

Appendix B

Section 4(f)/Section 6(f) Evaluation

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Mid-City/Exposition Light Rail Transit Project

Section 4(f)/Section 6(f) Evaluation for Improvements at Farmdale Avenue and Exposition Boulevard



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Contents

Executive Summary.....	1
1.0 Application of Section 4(f).....	1
1.1 Introduction.....	1
1.2 Section 4(f) “Use”.....	2
1.3 De Minimis Finding.....	4
2.0 Description of the Proposed Action.....	5
2.1 Purpose and Need.....	5
2.2 Project Location and Study Area.....	7
2.3 Proposed Action.....	10
3.0 Description of Section 4(f) Resources.....	13
3.1 Public Parks and Recreation Areas.....	13
3.2 Historic Sites.....	13
4.0 Effects on Section 4(f) Resources.....	14
4.1 Rancho Cienega Sports Complex—Description and Significance of Property.....	15
4.2 Rancho Cienega Recreation Center—Application of Section 4(f) Criteria for Use.....	16
4.5 Susan Miller Dorsey High School—Description and Significance of Property.....	16
4.6 Susan Miller Dorsey High School—Application of Section 4(f) Criteria for Use.....	17
4.7 Susan Miller Dorsey High School—Avoidance, Minimization, and Mitigation or Enhancement Measures.....	18
4.8 Susan Miller Dorsey High School—Application of De Minimis Criteria for Historic Resources.....	19
5.0 Section 6(f)(3) Considerations.....	20
6.0 References.....	21
7.0 List of Preparers.....	21
Appendix A SHPO Consultation Letter.....	1

Appendices

Appendix A SHPO Consultation Letter

Tables and Figures

Table	Page
1 Section 4(f) Properties—Public Parks and Recreation Areas.....	13
2 Section 4(f) Resources—Historic Sites.....	13
3 Potential Effects on Section 4(f) Resources	14

Figure	Page
1 Project Location	8
2 Project Vicinity	9
3a Proposed LRT Passenger Station Plan with At-grade Crossing – Eastbound Platform, West of Farmdale Avenue.....	11
3b Proposed LRT Passenger Station Plan with At-grade Crossing – Westbound Platform, East of Farmdale Avenue.....	11
4a LRT Passenger Station with At-grade Crossing and LAUSD Staff Parking Area, Northeast View	12
4b LRT Passenger Station Plan with At-grade Crossing, LAUSD Staff Parking Area, and Dorsey High School in Background, Southwest View	12

Acronyms and Abbreviations

BRT	bus rapid transit
CFR	Code of Federal Regulations
Draft EIS/EIR	draft environmental impact statement/environmental impact report
Expo	Exposition Construction Authority
Expo LRT	Mid-City/Exposition Light Rail Transit
FEIS/EIR	final environmental impact statement/environmental impact report
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
LAUSD	Los Angeles Unified School District

LRT	light rail transit
LWCF Act	Land and Water Conservation Fund Act
Metro	Los Angeles County Metropolitan Transportation Authority
MIS	Major Investment Study
NRHP	National Register of Historic Places
ROW	right-of-way
RTP	Regional Transportation Plan
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2003: A Legacy for Users
SCAG	Southern California Association of Governments
SHPO	State Historic Preservation Officer
USC	United States Code
USDOT	U.S. Department of Transportation

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Mid-City/Exposition Light Rail Transit Project

Section 4(f)/Section 6(f) Evaluation for the Improvements at Farmdale Avenue and Exposition Boulevard

Executive Summary

ICF Jones & Stokes prepared this Section 4(f) evaluation for submission to and consideration by the Federal Transit Administration (FTA). This Section 4(f) evaluation has been prepared in accordance with 49 United States Code (USC) 303 and FTA regulations for Section 4(f) compliance codified at 23 Code of Federal Regulations (CFR) Section 774.774.135. This study evaluates the effects of the proposed action on two Section 4(f) properties, a significant historic site (Susan Miller Dorsey High School) and a public recreational area (Rancho Cienega Sports Complex).

The proposed action, a light rail transit (LRT) passenger station at the intersection of Farmdale Avenue and Exposition Boulevard, would result in a direct use of Susan Miller Dorsey High School, a historic resource. However, it is anticipated that the State Historic Preservation Officer (SHPO) will concur with the finding of *No Adverse Effect* for this historic resource, and that based on such concurrence, the FTA will determine that the use of this 4(f) property will have a *de minimis* impact, as defined in the Section 4(f) Regulations.

No Section 4(f) use would occur at Rancho Cienega Sports Complex.

1.0 Application of Section 4(f)

1.1 Introduction

Section 4(f) of the Department of Transportation Act of 1966, codified at 49 USC Section 303, declares that “[i]t is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.”

Section 4(f) specifies that

[t]he Secretary [of Transportation] may approve a transportation program or project . . . requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge or site) only if

- (1) there is no prudent and feasible alternative to using that land; and
- (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Section 4(f) further requires consultation with the Department of Interior and, as appropriate, the involved offices of the Department of Agriculture and the Department of Housing and Urban Development, and relevant state and local officials, in developing transportation projects and programs that use lands protected by Section 4(f).

The proposed action would involve modifications to one element of the Mid-City/Exposition Light Rail Transit (Expo LRT) line, a transportation facility that would receive federal funding through FTA; therefore, documentation of compliance with Section 4(f) is required.

This Section 4(f) evaluation has been prepared in accordance with the FTA regulations for Section 4(f) compliance codified at 23CFR Section 774.774.135 and the Section 4(f) policy papers issued (in 1989 and early 2005) by the U.S. Department of Transportation (USDOT) through the Federal Highway Administration (FHWA). In 2005, Congress enacted legislation that required the USDOT to issue additional regulations that clarify 4(f) standards and procedures. These new regulations were finalized in March 2008 at 23 CFR 774. This Section 4(f) evaluation takes these new regulations into consideration.

1.2 Section 4(f) “Use”

As defined in 23 CFR Section 774.774.135(p), the “use” of a protected Section 4(f) resource occurs when any of the following conditions are met:

- Land is permanently incorporated into a transportation facility through partial or full acquisition (i.e., “direct use”);
- There is a temporary occupancy of land that is adverse in terms of the preservationist purposes of Section 4(f); or
- There is no permanent incorporation of land, but the proximity of a transportation facility results in impacts so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired (i.e., “constructive use”).

Direct Use

A direct use of a Section 4(f) resource takes place when property is permanently incorporated into a proposed transportation project (23 CFR Section 774.774.135[p][1]). This may occur as a result of partial or full acquisition of a fee simple interest, permanent easements, or temporary easements that exceed regulatory limits noted below (23 CFR Section 774.774.135[p][7]).

Temporary Occupancy

A temporary occupancy of a Section 4(f) resource occurs when there is a temporary occupancy of property that is considered adverse in terms of the preservationist purposes of the Section 4(f) statute. Under the FTA/FHWA regulations (23 CFR Section 774.774.135[p][7]), a temporary occupancy of property does not constitute a use of a Section 4(f) resource when the following conditions are satisfied:

- The occupancy must be of temporary duration (i.e., shorter than the period of construction) and not involve a change in ownership of the property.
- The scope of work must be minor, with only minimal changes to the protected resource.
- There are no permanent adverse physical effects on the protected resource, and there will be no temporary or permanent interference with activities or purpose of the resource.
- The property being used must be fully restored to a condition that is at least as good as that which existed prior to the proposed project.
- There must be documented agreement of the appropriate officials having jurisdiction over the resource regarding the foregoing requirements.

