

West Santa Ana Branch Transit Corridor

Final EIS/EIR Chapter 5: Section 4(f) and Section 6(f) Evaluation



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WEST SANTA ANA BRANCH TRANSIT CORRIDOR PROJECT

Final EIS/EIR Chapter 5: Section 4(f) and Section 6(f) Evaluation

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Final Environmental Impact Statement/ Environmental Impact Report

LEAD AGENCIES: Federal Transit Administration of the U.S. Department of Transportation;
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ACRONYMS AND ABBREVIATIONS

Acronym	Definition
APE	Area of Potential Effect
CFR	Code of Federal Regulations
EIS/EIR	environmental impact statement/environmental impact report
FTA	Federal Transit Administration
LADWP	Los Angeles Department of Water and Power
LPA	Locally Preferred Alternative
LRT	light rail transit
Metro	Los Angeles County Metropolitan Transportation Authority
MSF	maintenance and storage facility
NRHP	National Register of Historic Places
SHPO	State Historic Preservation Officer
USC	United States Code
USDOT	U.S. Department of Transportation

5 SECTION 4(f) AND SECTION 6(f) EVALUATION

5.1 Introduction

This chapter summarizes the evaluation of Section 4(f) and Section 6(f) resources and associated effects resulting from the Locally Preferred Alternative (LPA), maintenance and storage facility (MSF), and design option. Information in this chapter is based on the *West Santa Ana Branch Transit Corridor Project Final Section 4(f) and Section 6(f) Evaluation* (Los Angeles County Metropolitan Transportation Authority [Metro] 2024l). The Final Section 4(f) Evaluation updates the evaluation from the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) to reflect identification of the LPA, completion of Section 106 consultation, coordination, and the Federal Transit Administration's (FTA) Section 4(f) determination.

Since completion of the Draft EIS/EIR, the Section 4(f) evaluation was updated to include additional Section 4(f) resources within the Affected Area and to reflect project refinements to the LPA. Overall, the Section 4(f) determinations discussed in this chapter and summarized in Section 5.6 are largely the same as the preliminary Section 4(f) determinations for Alternative 3 in the Draft EIS/EIR. Changes include *de minimis* impacts identified for five additional Section 4(f) historic sites, no use of two Section 4(f) historic sites with previously identified impacts, and a temporary occupancy exception identified for Paramount Park.

Six additional Section 4(f) historic sites have been incorporated into the Section 4(f) evaluation to reflect changes since the Draft EIS/EIR:

- Three river channels (Los Angeles River, Rio Hondo, and San Gabriel) were determined eligible for the National Register of Historic Places (NRHP) in 2022 after circulation of the Draft EIS/EIR and were included in the Area of Potential Effect (APE) delineated for the Project based on U.S. Army Corps of Engineers input.
- Three additional historic properties (L&F Machine Company, Huntington Park High School, and Cudahy Substation) were identified after circulation of the Draft EIS/EIR in portions of the APE expanded since 2021.

As discussed in Section 5.4.1, FTA has determined that the LPA will have *de minimis* impacts on five of the six additional Section 4(f) historic sites and a no Section 4(f) use for Cudahy Substation. In addition, two Section 4(f) historic sites that were previously identified as having permanent or temporary impacts under Alternative 3 in the Draft EIS/EIR will now have no Section 4(f) use under the LPA:

- *De minimis* impacts were identified at 6000 Alameda Street under Alternative 3 because of a minor land acquisition needed for grade-crossing improvements. Additional design refinements eliminated the right-of-way impacts at this location.
- Temporary construction impacts (meeting the temporary occupancy exception) were identified for Randolph Substation under Alternative 3 because of the need for placement of vibration monitors during construction. It has since determined that the vibration monitors can be placed just outside of the property.

In addition, the Draft EIS/EIR indicated that the Project would result in *de minimis* impacts to a small portion of Paramount Park for replacement of an existing pedestrian bridge with a new undercrossing connecting the east and west campuses of Paramount High School. The LPA includes refinements that changed the proposed undercrossing to a replacement pedestrian bridge that would be owned by the school district. This refinement resulted in a reduction of the land area needed for the replacement pedestrian bridge, compared to the land area needed for the proposed undercrossing in the Draft EIS/EIR. After further review, FTA determined that the permanent impacts to a small portion of land that functions as Paramount Park will result in *de minimis* impacts and that the construction impacts meet the conditions for application of the temporary occupancy exception, as described further in Section 5.4.2.1.

This chapter was also updated to document the agency coordination and consultation regarding the Section 4(f) determinations that occurred since publication of the Draft EIS/EIR, as described further in Section 5.5.

5.1.1 Section 4(f) Regulatory Setting

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 provides special protection of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance (as determined by the official(s) with jurisdiction over the park, area, refuge, or site) (49 United States Code (USC) Section 303). The FTA may not approve the non-*de minimis* use of Section 4(f) property unless the FTA determines that (1) there is no prudent or feasible alternative, and (2) the project includes all possible planning to minimize harm to these resources resulting from such use (23 Code of Federal Regulations (CFR) 774.3). The *West Santa Ana Branch Transit Corridor Project Final Section 4(f) and 6(f) Evaluation* (Metro 2024l) is incorporated into this Final EIS/EIR by reference and is summarized in this chapter.

