parade, Martin Luther King Jr. Parade and Festival, and Christmas Toy Giveaway. These features qualify the park as

a recreational resource under Section 4(f). The role of the park as a center of cultural activity also qualifies the park as a contributor to the Leimert Park Historic District. The City of Los Angeles Department of Parks and Recreation has jurisdiction over this resource.

#### Section 4(f) Evaluation

##### Direct Use

**LPA.** The LPA in the vicinity of this resource would require the cut and cover excavation of a below-grade vertical alignment within the right-of-way of Crenshaw Boulevard. No parkland would be permanently acquired and the zone of construction, including safety

Figure 6-4. Leimert Plaza Park, Location and Photograph of Park Feature





fencing and tiebacks for the excavation would not extend into the park. Therefore no direct use of this resource would occur during construction or operation for the LPA.

**Optional Below-Grade Station at Vernon.** This option to the LPA involves the potential inclusion of an additional station at the Crenshaw Boulevard/Vernon Avenue intersection. This design option could involve a below-grade station in the Vernon Triangle, adjacent to the south of the park. This station configuration would require an underground easement for a tunnel boring machine to travel beneath the western half of the park to get back under the median of Crenshaw Boulevard, where it would continue north below grade. The underground easement required for the design option would not adversely affect the features or use of park. Per U.S. DOT Policy (USDOT 2005), Section 4(f) would only apply if the tunneling:

- 1) Disturbs any archaeological sites on or eligible for the National Register of Historic Places which warrant preservation in place, or*
- 2) Causes disruption which would permanently harm the purposes for which the park, recreation, wildlife or waterfowl refuge was established, or*
- 3) Substantially impairs the historic values of the historic site.*

The below-grade optional station at Vernon would not meet any of these three criteria; and, therefore, would not result in the direct use of Leimert Park.

#### ***Constructive Use***

##### ***Construction***

**LPA.** The one structure in the park, the fountain, would be located beyond the 21-foot criteria described previously and no adverse ground-borne vibration effects from general construction activity would occur. Construction activity would be temporary and none of the features or attributes of the park would be substantially impaired. Therefore, project construction activity would not result in a constructive use of this resource.

**Optional Below-Grade Station at Vernon.** The tunnel boring machine that would be used with this design option would be located more than 30 feet below the surface and beyond the 21-foot threshold for vibration described previously. In addition, the tunnel would travel to the west of the fountain in the center of the park. There are no sensitive habitable structures within the park that would be affected by construction vibration. Access to Leimert Park would be maintained, and all remaining potential effects of project construction (including fugitive dust, noise, visual, and traffic) would be temporary and would not substantially impair the features or use of this resource. Therefore, project construction activity would not result in a constructive use of this resource.

##### ***Operation***

**LPA.** Under the LPA for the project, the light rail line would operate in a tunnel in the median of Crenshaw Boulevard and would not substantially impair the features of Leimert Park. The LPA would not result in a constructive use of this resource.

**Optional Below-Grade Station at Vernon.** Light rail operational activity in a tunnel beneath the park would generate a vibration level below 65 VdB at Leimert Park. This would be less than the FTA significance criteria of 65 VdB for the most sensitive land uses. Therefore, operational activity would not result in adverse vibration levels. The alignment is below-grade at Leimert Park and operational noise would not be audible at this land use. Other than a restroom building there are no occupied structures in the park and ground-borne noise would not be an impact consideration. No substantial impairment of the use of the park features would occur.

Therefore, the LPA and the optional below-grade station at Vernon for the project would not result in a constructive use of this resource.

#### **Section 4(f) Finding**

The project would not cause a use of Leimert Park.

### **6.3.4 Broadway Department Store**

#### **Description and Significance of the Property**

The Broadway Department Store (now Walmart) (Figure 6-5) was designed by architect Albert B. Gardner in the Streamline Moderne style, and constructed between 1945 and 1947. The Broadway Department Store was the largest in the nation at the time with 208,000 square feet of retail space and, combined with the adjacent retail stores and supermarket represented almost 550,000 square feet of enclosed space.

In the 1980s, all of the smaller and ancillary retail structures surrounding the Broadway store were demolished, and in the early 1990s, a new enclosed shopping mall was constructed immediately behind. While the setting has changed, the Broadway store still retains sufficient integrity to be eligible for listing in the NRHP. The property was determined eligible for listing on the National Register under Criteria 3S. The Streamline Moderne style of the building qualifies it as a historical resource under Section 4(f).

The building is located at the southwest corner of the Crenshaw/Martin Luther King Jr. Boulevards intersection. The facility can be accessed from Stocker Street, Martin Luther King Jr. Boulevard, and Crenshaw Boulevard and has dedicated off-street parking. The proposed light rail line would be located underground along this segment, with a station located within the Crenshaw Boulevard and King Boulevard rights-of-way.

The King Station has been designed with two possible station portal locations. Under the LPA, the station portal would be located on the southeast corner of the Crenshaw/Martin Luther King Jr. Boulevards intersection. The alternate portal location is on the southwest corner of this intersection, adjacent to the historic building, and is a design option. This design option could be adopted as part of the LPA when the Metro Board approves the project if it were to provide a significant cost savings. The portal would be located on landscaped frontage that was originally a frontage road that ran in front of the historic Broadway building. A portal in this location could also involve an underground connection into the basement of the department store, which would also constitute a



Figure 6-5. Broadway Department Store, Location and Photograph of Building Front



Source: TAHA, 2011

direct use of the property, as a permanent underground easement would be required in order to facilitate this connection.