Constructive Use

A constructive use of a Section 4(f) resource happens when a transportation project does not permanently incorporate land from the resource, but the proximity of the project results in impacts (i.e., noise, vibration, visual, access, and/or ecological impacts) so severe that the protected activities, features, or attributes that qualify the resource for protection under Section 4(f) are substantially impaired (23 CFR Section 774.774.135[p][2]). Substantial impairment occurs only if the protected activities, features, or attributes of the resource are substantially diminished. This determination is made through the following practices:

- identification of the current activities, features, or attributes of the resource that may be sensitive to proximity impacts;
- analysis of the potential proximity impacts on the resource;
- consultation with the appropriate officials having jurisdiction over the resource (23 CFR Section 774.774.135[p][6]).

1.3 De Minimis Finding

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2003: A Legacy for Users (SAFETEA-LU) amended existing Section 4(f) legislation to simplify the processing and approval of projects that have only de minimis impacts on resources protected by Section 4(f). A de minimis finding refers to a finding with little or no influence to the activities, features, and/or attributes of the Section 4(f) resource. This is the first substantive revision of Section 4(f) legislation since passage of the USDOT Act of 1966. This revision provides that once USDOT determines that the transportation use of any Section 4(f) property would result in a de minimis impact on that property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, an analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete for that resource.

Under the Section 4(f) Regulations at 23 CFR 774.5, the following coordination must be undertaken prior to making a *de minimis* impact determination:

- FTA has received the written concurrence of the SHPO in a finding of ‘no adverse effect’ in accordance with 36 CFR part 800.
- SHPO has been informed of FTA’s intent to make a de minimis impact finding based on their written concurrence in the Section 106 determination.
- FTA has consulted with the consulting parties identified in accordance with 36 CFR part 800.

Transportation project use of a park, recreation area, or wildlife and waterfowl refuge that qualifies for Section 4(f) protection may be determined to be de minimis if the following criteria are met:

- The transportation use of the Section 4(f) resource, together with any avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).
- The official(s) with jurisdiction over the property are informed of FTA’s intent to make the de minimis finding based on their written concurrence that the project will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).
- The public has been afforded an opportunity to review and comment on the impacts of the project on the protected activities, features, and attributes of the Section 4(f) resource.

2.0 Description of the Proposed Action

2.1 Purpose and Need

In 1998, the Regional Council of the Southern California Association of Governments (SCAG) adopted a Regional Transportation Plan (RTP) to establish goals, objectives, and policies for the region's transportation system and establish an implementation plan for transportation investment over the next 20 years. The RTP includes performance indicators with specific objectives, against which transportation investments can be measured. The performance indicators illustrate that travel conditions in the westside area of the City of Los Angeles will worsen by 2020 and that the area will not meet regional objectives for mobility, accessibility, reliability, or safety without the implementation of additional transportation improvements.

Given the RTP forecasts and the data provided in the Major Investment Study (MIS) for the Mid-City/Westside Study Area, several themes emerged with respect to the need for transportation improvements in the study area:

- The need for transit improvements has been established in previous studies.
- The “centers concept” land use policy is transit based.
- The study area contains a major concentration of activity centers and destinations.
- There is an existing concentration of transit-supporting land uses.
- The high study area population and employment densities support transit.
- Local redevelopment plans depend heavily on transit improvements.
- There is a history of transit usage in the study area.
- There is a significant transit-dependent population in the study area.
- The study area is expected to continue to capture a large share of regional population and employment growth.
- Continued growth in the business services sector (including entertainment and media-related businesses) underlies the future development potential in the study area.
- Travel demand justifies transit services.
- Peak-hour congestion on study area roadways underlies the need for transit improvements.
- Existing and future traffic and street conditions justify transit improvements.
- Local policies are oriented toward demand management and transit solutions rather than physical roadway improvements.

After review of the aforementioned themes and public review of the alternatives contained in the Mid-City/Westside Transit Corridor Draft Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR), which was prepared in June 2001, the Metro Board of Directors adopted a Locally Preferred Alternative (Draft EIS/EIR Alternative 3a), which included a bus rapid transit (BRT) project on Wilshire Boulevard and an LRT project along the Exposition Boulevard right-of-way (ROW) from downtown Los Angeles to Culver City. The final

environmental impact statement/ environmental impact report (FEIS/EIR) for the Expo LRT project from downtown Los Angeles to Culver City was prepared and certified in October 2005. The FEIS/EIR was completed by issuance of the Record of Decision (ROD) from FTA in February 2006. The FEIS/EIR was used as California Environmental Quality Act (CEQA) documentation by the California Public Utilities Commission (CPUC) in its December 2007 decision approving all but two of the at-grade crossings (at Farmdale Avenue and at Harvard Boulevard) for the Exposition Construction Authority's (Expo's) LRT project.

Following certification of the FEIS/EIR, Metro adopted the locally preferred alternative, which contemplated an at-grade crossing at the intersection of Farmdale Avenue and Exposition Boulevard in the City of Los Angeles.

Since that time, members of the public have raised safety concerns about the proposed Farmdale Avenue at-grade LRT crossing. Of particular concern to the Los Angeles Unified School District (LAUSD) and local residents is the proximity of Dorsey High School, with a population of almost 2,000 students, to the at-grade crossing. Other issues include potential visual impacts, reduced traffic access, and noise.

In compliance with DOT regulation 23 CFR part 774.774.130, a draft supplemental Environmental Assessment has been prepared for submission to FTA in response to the February 25, 2009, CPUC decision regarding the LRT crossing at Farmdale Avenue. In that decision, CPUC denied Expo's application for an at-grade crossing at Farmdale Avenue. After considering various options, CPUC found that a pedestrian overcrossing and the closure of Farmdale Avenue at Exposition Boulevard was a practicable alternative to the proposed at-grade crossing. CPUC accordingly left the proceeding open to allow Expo to file an amended application or new application consistent with the CPUC decision.

Subsequent to the CPUC decision, Expo filed an amended application with the CPUC, suggesting several possible options for the crossing at Farmdale Avenue, including a pedestrian overcrossing, a stop-and-proceed requirement for all trains, construction of an LRT station at the intersection of Farmdale Avenue and Exposition Boulevard, and an interim stop-and-proceed requirement with later construction of an LRT station. The CPUC held a prehearing conference on the amended application on September 30, 2009, and at the direction of the Administrative Law Judge, the parties initiated a discussion of issues in hopes of more expeditiously resolving the proceeding. These discussions indicated that the construction of an LRT station at the intersection of Farmdale Avenue and Exposition Boulevard, with a stop-and-proceed requirement in place during any operation of trains prior to completing such construction, would provide a basis for more expeditious resolution of this proceeding.