5.1.2 Types of Properties Protected by Section 4(f)

The Section 4(f) regulations (23 CFR 774.17) define Section 4(f) property as publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance. The *Section 4(f) Policy Paper* (USDOT 2012) clarifies this definition to include the following:

- Parks and recreational areas of national, state, or local significance that are both publicly owned and open to the public
- Publicly owned land that is formally designated in a city or county master plan for a future planned public park or recreation area
- Playgrounds, sports fields, and other recreational facilities of public schools that allow the use of school recreational facilities for non-school activities, such as organized youth sports
- Off-street public bicycle, pedestrian, and equestrian trails with a primary purpose for recreation
- Publicly owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public to the extent that public access does not interfere with the primary purpose of the refuge

- Historic sites that are listed, or eligible for inclusion, in the NRHP at the local, state, or national level of significance regardless of whether the historic site is publicly owned or open to the public
- Properties that contribute to the eligibility of a NRHP-eligible or listed historic district
- Archaeological sites listed in or eligible for inclusion on the NRHP, including those discovered during construction, except as set forth in 23 CFR 774.13(b)

5.1.3 Section 4(f) Use

As defined in 23 CFR 774.17, the “use” of a protected Section 4(f) property occurs when any of the conditions described in the following sections are met for permanent incorporation, temporary occupancy, constructive use, or *de minimis* impact.

5.1.3.1 Permanent Incorporation

Land from a Section 4(f) property is permanently incorporated into a transportation project when it has been purchased as right-of-way or sufficient property interests have otherwise been acquired for the purpose of project implementation. For example, a permanent easement required for the purpose of project construction or that grants a future right of access onto a Section 4(f) property, such as for the purpose of routine maintenance by the transportation agency, would be considered a permanent incorporation of land into a transportation facility.

5.1.3.2 Temporary Occupancy (as a use)

Temporary occupancy results when Section 4(f) property, in whole or in part, is required for project construction-related activities. The property is not permanently incorporated into a transportation facility, but the activity is considered to be adverse in terms of the preservation purpose of Section 4(f).

5.1.3.3 Constructive Use

A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property or result in a temporary occupancy of the type that constitutes a Section 4(f) use, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired (23 CFR Section 774.15(a)). A constructive use does not occur when compliance with the requirements of 36 CFR 800.5 for proximity impacts of the proposed action, on a site listed on or eligible for the National Register, results in an agreement of “no historic properties affected” or “no adverse effect” (23 CFR Section 774.15(f)(1)). “No historic properties affected” includes the condition where there are no historic properties present or if there are historic properties present, the project would have no effect upon them as defined under 36 CFR § 800.4. Following consultation with the State Historic Preservation Officer (SHPO) under Section 106, if a project is determined to have no historic properties affected or no adverse effect, then there is no constructive use.

5.1.3.4 Temporary Occupancy (as an exception)

A temporary occupancy exception to use of a Section 4(f) property occurs when there is a temporary use of that property. When the temporary easement is no longer needed, the Section 4(f) property must be restored to its original condition. A temporary occupancy may be a use if the property is subject to temporary or permanent adverse changes such as

contour alterations, removal of trees and vegetation, or disruption of facilities or activities on the property (USDOT 2012).

Under USDOT regulations (23 CFR Section 774.13(d)), a temporary occupancy of a Section 4(f) property does not constitute a use of a Section 4(f) property 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.

5.1.3.5 De Minimis Impact

Section 4(f) use is assessed in terms of the magnitude of impact to determine whether the use is “*de minimis*” or not “*de minimis*.” 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. The provision allows avoidance, minimization, mitigation, and enhancement measures to be considered in assessing the net impact to the Section 4(f) use to make a *de minimis* determination. The agencies with jurisdiction must concur in writing with the determination. *De minimis* impact determination is defined in 23 CFR 774.17 as follows:

- For parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is a determination based on the net impact that the project 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.

Amended Section 4(f) legislation included in Title 23 USC Section 138 and Title 49 USC Section 303 also allows for a simplified process and approval for projects that have only *de minimis* impacts on lands subject to protection under Section 4(f). *De minimis* impacts are of such a minor extent that they do not require a full Section 4(f) evaluation. Under these provisions, once the FTA determines that a transportation use of a Section 4(f) property results in a *de minimis* impact, analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete.

5.1.4 Methodology

The complete methodology for the Section 4(f) Evaluation is included in the *Final Section 4(f) and 6(f) Evaluation* (Metro 2024l). The Section 4(f) Affected Area is defined as the Section 106 APE for historic sites and within 150 feet of the LPA for public park, recreation areas, and wildlife and waterfowl refuges. All properties within the Affected Area that could

be subject to Section 4(f) protection were reviewed. The analysis in this chapter is based on FTA's Section 106 effect determinations and includes consultation with official(s) with jurisdiction for the individual resources, as discussed in Section 5.5.

FTA provided the public and officials with jurisdiction over Section 4(f) properties with an opportunity to review and consider the Section 4(f) analysis and FTA's preliminary determinations in the Draft EIS/EIR. FTA and Metro requested concurrence on Section 4(f) determinations from the agencies with jurisdiction over parks.

5.2 Project Description

The Project's overall purpose is to provide high-quality reliable transit service to meet the future mobility needs of residents, employees, and visitors who travel within and through the corridor. Chapter 1, Purpose and Need, of this Final EIS/EIR describes the Project's Purpose and Need and related goals that shaped the development of the project alternatives. Chapter 2, Alternatives Considered/Project Description, of this Final EIS/EIR describes the LPA evaluated in the *Final Section 4(f) and 6(f) Evaluation*.

5.3 Section 4(f) Resources

Section 4 of the *Final Section 4(f) and 6(f) Evaluation* documents the identification of Section 4(f) properties within the Section 4(f) Affected Area of the LPA. The identified Section 4(f) properties are listed in Table 5.1 for historic sites and in Table 5.2 for parks and recreation areas.

The U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife databases were reviewed for natural wildlife refuges located within the Affected Area for Section 4(f) resources. These resources are not found in the Affected Area and, therefore, are not discussed further in the Section 4(f) analysis of impacts.