**Section 4(f) Evaluation**

*Direct Use*

**LPA.** The LPA would not require the use or acquisition of any Broadway property during construction or operation. Therefore no direct use of this resource would occur during construction or operation for the LPA.

**Alternate Southwest Portal at Crenshaw King Station Option.** This design option could involve a portal adjacent to the Broadway building and property or a connection to the basement of the Broadway building. The portal would not be located on the Broadway property and no direct use would occur. A direct use of the Broadway building would occur if the station has an underground connection to the basement. FTA has determined that the effects of this direct use would be de minimis, as this connection was found to have no adverse effect under Section 106 and the connection would not result in damage to the building which would substantially impair the Streamline Moderne style. Therefore, the connection would not affect the structural integrity of the building nor

would it affect the above ground features and attributes of this Streamline Moderne building, which qualify it as a Section 4(f) resource.

### **Constructive Use**

#### ***Construction***

**LPA.** The Broadway building is not located within 21 feet of general construction activity for the project under the LPA. All other construction activity would be temporary and not substantially diminish the features or attributes of the resource. Therefore, no constructive use of this resource would occur.

**Alternate Southwest Portal at Crenshaw King Station Option.** Construction activity would occur within the 21-foot criteria for vibration damage and could result in a constructive use. All other construction activity would be temporary and not substantially diminish the features or attributes of the resource.

#### ***Operation***

**LPA.** Under the LPA, light rail operational activity would generate a vibration level of 57 VdB in the tunnel section adjacent to the Broadway property. This would be less than the FTA significance criteria of 65 VdB for the most sensitive land uses. Therefore, operational activity would not result in adverse vibration levels. The alignment is below-grade at the Broadway Building. Using the typical attenuation rate, the ground-borne noise levels would be approximately 22 dBA. This would not exceed the FTA ground-borne noise criteria of 40 dBA for institutional land uses with primarily day time use and operational noise would not result in an adverse impact. No substantial impairment of the Streamline Moderne features of the building would occur. Therefore, the LPA for the project would not result in a constructive use of this resource.

**Alternate Southwest Portal at Crenshaw King Station Option.** The alternative portal location adjacent to the Broadway building could include an underground connection to the basement or a surface portal and associated kiosk structure adjacent to the Broadway Department Store building. These structures will be designed to not visually obstruct or contrast with the Streamline moderne features of the Broadway building. These project elements would not restrict access, generate pollutant emissions, or vibration or noise activity which would substantially impair the features of the Broadway building. Therefore, the alternate portal location would not result in a constructive use of the Broadway building.

### **Measures to Minimize Harm**

If the portal location adjacent to the Broadway building is selected, the structure for the portal will be designed to complement the Streamline Moderne style of the Broadway Department Store consistent with the Secretary of Interior Standards or as directed by agreement with SHPO.

The following mitigation measure would be implemented to ensure that vibration-related construction activity would not result in structural damage to the historic buildings.





**CR2-**For those historic properties and historical resources that have the potential to be affected or impacted by ground borne vibrations and/or differential settlement, Metro would use building protection measures such as underpinning, soil grouting, or other forms of ground improvement, as well as lower vibration equipment and/or construction techniques. If piles are required near historic properties and structures, they shall be cast in drilled hole (CDIH) piles. These techniques, combined with a geotechnical and vibration monitoring program, would help protect identified historic properties and historical resources. The historic property and historical resource protection measures as well as the geotechnical and vibration monitoring program would be reviewed by an architectural historian or historical architect who meets the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) to ensure that the measures would adequately protect the properties/resources. A post construction survey would also be undertaken to ensure that no adverse effects or significant impacts had occurred to historic properties and historical resources.

#### **Agency Coordination and Consultation**

Metro has coordinated with the owners of the property, Capri Urban Baldwin, LLC and Capri Urban Crenshaw, LLC, who have expressed interest in the portal being located adjacent to their property and with the City of Los Angeles. Metro has received concurrence from SHPO during consultation regarding the FTA determination of de minimis use of the Broadway building.

#### **Section 4(f) Finding**

FTA has determined that the design option for the alternate southwest portal at the Crenshaw/King Station would cause a de minimis use of Broadway Department Store. No use of this resource would occur under the LPA.

### **6.4 Determination of Section 4(f) Use**

The LPA for the Crenshaw/LAX Light Rail Transit Project would not result in the direct or constructive use of any Section 4(f) properties. However, one of the design options for the project, the Alternate Southwest Portal at Crenshaw/King Station Option would result in a de minimis use to one Section 4(f) resource. Pursuant to 23 CFR Part 774.3, the FTA has determined that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures) committed to by the applicant, will have a de minimis impact, as defined in §774.17, on the property.

The SHPO was informed of the FTA's intent to make a de minimis impact finding on the Alternate Southwest Portal at the Crenshaw/King Option. Comments received on the Draft of this Section 4(f) Evaluation (SDEIS/RDEIR) constituted an opportunity for public review and comment. Agencies with jurisdiction over the Section 4(f) resources were consulted and the Section 106 process was completed and followed as prescribed. A letter was received by the SHPO (Appendix J) concluded the Section 106 process. Therefore, the FTA has concluded the Section 4(f) Evaluation.

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