Currently Proposed Action

The Farmdale Avenue crossing is the final crossing to be considered by the CPUC for the Expo LRT line, and is the subject of an amended application filed with the CPUC on July 29, 2009. All other crossings requiring CPUC approval have been approved, and the Expo LRT line is currently under construction.

The proposed action is a modification to the Expo LRT project that was previously evaluated in the FEIS/EIR. The proposed action includes construction of a split-platform LRT passenger station at Farmdale Avenue within the Exposition Boulevard ROW. This would require the acquisition of a small portion of property from the northeastern edge of the Dorsey High School Campus, which is currently used as a staff parking area. Additionally, the property located on the northeast corner of the intersection of Exposition Boulevard and Farmdale Avenue would be acquired and the Expo Inn, a residency motel located at 4523 West Exposition Boulevard, would be demolished. A new 26-space paved parking lot would be constructed at this location to compensate for the loss of parking spaces at the existing Dorsey High School staff parking lot.

This Section 4(f) evaluation is prepared in support of the environmental assessment (EA) for consideration in evaluating a split-platform LRT passenger station at Farmdale Avenue and Exposition Boulevard, with Farmdale Avenue to remain open to traffic.

2.2 Project Location and Study Area

The project study area is located in the midwestern portion of the City of Los Angeles, approximately 7 miles to the southwest of downtown Los Angeles, within the West Adams–Baldwin Hills–Leimert Community Plan area (City of Los Angeles 2001), and encompasses the intersection of Farmdale Avenue and the proposed Expo LRT tracks along Exposition Boulevard and the immediate surrounding area. The Expo LRT line follows the existing Exposition Boulevard, which is a two-lane bi-directional street aligned along an east–west orientation. To the west of its intersection with Farmdale Avenue, Exposition Boulevard runs along the northern side of the Expo LRT project ROW. Dorsey High School is located at the southwest corner of the Farmdale Avenue intersection with Exposition Boulevard. Continuous blocks of low-scale light industrial buildings are located northwest of the intersection along the northern side of Exposition Boulevard.

To the east of the intersection, the Expo LRT ROW forms a wide median strip along Exposition Boulevard. To the north of this median, Exposition Boulevard has bi-directional traffic, as does Exposition Boulevard South to the south of the median. This area includes a number of low- to medium-height trees that help define the ROW as open space. However, many of these trees were removed subsequent to the 2004 FEIS/EIR to prepare for the construction of the Expo LRT project. To the east of Farmdale Avenue, the primary surrounding land uses are single-family homes. The existing ROW is visible from some of the adjacent homes.

Farmdale Avenue is a two-lane bi-directional street that runs along a north–south orientation for approximately 0.5 mile from Vineyard Avenue to Rodeo Road between La Brea Avenue and Crenshaw Boulevard (see Figure 1, Regional Location Map, and Figure 2, Project Vicinity).

Figure 1: Regional Location

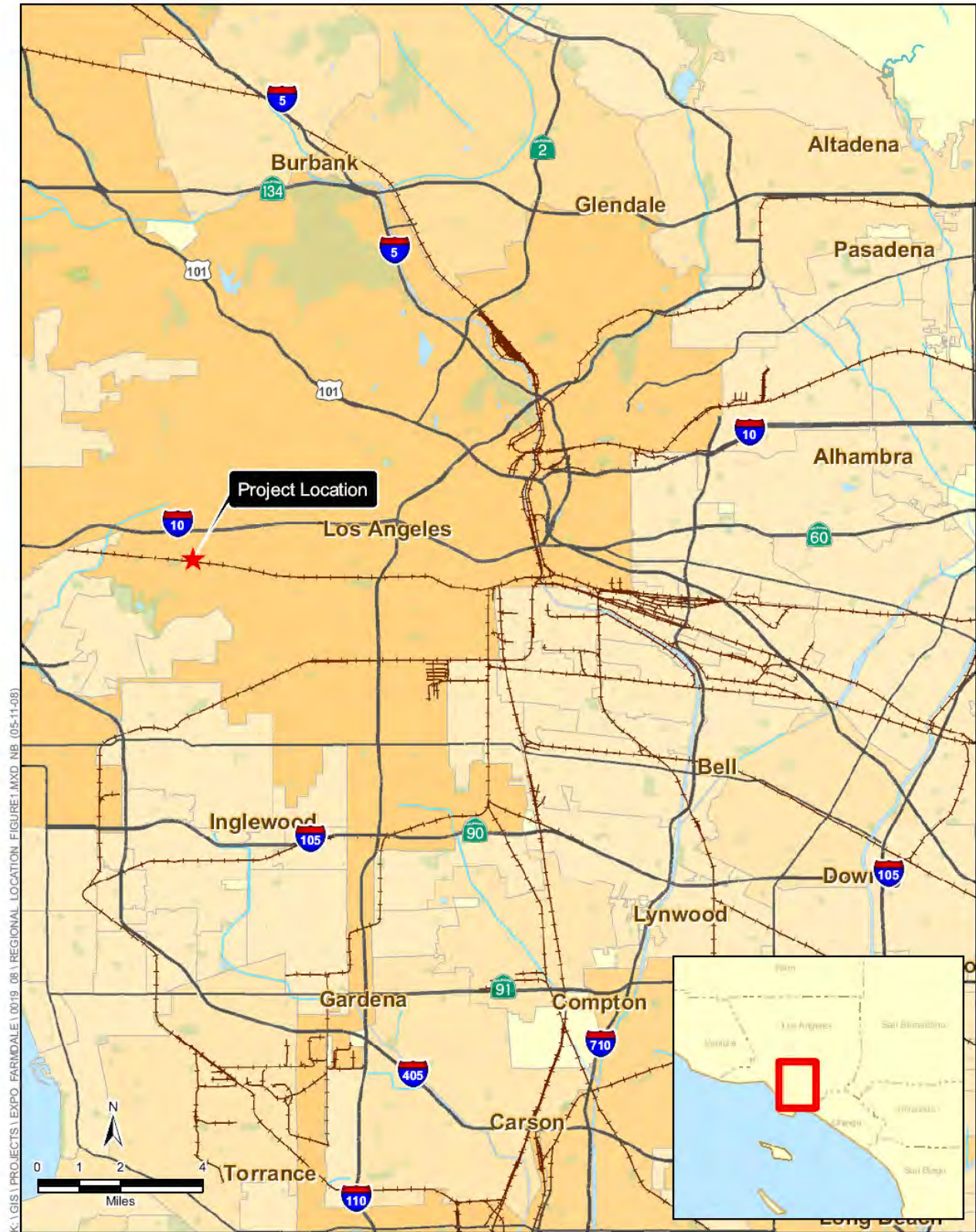
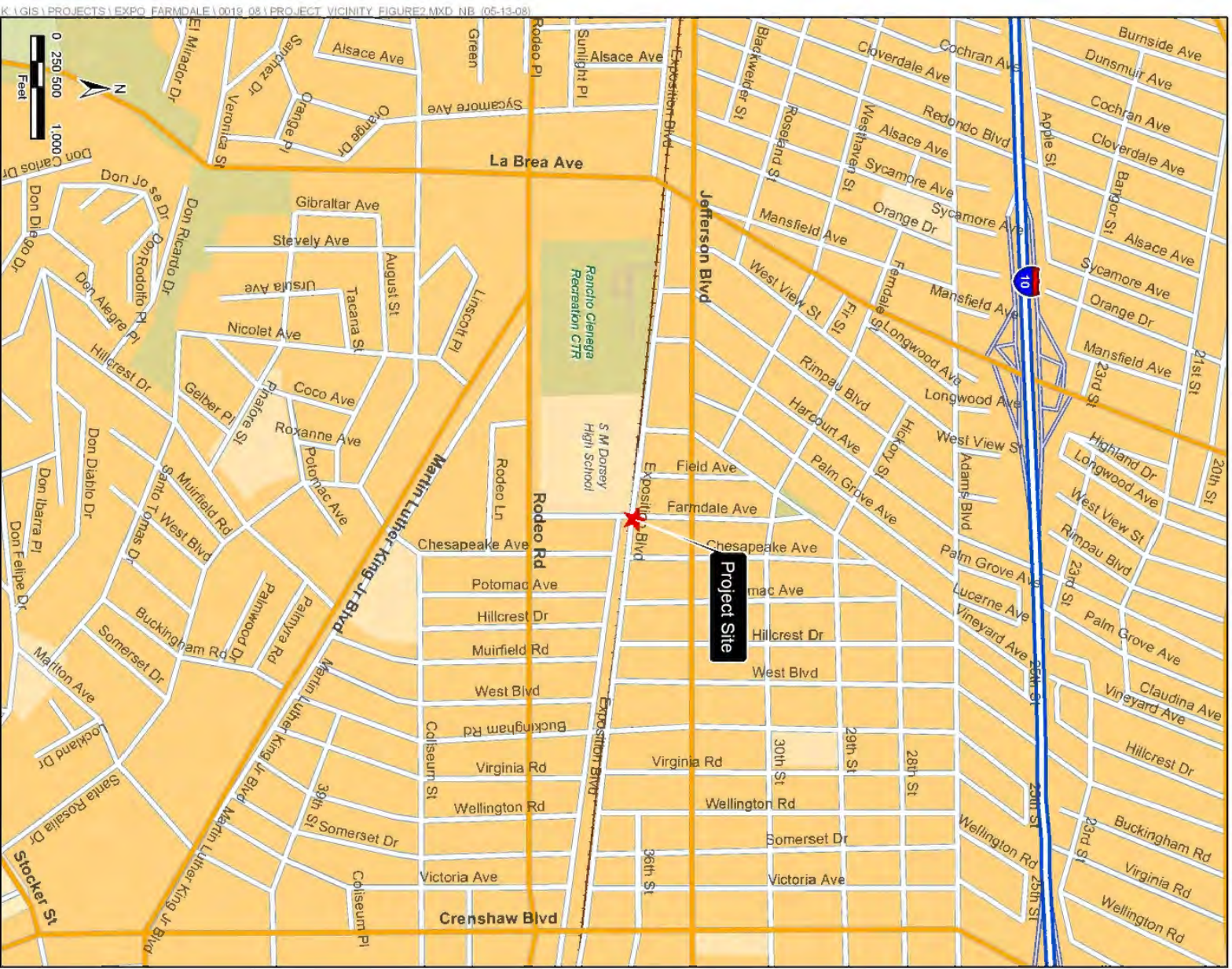