Table 5.1. Summary of Evaluation of Section 4(f) Historic Sites within the Affected Area

Property	Section 4(f) Protected Activities, Features, or Attributes	Description of Effect	Section 106 Finding	Section 4(f) Finding
Pueblo del Rio Public Housing Complex, Long Beach Avenue, Los Angeles	NRHP-eligible historic district under Criteria A and C	No permanent incorporation of land or temporary occupancy; permanent visual elements introduced within right-of-way	No Adverse Effect	No use
Randolph Substation/ Randolph St, Huntington Park	NRHP-eligible historic property under Criterion C	No permanent incorporation of land or temporary occupancy	No Adverse Effect	No use
Southern California Edison Long Beach-Laguna Bell 60kV and 220 kV Transmission Lines	NRHP-eligible historic structure under Criteria A and C	No adverse effect on object	No Adverse Effect	No use

Property	Section 4(f) Protected Activities, Features, or Attributes	Description of Effect	Section 106 Finding	Section 4(f) Finding
LADWP Boulder Lines 1 and 2	NRHP-eligible historic structure under Criteria A and C	No adverse effect on object	No Adverse Effect	No use
Rancho Los Amigos Medical Center Historic District, Downey	NRHP-eligible historic district under Criterion A	TPSS, a train control and communication house, and construction laydown area within non-contributing area of district ¹	No Adverse Effect	No use
Century Freeway-Transitway Historic District	NRHP-eligible historic district under Criteria A and C	Replacement of one bridge within district ¹	No Adverse Effect	<i>de minimis</i> impact
Bellflower Pacific Electric Railway Depot/ 16336 Bellflower Blvd, Bellflower	NRHP-eligible historic property under Criteria A and C	No permanent incorporation of land or temporary occupancy; Bellflower Station to the west of the depot	No Adverse Effect	No use
10040 Flora Vista St, Bellflower	NRHP-eligible historic property under Criterion C	No permanent incorporation of land or temporary occupancy; alignment slightly above grade, transitioning into an aerial viaduct	No Adverse Effect	No use
Union Pacific Los Angeles River Rail Bridge, South Gate	NRHP-eligible historic structure under Criterion C	No permanent incorporation of land or temporary occupancy; new railroad bridge constructed to the north of existing structure	No Adverse Effect	No use
6000 Alameda St, Huntington Park	NRHP-eligible historic property under Criterion C	No permanent incorporation of land or temporary occupancy	No Adverse Effect	<i>No use</i>
6101 Santa Fe Ave, Huntington Park	NRHP-eligible historic property under Criterion C	Minor acquisition for grade crossing	No Adverse Effect	<i>de minimis</i> impact
2860 Randolph St, Huntington Park	NRHP-eligible historic property under Criterion C	No permanent incorporation of land or temporary occupancy; alignment at-grade in existing La Habra Branch right-of-way in median of Randolph Street	No Adverse Effect	No use

Property	Section 4(f) Protected Activities, Features, or Attributes	Description of Effect	Section 106 Finding	Section 4(f) Finding
6300-6302 State St, Huntington Park	NRHP-eligible historic property under Criterion C	No permanent incorporation of land or temporary occupancy; alignment at-grade in existing La Habra Branch right-of-way in median of Randolph Street	No Adverse Effect	No use
L & F Machine Company/ 2110 Belgrave Avenue, Huntington Park	NRHP-eligible historic property under Criterion A	No permanent incorporation of land or temporary occupancy	No Adverse Effect	No use
Huntington Park High School/ 6020 Miles Avenue, Huntington Park	NRHP-eligible historic property under Criterion C	Minor acquisition for grade crossing	No Adverse Effect	<i>de minimis</i> impact
Cudahy Substation/ Salt Lake Avenue, Cudahy	NRHP-eligible historic property under Criterion C	Minor acquisition for grade crossing; alignment at-grade in existing San Pedro Subdivision right-of-way	No Adverse Effect	<i>de minimis</i> impact
Los Angeles River Channel, South Gate	NRHP-eligible historic property under Criteria A and C	New bridge crossing over channel; no adverse effect on features, activities, or attributes that contribute to NRHP eligibility	No Adverse Effect	<i>de minimis</i> impact
Rio Hondo Channel, South Gate	NRHP-eligible historic property under Criteria A and C	New bridge crossing over channel; no adverse effect on features, activities, or attributes that contribute to NRHP eligibility	No Adverse Effect	<i>de minimis</i> impact
San Gabriel River Channel, Cerritos	NRHP-eligible historic property under Criteria A and C	New bridge crossing over channel; no adverse effect on features, activities, or attributes that contribute to NRHP eligibility	No Adverse Effect	<i>de minimis</i> impact

Source: Metro 2024I

Notes: ¹Per Question 7C of the Section 4(f) Policy Paper, when a project requires land from a non-historic or non-contributing property within a historic district and does not use other land within the historic district that is contributing to its historic significance, there is no direct use of the historic district for purposes of Section 4(f).

kV = kilovolt; LADWP = Los Angeles Department of Water and Power; NRHP = National Register of Historic Places;

TPSS = traction power substation

Table 5.2. Summary of Evaluation of Section 4(f) Park and Recreation Areas within the Affected Area