Figure 2: Project Vicinity



K:\GIS\PROJECTS\EXPO_FARMDALE\0019_08\PROJECT_VICINITY_FIGURE2.MXD NB (05-13-08)

SOURCE: ESRI Streetmap USA (2007)

2.3 Proposed Action

The proposed action consists of modifications to the Expo LRT project as previously evaluated in the FEIS/EIR.

Construction of an LRT Station at the Intersection of Farmdale Avenue and Exposition Boulevard

This proposed action would involve the construction of a passenger station at the intersection of Farmdale Avenue and Exposition Boulevard (see Figures 3a and 3b). Farmdale Avenue would remain open to crossing vehicular and pedestrian traffic at Exposition Boulevard, with crossing gates and signals, similar to what was originally proposed for the at-grade crossing at Farmdale Avenue as part of the original Expo LRT project.

To ensure pedestrian safety, the passenger station would be constructed with a near-side split-platform configuration at the intersection of Farmdale Avenue and Exposition Boulevard. The split-platform configuration would require trains to stop at each platform prior to reaching the vehicular and pedestrian crossings at Farmdale Avenue. Each station platform would be 12 feet wide and 270 feet long, with a 12-foot-wide, 20-foot-long fare collection area adjacent to Farmdale Avenue and an emergency exit on the far end of each platform. Westbound Expo trains would stop at the platform east of Farmdale Avenue, and passengers would ingress/egress trains from the north side of the Expo LRT tracks, within the existing ROW. Eastbound Expo trains would stop at the platform to the west of Farmdale Avenue, and passengers would ingress/egress trains from the platform on the south side of the Expo LRT tracks. Once passengers embark or disembark, trains would not leave the station until the train operator verifies that the at-grade crossing is clear of both pedestrians and vehicles. A small train control and communications building would be located east of the station along Exposition Boulevard.

Approximately 5,000 square feet of property would be acquired from Dorsey High School for construction of the eastbound platform on the south side of the Expo LRT ROW (approximately 2,500 square feet) and the pedestrian plaza for the at-grade crossing at the northeast corner of the Dorsey High School campus (approximately 2,500 square feet). The eastbound platform would be partially within an existing staff vehicle parking area on LAUSD property at Dorsey High School and would require the relocation or reconfiguration of approximately 32 existing parking spaces, with a net loss of approximately 19 spaces. A 10,963-square-foot property on the northeast corner of the intersection of Exposition Boulevard and Farmdale Avenue would be acquired, and all structures would be demolished, including the Expo Inn, a residency motel located at 4523 West Exposition Boulevard. To compensate for the loss of parking spaces within the existing Dorsey High School staff parking lot for the construction of the proposed eastbound Expo LRT station platform, a new 26-space paved parking lot would be constructed on this acquired property.

Figure 3a: Proposed LRT Passenger Station Plan with At-grade Crossing – Eastbound Platform, West of Farmdale Avenue



Source: Expo Construction Authority 2009.

Figure 3b: Proposed LRT Passenger Station Plan with At-grade Crossing – Westbound Platform, East of Farmdale Avenue



Source: Expo Construction Authority 2009.

West of Farmdale Avenue, construction of the eastbound platform would require existing Los Angeles Department of Water and Power (LADWP) overhead utility lines to be relocated underground along the ROW as well as the relocation of an electrical transformer at the northeast corner of Dorsey High School. Overhead catenary power lines would be constructed along the Expo LRT alignment, including at this station, to provide electrical power to the Expo LRT trains.

The at-grade crossing would also require realignment of the Dorsey High School driveway at the northeast corner of the school property to accommodate the pedestrian plaza for the at-grade pedestrian crossing. Pedestrians would be directed across the crossing when it is safe. The other side of the crossing, on the north side of Exposition Boulevard, would include a smaller pedestrian plaza, including swing gates, pedestrian gates, and traffic signals to control pedestrian and vehicle traffic.