Property	Section 4(f) Protected Activities, Features, or Attributes	Description of Effect	Section 4(f) Finding
Lillian Street Elementary School 5909 Lillian St Los Angeles	Playground, asphalt play areas include track, tennis court, four-square, basketball and other ball courts, and miscellaneous play space	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
San Antonio Elementary School 6222 State St Huntington Park	Asphalt play areas include track, tennis court, basketball and other ball courts, and miscellaneous play space	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Salt Lake Park 3401 East Florence Ave, Huntington Park	Recreation center, gymnasium, grass soccer field, synthetic grass soccer field, baseball diamonds, batting cages, skate park, tennis courts, weight room, picnic areas, barbecues, children's playgrounds, concession stand, and meetings rooms	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Legacy High School Complex 5225 Tweedy Boulevard, South Gate	1 baseball field, 1 open field, 4 tennis courts	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Hollydale Community Center/Park 12221 Industrial Ave, South Gate	Basketball court, community center, playground; no onsite parking	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Paramount Park 14400 Paramount Blvd, Paramount	Playgrounds, handball courts, baseball diamonds, basketball court, picnic shelters/ barbecues, gymnasium, walking path, restrooms, pool with onsite parking	Permanent occupancy of approximately 4,470 square feet and temporary occupancy of approximately 6,540 square feet of LADWP right-of-way that functions as part of Paramount Park; protected activities, features, or attributes are not substantially impaired (no constructive use)	<i>de minimis</i> impact and temporary occupancy exception

Property	Section 4(f) Protected Activities, Features, or Attributes	Description of Effect	Section 4(f) Finding
Ruth R. Caruthers Park 10500 East Flora Visa St, Bellflower	Baseball/softball fields, batting cages, skate park, game room, picnic areas, wading pool, playgrounds, tennis courts, basketball court, volleyball courts, handball courts, tetherball courts, fitness center, 2-mile fitness course, equestrian path, barbecues; park includes onsite parking and 2.5-mile bike trail	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Rosewood Park 17715 Eric Ave, Cerritos	Basketball court, sand area with playground equipment, picnic shelters, barbecues, multipurpose field, with onsite parking	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Artesia Park 1870 Clarkdale Ave, Artesia	Banquet space, baseball/softball diamond, basketball court, meeting rooms, picnic areas, picnic shelters, children's playground, restrooms, soccer field, tennis court, with onsite parking	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Flora Vista Dog Park 9203 Flora Vista St	Off-leash dog exercise	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use
Los Angeles River Bike Path	Bicycling, skating, skateboarding, and similar active recreation	Short-duration detour during construction ¹	Temporary occupancy exception (no use)
Rio Hondo Bike Path	Bicycling, skating, skateboarding, and similar active recreation	Short-duration detour during construction ¹	Temporary occupancy exception (no use)
San Gabriel River Mid-Trail	Bicycling, skating, skateboarding, and similar active recreation	Short-duration detour during construction ¹	Temporary occupancy exception (no use)

Property	Section 4(f) Protected Activities, Features, or Attributes	Description of Effect	Section 4(f) Finding
Urban Orchard Park (Planned)	Planned passive recreation park	No permanent incorporation of land, temporary occupancy, or substantial impairment of qualifying protected activities, features, or attributes (no constructive use)	No use

Source: Metro 2024l

Notes: ¹As detailed in Section 5.1.3.4, short-duration detours during construction would meet the conditions for a temporary occupancy exception established in 23 CFR 774.13.

LADWP = Los Angeles Department of Water and Power

5.4 Section 4(F) Evaluation

Section 5 of the *Final Section 4(f) and 6(f) Evaluation* (Metro 2024l) documents the evaluation of all Section 4(f) properties within the Section 4(f) Affected Area of the LPA. The evaluation is summarized in Table 5.1 for historic sites and in Table 5.2 for public parks and recreation areas. The analysis identifies the project elements that could affect each of the properties.

The remainder of this section provides details from the evaluation for each Section 4(f) property with de minimis impacts and/or application of the temporary occupancy exception. Historic sites are discussed in Section 5.4.1. Public parks and recreation areas are discussed in Section 5.4.2. As detailed in the *Final Section 4(f) and 6(f) Evaluation*, there will be no use of other Section 4(f) properties listed in Table 5.1 and Table 5.2.

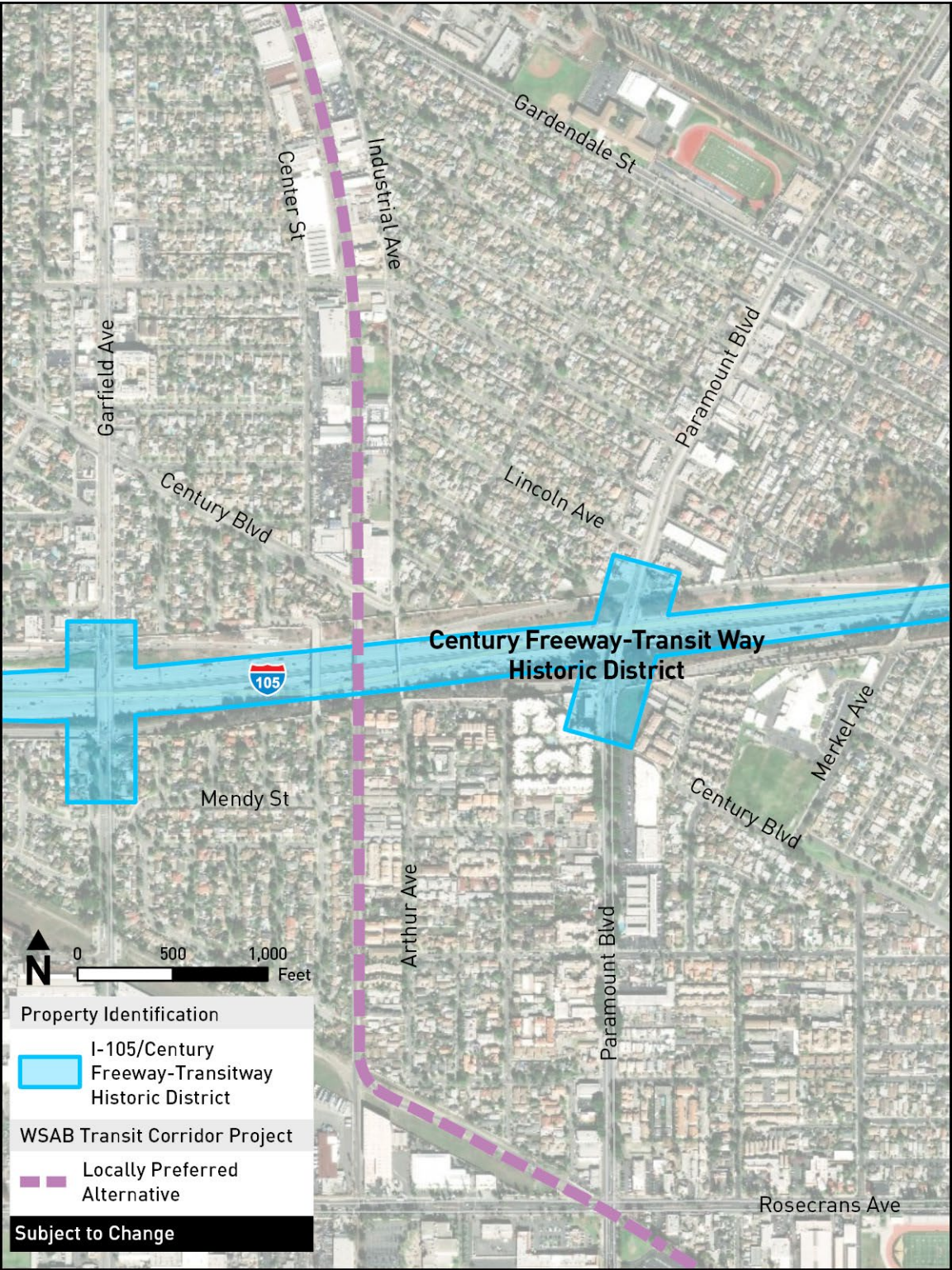
5.4.1 Historic Sites

5.4.1.1 Century Freeway-Transitway Historic District

The Century Freeway-Transitway Historic District is a multi-lane roadway that has been determined eligible for listing in the NRHP (Figure 5-1). While the historic district extends well beyond the boundaries of the APE, the APE includes approximately 0.5 mile of the historic district inclusive of three overcrossings and one underpass.

Based on the discussion below, the LPA will result in permanent incorporation and temporary occupancy within portions of the Century Freeway-Transitway Historic District. However, the LPA will not impair the features, activities, or attributes that contribute to its NRHP eligibility. The LPA will have no adverse effect on the historic district under Section 106. As part of the Section 106 process, the California SHPO concurred with this determination. Additionally, based on the Section 106 no adverse effect determination, FTA has found that the LPA will have temporary and permanent *de minimis* impacts on the Century Freeway-Transitway Historic District. Because a constructive use does not occur when compliance with the requirements of 36 CFR 800.5 (Assessment of adverse effects) for proximity impacts of the proposed action, on a site listed on or eligible for the National Register, results in an agreement of “no historic properties affected” or “no adverse effect” (23 CFR Section 774.15), the LPA will not have a constructive use of the Century Freeway-Transitway Historic District.

Figure 5-1. Century Freeway-Transitway Historic District



Sources: Metro 2024l

The LPA will be located at-grade within the existing Union Pacific Railroad San Pedro Subdivision Right-of-Way. Upon approach to I-105 from the north and south, the alignment will transition to an aerial structure to cross over the freeway. The alignment will remain relatively flat as it crosses over I-105 and the Metro C Line on a new light rail transit (LRT) bridge, which will be constructed roughly in the location of the existing Century Boulevard Underpass. The Century Boulevard Underpass will be demolished and rebuilt immediately west of its current location to accommodate the LPA alignment. A replacement freight bridge will be constructed to the immediate west of the new LRT bridge. The proposed LPA design includes all measures to minimize harm, including revision of design subsequent to the Draft EIS/EIR to avoid demolition and replacement of two character-defining bridges within the Century Freeway-Transitway Historic District.

The LPA will directly alter a small portion of the district and include the following actions: demolition and replacement of one character-defining bridge (the Century Boulevard Underpass), construction of a new LRT bridge over the freeway, construction of a new infill Metro C Line station and associated vertical circulation elements in the median of I-105 below the existing Façade Avenue Overcrossing, realignment of 2,500 feet of existing Metro C Line LRT track to accommodate the infill station platform, and minimal removal and replacement of landscaping. Implementation of the LPA will not diminish the district's integrity or alter in an adverse manner those physical characteristics that convey its historical significance and that justify its inclusion in the NRHP.

The LPA will require temporary occupancy of the historic site for construction activities, including demolition and reconstruction of the Century Boulevard Underpass and realignment of a portion of the C (Green) Line. These temporary construction effects were considered as part of FTA's No Adverse Effect finding under Section 106 and consultation with the California SHPO.

5.4.1.2 6101 Santa Fe Avenue, Huntington Park

6101 Santa Fe Avenue is a one-story daylight factory building developed by the Sav-A-Day Laundry Company in 1928. The building is eligible for listing in the NRHP.

Based on the discussion below, the LPA will result in permanent incorporation of land within portions of 6101 Santa Fe Avenue. However, the LPA will not impair the features or attributes that contribute to its NRHP eligibility. Additionally, based on the Section 106 no adverse effect determination, FTA has determined that the LPA will have a *de minimis* impact on 6101 Santa Fe Avenue. As part of the Section 106 process, the California SHPO concurred with this determination. The LPA will have a Section 4(f) *de minimis* impact to 6101 Santa Fe Avenue. Based on the definition of constructive use in Section 5.1.3.3, it will not have a constructive use of the historic property.