Figures 4a and 4b, below, illustrate the proposed station and the proposed parking lot in relation to Dorsey High School.

Figure 4a. LRT Passenger Station with At-grade Crossing and LAUSD Staff Parking Area, Northeast View



Source: Expo Construction Authority 2009.

Figure 4b. LRT Passenger Station Plan with At-grade Crossing, LAUSD Staff Parking Area, and Dorsey High School in Background, Southwest View



Source: Expo Construction Authority 2009.

Expo may decide to use an interim stop-and-proceed procedure until the station is constructed. During the initial interim phase, operating the at-grade crossing with a stop-and-proceed operation variation would not result in any physical modifications to the Farmdale Avenue crossing beyond those already evaluated in the FEIS/EIR and thus would not result in any environmental changes or new potentially significant environmental impacts beyond those evaluated in the FEIS/EIR.

3.0 Description of Section 4(f) Resources

As noted above, resources subject to Section 4(f) consideration include publicly owned lands consisting of public park/recreation areas; public wildlife and waterfowl refuges of national, state, or local significance; or historic sites of national, state, or local significance, whether publicly or privately owned. As described more fully below, potential Section 4(f) resources in the project area include a publicly owned recreation area and a school that is identified as a significant historic site. There are no wildlife and waterfowl refuges in the project area.

The FEIS/EIR (Sections 4.14 and 4.17) did not identify a use of any Section 4(f) properties.

3.1 Public Parks and Recreation Areas

One public park has been identified in the vicinity of the site. Table 1 provides a summary of this resource. Detailed description of the resource is provided below in the discussion of effects on Section 4(f) properties.

Table 1: Section 4(f) Properties—Public Parks and Recreation Areas

Map #	Name	Location
1	Rancho Cienega Sports Complex	5001 Rodeo Road, Los Angeles, CA

Source: ICF Jones & Stokes, 2009.

3.2 Historic Sites

One historic site is located in the vicinity of the project site. In accordance with the FTA regulations, Section 4(f) requirements are only applicable to *significant* historic sites (i.e., those sites on or eligible for the National Register of Historic Places (NRHP), or sites otherwise determined significant by the FTA Administrator (23 CFR Section 774.774.135[e])). Table 2 provides a summary of descriptive characteristics for the historic site determined significant for Section 4(f) purposes. Detailed descriptions of the significant historic site are provided below in the discussion of effects on Section 4(f) properties.

Table 2: Section 4(f) Resources—Historic Sites

Map #	Name	Location	Significance*
1	Susan Miller Dorsey High School	3037 Farmdale Ave, Los Angeles, CA	Determined eligible for listing on the NRHP (December 14, 2004)

* A resource is considered to be “significant” for purposes of Section 4(f) if it is on or eligible for the NRHP (or otherwise determined important by the FTA Administrator).

Source: ICF Jones & Stokes, 2008.

4.0 Effects on Section 4(f) Resources

This section describes how the proposed alternatives would affect Section 4(f) resources. A summary of potential effects is provided below in Table 3. Additional analysis then follows for each resource. In every instance, an assessment has been made as to whether any permanent or temporary occupation of a property would occur and whether the proximity of the action would cause any access disruption, noise, vibration, or aesthetic effects that would substantially impair the features or attributes that qualify the resource for protection under Section 4(f).

The analysis of potential effects on Section 4(f) resources below includes:

- A description of each Section 4(f) resource.
- A discussion of how the proposed project alternatives would affect each Section 4(f) resource, and whether the effects would result in a “use” of the resource.
- An evaluation of any feasible and prudent alternatives to avoid use of the Section 4(f) resource. An alternative is not feasible if it cannot be built as a matter of sound engineering practice. A feasible alternative is not prudent if there are truly unusual factors present in a particular case, if there are uniquely difficult problems, or if the cost or community disruption resulting from the alternative reaches extraordinary magnitude. A feasible alternative that fails to satisfy the purpose of and need for the project is usually also not prudent.
- A discussion of measures to minimize harm to Section 4(f) resources where a potential “use” has been identified. When a Section 4(f) resource must be used, all planning to minimize harm, including development of mitigation measures, must be undertaken in coordination with the agency owning and/or administering the resource.

Table 3: Potential Effects on Section 4(f) Resources

Potential Section 4(f) Resource	Proposed Action: LRT Station			Remarks
	Use?			
	Direct	Temporary	Constructive	
Rancho Cienega Sports Complex (public park resource)				No use would occur under the proposed action.
Susan Miller Dorsey High School (historic resource)	X	X	X	Direct use would occur for the proposed action due to acquisition/permanent easement of land and construction of a station platform on the school property.

Source: ICF Jones & Stokes, 2009.

4.1 Rancho Cienega Sports Complex—Description and Significance of Property

Type/Location/Size

Located at 5001 Rodeo Road, Rancho Cienega Sports Complex is set on about 30 acres bounded by Rodeo Road to the south, Exposition Boulevard to the north, Susan Miller Dorsey High School to the east, and other uses to the west.

Access/Facilities/Usage

Main vehicular and pedestrian access is from Rodeo Road and La Brea Avenue. Secondary access is also provided off of Exposition Boulevard. The park is open to general public use, with all facilities (i.e., auditorium, baseball diamonds, basketball courts, soccer and football fields, and all others) requiring reservations and permits. The hours of use are 9:00 a.m. to 10:00 p.m., Monday through Friday, and 9:00 a.m. to 5:30 p.m., Saturday and Sunday. This facility is an LAPD Stop-In Center. The Ira C. Massey Child Care Center is located within the complex and serves nearby elementary schools. The childcare facility is open 7:00 a.m. to 6:00 p.m. on weekdays. The sports complex includes the Lonnie Wilson Jr. Gymnasium, Celes King III Pool, Arthur Ashe Tennis Center, and Jackie Robinson Stadium. The stadium is used for track and field, concerts, and special events (City of Los Angeles 2008).

The sports complex includes the following existing recreational facilities:

- Auditorium,
- Baseball diamond (lighted),
- Basketball courts (lighted/indoor),
- Basketball courts (unlighted/outdoor),
- Children's play area,
- Community room,
- Football field (lighted),
- Handball courts (lighted),
- Picnic tables,
- Soccer field (unlighted), and
- Tennis courts (lighted).

Special features include:

- Classroom,
- Computer lab (15 computers),
- Horseshoe pit, and
- Jackie Robinson stadium (track).

Relationship to Similar Facilities in the Area

The Rancho Cienega Sports Complex is one of the largest of recreation centers in the City of Los Angeles and serves as an important focal point for community activity.

Ownership/Jurisdiction

The sports complex is a City of Los Angeles-owned facility and maintained by City of Los Angeles Recreation and Parks Department.

Significance

Based on the review of City of Los Angeles records for recreational facilities, it is clear that the Rancho Cienega Sports Complex is a significant recreational resource in the City. Formal consultation with the City of Los Angeles is expected to confirm that, in comparing the availability and function of this recreation area with the recreational objectives of the community, the resource in question plays an important role in meeting those objectives.

4.2 Rancho Cienega Recreation Center—Application of Section 4(f) Criteria for Use

There would be no use of the Rancho Cienega Recreation Center as a result of the proposed action.

The proposed action would not require any permanent use (property acquisition) of Rancho Cienega Sports Complex. No construction easements would be required. All construction activities for the proposed action would occur outside the limits of the Rancho Cienega Sports Complex. Access to the facility would remain unaffected during construction. The activities held at the sports complex would remain unaffected by construction of the proposed action. Similar to the design evaluated in the FEIS/EIR, the access to the facility off of Exposition Boulevard would be rerouted, not eliminated. Rancho Cienega would remain accessible from Exposition Boulevard, Rodeo Road and La Brea Avenue.

4.5 Susan Miller Dorsey High School—Description and Significance of Property

Type/Location/Size

Susan Miller Dorsey High School is located at 3537 Farmdale Avenue, on the southwest corner of Exposition Boulevard (south) and Farmdale Avenue (Susan Miller Dorsey High School 2008). The school is spread over 20 acres of land. Approximately 2,000 students were enrolled at the school in 2006–2007.

Access/Facilities/Usage

The main vehicular and pedestrian entrance to the school is via Farmdale Avenue. The playfields are open to the community by permit-only during after-school hours.

Relationship to Similar Facilities in the Area

Susan Miller Dorsey High School (Grades 9 through 12) is a high school within Local District 3 of the LAUSD. The school serves Baldwin Hills, Baldwin Village, Leimert Park, and portions of Crenshaw Park.

The school is a historic resource but is not part of a historic district.

Ownership/Jurisdiction

The school is part of the LAUSD.

Significance

In 2004, the SHPO concurred with the finding that Dorsey High School is eligible for the National Register under Criterion C at the local level of significance because of the Streamline Moderne style of the one- and two-story complex of buildings; it was built in 1937 and designed by the Los Angeles architectural firm of Gogerty and Norenberg.

The proposed options would have no adverse effect on the activities, access, and attributes of the school playfields during construction or operation. FTA has not included the Dorsey High School playfields in this Section 4(f) evaluation because there is no potential for use of the school playfields.

4.6 Susan Miller Dorsey High School—Application of Section 4(f) Criteria for Use

Direct Use

Since Susan Miller Dorsey High School is eligible for listing on the NRHP and is therefore considered a Section 4(f) resource, permanent incorporation of land from such a resource would constitute a direct use.

Construction of a station within Exposition Boulevard ROW would involve a total acquisition of approximately 5,000 square feet along the northern and northeastern extent of the school. To construct the platform, area from the existing paved parking lot of the school would be permanently acquired. Some 19 parking spaces would be lost as a result. Additionally, the entrance to the parking area off of Farmdale Avenue would be reconfigured to accommodate the station platform. Based on ongoing consultation between Expo and LAUSD representatives, Expo will replace the loss of school parking by construction a surface parking lot at the northeastern corner of Farmdale Avenue and Exposition Boulevard. Currently, a motel is located at this location, which will be acquired and demolished to accommodate a parking lot for LAUSD staff. Provided below is a summary of the consultation meeting held thus far between Expo and LAUSD representatives:

- 8-21-2009: Initial presentation of station concept to LAUSD;
- 9-30-2009: CPUC pre-hearing conference held, and initial settlement discussions began regarding the station and pedestrian overcrossing with Farmdale Avenue closed;
- 10-8-2009: Additional settlement discussions and refinements to the alternative designs;
- 10-27-2009: Additional settlement discussions on refinements to the alternative designs; and
- 11-24-2009: Agreement in principal reached with LAUSD on the station alternative.

Expo is working closely with LAUSD to identify measures to minimize harm.

4.7 Susan Miller Dorsey High School—Avoidance, Minimization, and Mitigation or Enhancement Measures

The following measures to minimize harm are proposed action:

- Provide replacement parking for loss of 19 spaces at the northeastern corner of Farmdale Avenue and Exposition Boulevard;
- The public and Susan Miller Dorsey High School shall be notified of any nearby road closures during construction through on-site notices, direct mailings, and postings on Expo's web site; and
- Safe pedestrian and vehicular access to Susan Miller Dorsey High School shall be provided during construction.

4.8 Susan Miller Dorsey High School—Application of De Minimis Criteria for Historic Resources

The school encompasses approximately 19.8 acres (or 862,488 square feet). The proposed action would acquire approximately 5,000 square feet, roughly 0.58 percent, of the total school property. The area of acquisition under all options is used as a driveway or a parking lot.

The proposed options would not affect the school's ability to continue its role as an educational institution nor would it affect the school's inclusion on the National Register of Historic Places as a historic resource.

The proposed action meet the criteria for a de minimis impact finding as shown below:

Criterion 1: The process required by Section 106 of the National Historic Preservation Act of 1966 results in the determination of “no adverse affect” or “no historic properties affected” with the concurrence of the SHPO if participating in the Section 106 consultation.

Response: Formal consultation with SHPO has been initiated. Concurrence of “No Adverse Effect” is expected. Informal consultation with SHPO's office has occurred.

Criterion 2: SHPO is informed of FTA's intent to make a de minimis impact finding based on their written concurrence in the Section 106 determination.

Response: The letter of consultation sent to SHPO (attached as Appendix A) includes language regarding FTA's intent to make a de minimis impact finding.

Criterion 3: FTA has considered the view of any consulting parties participating in the Section 106 consultation.

Response: Expo has been in consultation with LAUSD regarding the action, and measures to minimize harm have been developed in consultation with the district. As part of the public review of the Draft EA including Section 106 and Section 4(f) documentation, any comments received by FTA will be considered in making the finding of de minimis impact.

Susan Miller Dorsey High School—Recommended Determination

Based on the foregoing analysis, it is recommended that a determination be made by the FTA Administrator that a direct use of Susan Miller Dorsey High School (a historic resource), would result from the proposed options. Under the proposed action, the acquisition of approximately 5,000 square feet at the northern extent and northeastern corner of the school property within a paved parking area would

not affect the historic integrity of the school. Additionally, Expo will provide replacement parking at a nearby location to which LAUSD is agreeable.

5.0 Section 6(f)(3) Considerations

Section 6(f)(3) of the Land and Water Conservation Fund Act (LWCF Act) (16 USC Section 4601-4) contains provisions to protect federal investments in park and recreation resources and the quality of those assisted resources. The law recognizes the likelihood that changes in land use or development may make park use of some areas purchased with LWCF funds obsolete over time, particularly in rapidly changing urban areas, and provides for conversion to other use pursuant to certain specific conditions:

Section 6(f)(3)—No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

This requirement applies to all parks and other sites that have been the subject of LWCF grants of any type, and includes acquisition of parkland and development or rehabilitation of park facilities.

A review of the LWCF grants database found no record of LWCF assistance for property acquisition or development at the Rancho Cienega Sports Complex (National Park Service 2008).