The LPA will be constructed at-grade within the existing La Habra Branch right-of-way in the median of Randolph Street. A small portion of the property's northeast corner will be permanently acquired to accommodate slight alterations to the right-of-way and sidewalk necessary due to grade-crossing modifications. The building and portion of the property will not be physically altered or modified by the LPA. The LPA will not diminish the integrity of 6101 Santa Fe Avenue's location, design, setting, materials, workmanship, feeling, and association. The LPA will have no adverse effect on this historic property under Section 106. The LPA will not require temporary occupancy beyond activities that were considered in the Section 106 effect finding of the property for construction of grade crossing/separation improvements.

5.4.1.3 Huntington Park High School/6020 Miles Avenue, Huntington Park

Huntington Park High School includes approximately 13 permanent buildings and several portable classroom buildings across its campus. The LPA will be at-grade within the existing La Habra Branch right-of-way in the median of Randolph Street in the vicinity of 6020 Miles Avenue. Based on the discussion below, the LPA will result in permanent incorporation of land within portions of Huntington Park High School and temporary occupancy during construction. However, the LPA will not impair the features or attributes that contribute to its NRHP eligibility. As part of the Section 106 process, the SHPO concurred with this determination. Based on the Section 106 no adverse effect determination, FTA determined that the LPA will have a *de minimis* impact for the permanent incorporation of land within portions of Huntington Park High School located at 6020 Miles Avenue and temporary occupancy during construction. Based on the definition of constructive use in Section 5.1.3.3, it will not have a constructive use of the historic property.

The existing grade crossing, at the Miles Avenue and Randolph Street intersection, will be modified. To accommodate slight alterations to the right-of-way and sidewalk, a small portion of the property's southwest corner will be permanently acquired. The buildings located on the property will not be physically altered or modified by the LPA. The LPA will not alter any of the characteristics of 6020 Miles Avenue that qualify it for inclusion in the NRHP, California Register of Historical Resources, or local designation and will not diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, and association. The LPA will have no adverse effect on 6020 Miles Avenue under Section 106. The LPA will not require temporary occupancy beyond grade-crossing improvements, monitoring, and surveying activities that were considered in the Section 106 effect finding of the property.

5.4.1.4 Cudahy Substation/Salt Lake Avenue

The Cudahy Substation, located between Salt Lake Avenue and Elizabeth Street east of Otis Avenue in Cudahy, contains the standard components of an electrical substation. Based on the discussion below, the LPA will result in permanent incorporation of land within portions of the Cudahy Substation property and temporary occupancy during construction. However, the LPA will not impair the features or attributes that contribute to its NRHP eligibility. As part of the Section 106 process, the SHPO concurred with this determination. Additionally, based on the Section 106 no adverse effect determination, FTA determined that the LPA will have temporary and permanent *de minimis* impacts on the Cudahy Substation. Based on the definition of constructive use in Section 5.1.3.3, it will not have a constructive use of the historic property.

The LPA will be constructed at-grade in the existing San Pedro Subdivision right-of-way, which is adjacent to the substation property across Salt Lake Avenue. The LPA will not physically alter the substation building, but will require permanent easements or acquisitions on the property. The LPA will not diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling, and association. The LPA will have no adverse effect on this historic property under Section 106. The LPA will not require temporary occupancy beyond the grade-crossing improvements, monitoring, and surveying activities that were considered in the Section 106 effect finding of the property.

5.4.1.5 Los Angeles River Channel, Rio Hondo Channel, and San Gabriel River Channel

The LPA will include construction of new LRT bridges across the Los Angeles River channel, Rio Hondo channel, and San Gabriel River channel, which are historic sites under the jurisdiction of the United States Army Corps of Engineers. The channels were artificially channelized and lined with concrete between 1951 and 1966 as part of the Los Angeles County Drainage Area Project. Approximately 2,400 linear feet of the Los Angeles River channel, 2,900 linear feet of the Rio Hondo channel, and 1,200 linear feet of the San Gabriel River channel are within the APE for the LPA.

Based on the discussion below, the LPA will result in permanent incorporation of land within portions of the Los Angeles River, Rio Hondo, and San Gabriel River channels and temporary occupancy during construction. However, the LPA will not impair the features or attributes that contribute to their NRHP eligibility. As part of the Section 106 process, the SHPO concurred with this determination. Based on the Section 106 no adverse effect determination, FTA determined that the LPA will have temporary and permanent *de minimis* impacts for the permanent incorporation of land within portions of the Los Angeles River channel, Rio Hondo channel, and San Gabriel River channel and temporary occupancy during construction. Based on the definition of constructive use in Section 5.1.3.3, the LPA will not have a constructive use of the historic properties.

The LPA will alter only a small portion of the river channels and will not modify any of the characteristics that qualify them for inclusion in the NRHP, nor will it diminish the integrity of their location, design, setting, materials, workmanship, feeling, and association. The new LRT bridges and associated features, including soundwalls, rail track, and catenary poles and wires, are compatible with the subject segments' surrounding urban settings, which include transmission lines, rail lines, and industrial and commercial properties. Following completion of the Project, the channels will continue to be used as they were historically. Further, the actions proposed are small in scale when considered in the context of the rivers as a whole. Therefore, implementation of the LPA will result in a Section 106 finding of no adverse effect to the historic properties. The LPA will not require temporary occupancy beyond construction activities that were considered in the Section 106 effect finding of the property.

5.4.2 Public Parks and Recreation Areas

5.4.2.1 Paramount Park

Paramount Park is located at 14400 Paramount Boulevard in the City of Paramount. The primary public use of the property is for active recreation. It is owned by the city, and recreational uses at the park include playgrounds, handball courts (lighted), baseball diamonds (lighted), basketball court (lighted), picnic shelters/barbecues, gymnasium, walking path, restrooms, pool, and onsite parking. The park is approximately 15 acres. The approximately 9.9 acres of city-owned parkland is a Section 4(f)-protected resource and separated from the LPA by a 110-foot Los Angeles Department of Water and Power (LADWP) right-of-way.