6.0 References

- City of Los Angeles. 2008. Rancho Cienega Sports Complex. Available:
<<http://www.laparks.org/dos/recenter/facility/ranchocienegaRC.htm>>.
Department of Recreation and Parks. Accessed: May 18, 2008.
- Federal Highway Administration. 1989. Section 4(f) policy paper. Revised 2005.
- National Park Service. 2008. Land and Water Conservation Fund. Available:
<<http://waso-lwcf.nrc.nps.gov/public/index.cfm>>. Accessed: May 18, 2008.
- Susan Miller Dorsey High School. 2008. School web site. Available:
<<http://dorseydons.org/academics/law.jsp>>. Accessed: May 18, 2008.
- U.S. Department of Transportation and Los Angeles County Metropolitan
Transportation Authority. 2001. *Mid-City/Westside Transit Corridor Draft
Environmental Impact Statement/Environmental Impact Report*. June.

7.0 List of Preparers

Gabriel Olson
Environmental Planner, ICF Jones & Stokes

Shilpa Trisal, AICP
Project Manager, ICF Jones & Stokes

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Appendix A
SHPO Consultation Letter

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

REGION IX
Arizona, California,
Hawaii, Nevada, Guam

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415-744-3133
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APR 30 2010

Mr. Milford Wayne Donaldson
State Historic Preservation Officer
Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296-0001

Attention: Ms. Natalie Lindquist

Re: Exposition Light Rail Transit project: Request for
Concurrence on Finding of No Adverse Effect and
Proposed *De Minimis* Impact Finding Under
Section 4(f) of the DOT Act; Dorsey High School
and Farmdale Avenue Station

Dear Mr. Donaldson:

The purpose of this letter is to inform you of modifications to the Exposition Light Rail Transit (LRT) Project in proximity to the Susan Miller Dorsey High School, a historic property identified during our consultation in 2004. The Federal Transit Administration (FTA) is the lead Federal agency for compliance with the Section 106 of the National Historic Preservation Act and for the National Environmental Policy Act (NEPA). A Final Environmental Impact Statement/ Environmental Impact Report (FEIS/EIR) for the Exposition LRT project was completed in 2005. At this time FTA is preparing a Supplemental Environmental Assessment (SEA) to address the NEPA requirements for the proposed project modifications.

In December 2004, you concurred with our original Section 106 Finding of “no adverse effect” with regard to the original at-grade crossing near Dorsey High School. The current project modifications are located at the Falmdale Avenue crossing on the Exposition LRT project alignment and involve the acquisition of approximately 5,000 square feet of Dorsey High School property for the Federal undertaking for the construction of a new eastbound at-grade station platform and a pedestrian plaza.

Other modifications not located on the school property include; a complimentary westbound at-grade station, the demolition of Expo Inn to compensate for the above proposed property acquisition which results in lost parking spaces from the existing Dorsey High School staff parking lot, and a realigned driveway entrance that will would be added to the existing parking lot.

This letter is to inform you of this proposed change and to request written concurrence with FTA's finding of no adverse effect for the proposed modifications. FTA intends to use your written concurrence to support a *de minimis* impact finding under Section 4(f) of the Department of Transportation (DOT) Act (49 CFR Part 622). We are also requesting that for any archaeological resources that may be discovered during construction related to the project modifications, application of the existing project Cultural Resources Monitoring and Mitigation Plan (CRMMP) would result in no adverse effect with standard mitigation.

National Register Eligibility and 2004 Findings of Effect – Dorsey High School

Our December 8, 2004 letter presented our findings regarding the identification of historic properties and undertaking's effects. In that letter, FTA determined that the Dorsey High School complex was eligible for the National Register under Criterion C at the local level of significance. The Dorsey High School complex is an example of Streamline Moderne style. The property was designed by the Los Angeles architectural firm of Gogerty and Norenberg and built in 1937.

In our review of the previously proposed at-grade crossing near Dorsey High School, we considered the "extremely large" school campus and the Exposition LRT's potential visual effect on the buildings or their setting. We ultimately determined that the Exposition LRT project "would not substantially obstruct views to or alter Dorsey High School and would not diminish its integrity of location, design, materials, or workmanship." [FTA/MTA Mid-City Corridor: Exposition Branch Light Rail Transit, NHPA Section 106 Criteria of Adverse Effect Finding, see Dorsey High School sections.]

FTA received your concurrence with our findings on December 14, 2004. These findings were included in the 2005 FEIS/EIR.

Relationship of Historic Property to Project Site

The Exposition LRT follows the former Southern Pacific right-of-way along Exposition Boulevard, running from east to west. Dorsey High School is located on the southwest corner of the project site, at the intersection of Exposition Boulevard and Farmdale Avenue (see Figure 1). The school's ten contributing buildings are all located south of Exposition Boulevard. The primary facades and principal contributing buildings (administration, some classrooms and auditorium) are mostly grouped in linear fashion facing east on Farmdale Avenue, with a second important facade on the south that is visually accessible from Rodeo Road, a principal east-west road which defines the school's southern property line. Other contributing buildings such as classrooms and the gymnasium are located west of the buildings facing Farmdale Avenue.

Figure 1: Aerial View of Proposed at-grade LRT Passenger Station showing the relationship to the ten Dorsey High School buildings constructed in 1937.



Also shown is the building at 4523 Exposition Boulevard (Expo Inn) that was constructed in 1981 and is not a historic property.

Proposed Option

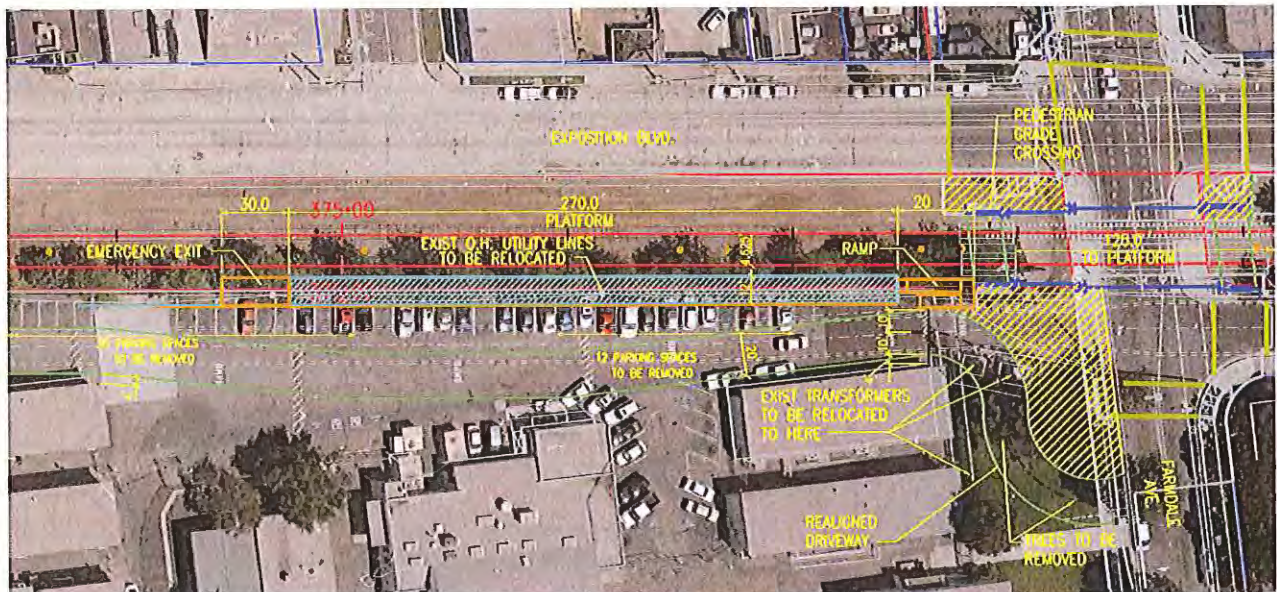
Under the current proposal, approximately 5,000 square feet of property would be acquired for the Federal undertaking from Dorsey High School. This would include approximately 2,500 square feet along the edge of the property line for construction of the eastbound station platform on the south side of the Exposition LRT right-of-way and approximately 2,500 square feet for construction of a pedestrian plaza for the at-grade crossing at the northeast corner of the Dorsey High School campus (see Figure 2). The proposed acquisition will primarily consist of the northern edge of the Dorsey High School campus that currently serves as an asphalt parking lot with two temporary buildings and an original 1937 school building which faces south. All of the buildings would remain following land acquisition and construction, and a new driveway entrance would be added to the existing parking lot.