In addition to the city-owned parkland, the City of Paramount leases a 40-foot-wide strip from Metro that is designated for “[p]arking and landscaping for Paramount Park only, and no other uses.” Exhibit E to the lease states that “there is a possibility that the West Santa Ana Branch will be selected as a rail connector with Orange County. If such a decision is made, Metro will probably require the return of the entire right-of-way adjacent to Paramount Park” (License

Agreement A000604 [Metro 1993]). Per 23 CFR 774.11(h), the property was reserved in the lease agreement for future transportation use while functioning temporarily to support park use; therefore, the approximately 1.3 acres of property within the Metro lease area is not subject to Section 4(f). The LPA will require return of this leased property by the city and will occupy the Metro lease area.

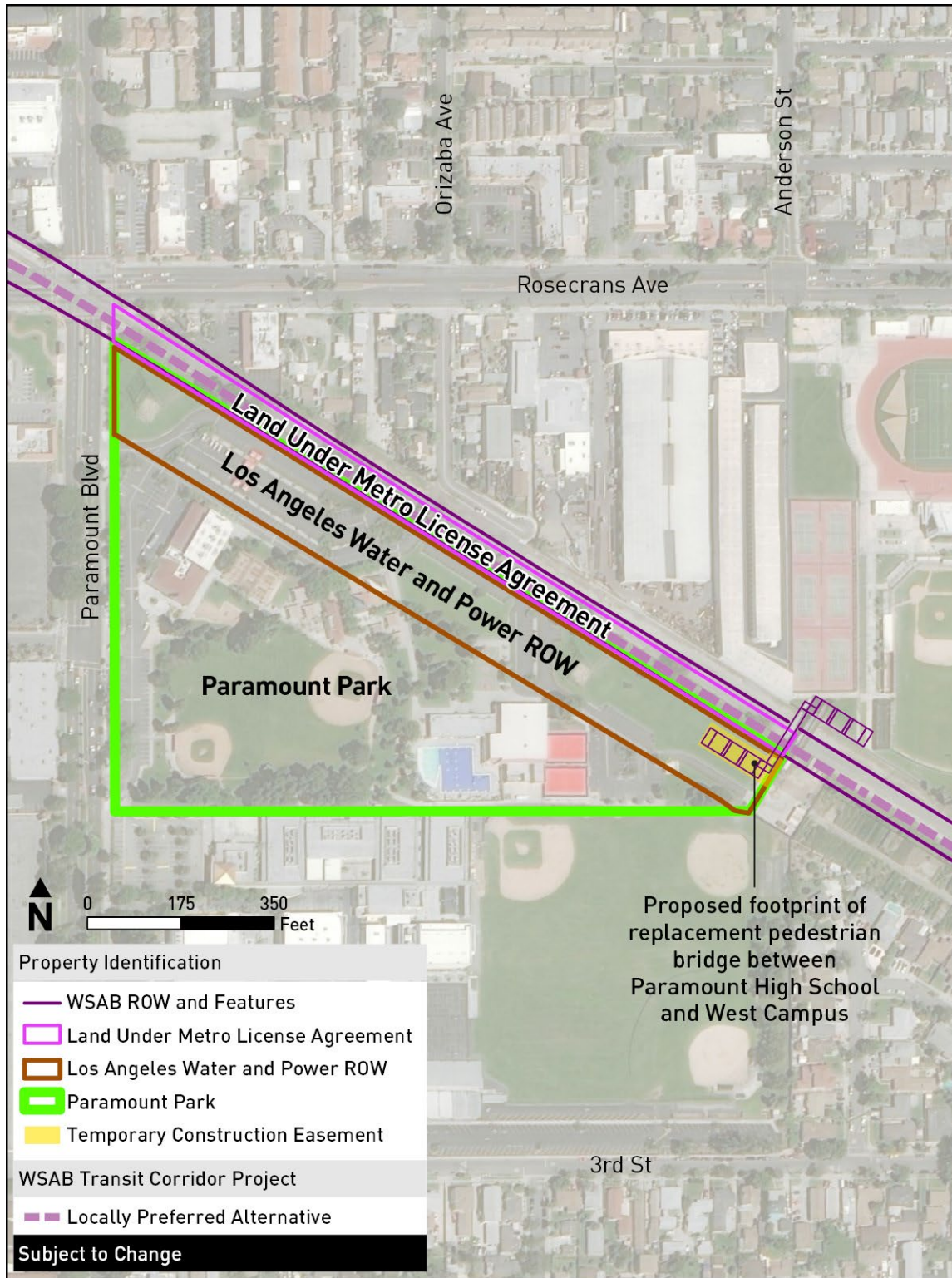
Separately, the city has an agreement for use of the 110-foot LADWP right-of-way that is located between the park and the Metro right-of-way. The approximately 3.8-acre LADWP right-of-way is adjacent to the LPA. While the primary use of the power right-of-way is not as a recreational property, it is included in the area afforded Section 4(f) protection because the specifics of the property agreement are not available. An existing grade-separated pedestrian crossing between the Paramount High School east and west campuses occupies a portion of the Metro and LADWP rights-of-way.

Paramount Park, inclusive of the LADWP right-of-way, meets the definition of a Section 4(f) resource as it is a publicly owned parkland and recreation area; however, by the lease terms described in License Agreement A000604 (Metro 1993), the separate parcel leased from Metro is not a Section 4(f)-protected property.