Also as a part of the proposed option, the Expo Inn, a residency motel located at 4523 West Exposition Boulevard, will be demolished in order to compensate the lost parking spaces from the existing Dorsey High School staff parking lot to be displaced by the proposed eastbound station platform (see Figure 3). The Expo Inn was constructed in 1981 and is not a historic property (see Attachment).

Effects Analysis

The station platform would not result in an adverse effect because the station is at grade and would not pose a visual impact or destruction of the historic school buildings. The proposed acquisition would not include or alter any contributing elements of the historic property or their setting. In addition, the proposed option will not result in an adverse effect because the station platform is at-grade and a new driveway entrance will be connected to the existing asphalt parking lot.

Figure 2: Plan View of Proposed LRT Passenger Station with At-grade Crossing – Eastbound Platform West of Farmdale Avenue



Dorsey High School property is located in the lower portion of the frame: all of the displayed buildings are temporary, except for the central building; its rear elevation faces the station and driveway.

The driveway entrance will be constructed off Farmdale Avenue, on the northeastern corner of the property, in front of the two temporary buildings. The most important vantage points for viewing Dorsey High School are either directly in front of the school, looking west from across Farmdale Avenue; or from Rodeo Road, south of the campus. The north end of the campus includes only one of the ten contributing buildings and one that is not a primary contributor.

Additionally, this building is located well south of Exposition Boulevard and its rear elevation is the only elevation that originally could be seen from Exposition Boulevard. Today, even this view is obscured because of the existing and original staff parking lot, smaller ancillary structures and mature landscaping. With the retention of open thoroughfares at the corner of Farmdale Avenue and Exposition Boulevard, there would be no visual interruption of the school's historic visual connection to the surrounding community and urban fabric which contribute to the property's setting, feeling and association.

Figure 3: Plan View of Proposed LRT Passenger Station with At-grade Crossing and acquired parcel with parking lot – View southwest, facing Dorsey High School. On the school property, the temporary buildings are displayed in the center background of this figure.



Proposed Minimization and Mitigation Measures

Two mature redwood trees near the northeast corner of Dorsey High school would need to be removed for driveway realignment on the northeast side of the campus. These trees shall be assessed for viability, and removed and placed under the care of a licensed arborist during construction. The mature redwood trees would be relocated on the school property. Their removal and relocation would not affect the integrity of historic property and would not lead to an adverse effect.

Prior to the proposed project modifications, a Cultural Resources Monitoring and Mitigation Plan (CRMMP) was prepared according to the requirements of the California State Historic Preservation Officer (SHPO) to mitigate adverse effects on significant resources for the entire Exposition LRT project in the event they were encountered. The CRMMP was developed to guide and facilitate the mitigation monitoring, identification and treatment of cultural resources located during project construction in an effort to mitigate any unforeseen adverse effects on significant resources. Accordingly, if any archaeological or paleontological resources are excavated during construction related to the project modifications, construction would be halted and the mitigation measures detailed in the CRMMP would be adhered to. In 2004, you concurred with the original Section 106 finding of “no adverse effect,” and therefore, no Memorandum of Agreement (MOA) was prepared when the CRMMP was submitted for your review. Before and after mitigation, the proposed project modifications which include the option of a new at-grade station at Palmdale Avenue would not result in an adverse effect under Section 106 of the NHPA.

Finding for the Proposed Option: No Adverse Effect on Dorsey High School

At this time, the FTA requests your concurrence with the following findings:

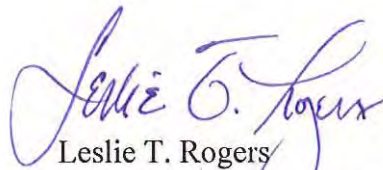
- that for Dorsey High School, construction of an at-grade station at the intersection of Farmdale Avenue and Exposition Boulevard, would have *no adverse effect*, consistent with the finding you concurred with in 2004.
- that for archaeological resources that may be discovered during construction, application of the existing project CRMMP would result in *no adverse effect with standard mitigation*, which is consistent with the finding you concurred with in 2004.

Based on your written concurrence to a No Adverse Effect finding, the FTA Regional Administrator will consider making a *de minimis* impact finding for Section 4(f) of the DOT Act for this historic resource. If appropriate, after the 30 day public review and comment period on the current Draft Supplemental Environmental Assessment (SEA), FTA will finalize the SEA including the public hearing transcript, and make the *de minimis* finding.

Thank you for your cooperation and attention to this matter, and we look forward to your concurrence with our findings presented above. For your convenience, we are providing a concurrence signature block to this letter.

If you have any questions, please feel free to contact Mr. Ray Tellis of our Los Angeles Metropolitan Office at (213) 202-3956.

Sincerely,



Leslie T. Rogers
Regional Administrator

cc: Mr. Carl Ripaldi, LACMTA
Mr. Eric Olson, Exposition Metro Line Construction Authority

Attachment

I CONCUR

Milford Wayne Donaldson, SHPO

Date

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

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1 June 2010

Reply To: FTA041202A

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

Re: Section 106 Consultation for proposed change in the Exposition Light Rail Transit project, Los Angeles County, CA

Dear Mr. Rogers:

Thank you for your letter of 30 April 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. You are notifying me of a change in the design for the project and have requested I review the proposed changes and concur with your determination of no adverse effect.

As I presently understand it, the project will require modifications at the Farmdale Avenue crossing near Dorsey High School. Approximately 5,000 square feet of Dorsey High School property will be acquired for the construction of a new eastbound at-grade station platform and pedestrian plaza. Other modifications not located on the Dorsey High School property include: a complimentary westbound at-grade station, the demolition of Expo Inn to compensate for the above proposed property acquisition which results in lost parking spaces from the existing Dorsey High School staff parking lot, and a realigned driveway entrance that would be added to the existing parking lot.

Dorsey High School is eligible for inclusion on the NRHP under Criterion C at the local level for its streamline design. FTA has determined the proposed project changes will not adversely affect the historic property. I concur with this determination.

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) 654-7372 or e-mail at ablosser@parks.ca.gov.

Sincerely,

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

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

MWD:ab

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