Based on the discussion below, the LPA will result in temporary occupancy (exception) and permanent *de minimis* impact within portions of the LADWP property that function as a portion of Paramount Park. The LPA will not substantially impair the features, activities, or attributes that qualify the property for protection under Section 4(f). The City of Paramount Community Services and Recreation Department concurred with this finding. Based on the definition of constructive use in Section 5.1.3.3 and because the LPA will not substantially impair the activities, features, or attributes of the Section 4(f) property, it will not have a constructive use of Paramount Park.

The LPA includes construction of a replacement grade-separated pedestrian crossing between the Paramount High School east and west campuses on LADWP property, which functions as a portion of Paramount Park (Figure 5-2). The new crossing will replace an existing overcrossing in this location, but it will require additional space compared to the existing footprint to upgrade the crossing to meet Americans with Disabilities Act accessibility requirements. The replacement bridge is being constructed by Metro as a part of the LPA; however, ownership of the bridge will remain with the Paramount Unified School District. The replacement bridge and associated connections will occupy approximately 4,470 additional square feet of land from the approximately 3.8-acre LADWP property compared to the existing bridge and sidewalk connections. The underlying land will not change ownership after construction is complete. The LPA will not require any acquisition of the approximately 9.9 acres of park land in City of Paramount ownership.

Figure 5-2. Paramount Park



Source: Metro 2024I

The replacement bridge will be located in part of an open grassy area adjacent to the park's fenced southern and eastern boundary with the Paramount High School West Campus and the continuation of the LADWP property beyond the area leased by the city adjacent to Paramount Park. The Affected Area constitutes less than 1 percent of the Section 4(f)-protected land within Paramount Park. The Affected Area is not used for any of the activities, features, or attributes identified as significant for the park (playgrounds, handball courts, baseball diamonds, basketball court, picnic shelters/barbecues, gymnasium, walking path, restrooms, and swimming pool). Because the replacement bridge will not adversely affect the activities, features, or attributes qualifying a park for protection under Section 4(f), FTA has determined that the replacement bridge on the LADWP property will have a *de minimis* impact on Paramount Park. The City of Paramount Community Services and Recreation Department concurred with this finding.

The LPA will require temporary occupancy of (a temporary construction easement on) approximately 6,540 square feet of park property to construct the replacement grade-separated pedestrian crossing between the Paramount High School east and west campuses. The FTA found that the temporary occupancy exception applies to Paramount Park based on 23 CFR Section 774.13 that a temporary occupancy of a property does not constitute a use of a Section 4(f) resource when all the following conditions are satisfied:

Is the duration temporary? The approximately 6,540 square feet of LADWP property that functions as a portion of Paramount Park will be closed during the replacement of the pedestrian crossing. The specific duration of this work is expected to be two to three years, which is less than the total duration of construction for the Project (approximately eight years, not including testing).

Is the scope of work minor? The construction area for the replacement bridge will constitute a very small (less than 1 percent) portion of the total land area of Paramount Park.

Are there any anticipated permanent adverse physical impacts, or is there interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis? The construction area for the replacement bridge is not used for any of the activities, features, or attributes identified as significant for the park (playgrounds, handball courts, baseball diamonds, basketball court, picnic shelters/barbecues, gymnasium, walking path, restrooms, and swimming pool).

Will the land being used be fully restored? The land area of the temporary construction easement will be fully restored to the preconstruction condition or better.

Is there documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions? The City of Paramount Community Services and Recreation Department has concurred with the FTA's assessment of temporary occupancy.

Based on the discussion above, the FTA found that the temporary occupancy exception applies to Paramount Park.

A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired [23 CFR 774.15(a)]. No constructive use of the properties will occur as defined in 23 CFR 774.15 and described in the following subsections.

Noise level increase: The active recreational uses within the park, such as ball fields and courts, are not noise-sensitive; therefore, Paramount Park was not evaluated for noise impacts and the acoustical environment is not a qualifying feature of the park's Section 4(f) protection. Construction noise Mitigation Measure NOI-6 (Noise Control Plan) will generally reduce construction noise levels to within the FTA construction noise criteria; temporary short-term exceedances of the criteria could occur but will not be of such magnitude or duration to substantially impair use of the park.

Impairment of aesthetic features: The proximity of the LPA does not impair aesthetic features or attributes of the Section 4(f) property that contribute to its value as a public park and recreation center. As noted in Section 4.4 of the Final EIS/EIR, Paramount Park is identified as a scenic resource, with park users being the sensitive viewers. The park is located within the Suburban Residential and Industrial Landscape Unit, as described in Section 4.4.2 of the Final EIS/EIR. Overall, the change in visual quality in this landscape unit will be neutral since the LPA will be compatible with the visual character, and viewer groups in this landscape unit will be insensitive to visual changes associated with the LPA. The LPA will not obstruct views of or alter the visual character and quality of Paramount Park; therefore, adverse visual effects are not expected.

Restricted access: The LPA does not restrict access to the public park and recreation areas. As noted in Section 5.2.3.1 of the *West Santa Ana Branch Transit Corridor Project Final Parklands and Community Facilities Impact Analysis Report* (Metro 2024k), the City of Paramount leased parking on Metro property along the northern boundary of Paramount Park that will be affected as a result of the lease termination to accommodate the track alignment. However, onsite parking will be maintained to the extent feasible, and onsite parking access from Paramount Boulevard will not be affected. Adequate onsite parking will be available to park users and, therefore, the impact will not substantially diminish the utility of the park and its uses. The LPA will not affect vehicle or pedestrian access to community facilities, and the partial property acquisition of the LADWP property will not affect the existing vehicle access and pedestrian access to the park, nor does the LPA impact the existing access from Paramount Boulevard. In addition, the LPA will provide another mode of access to and from the park.

Vibration impacts: As noted in Section 4.7 of the Final EIS/EIR, groundborne vibration will not adversely affect Paramount Park.

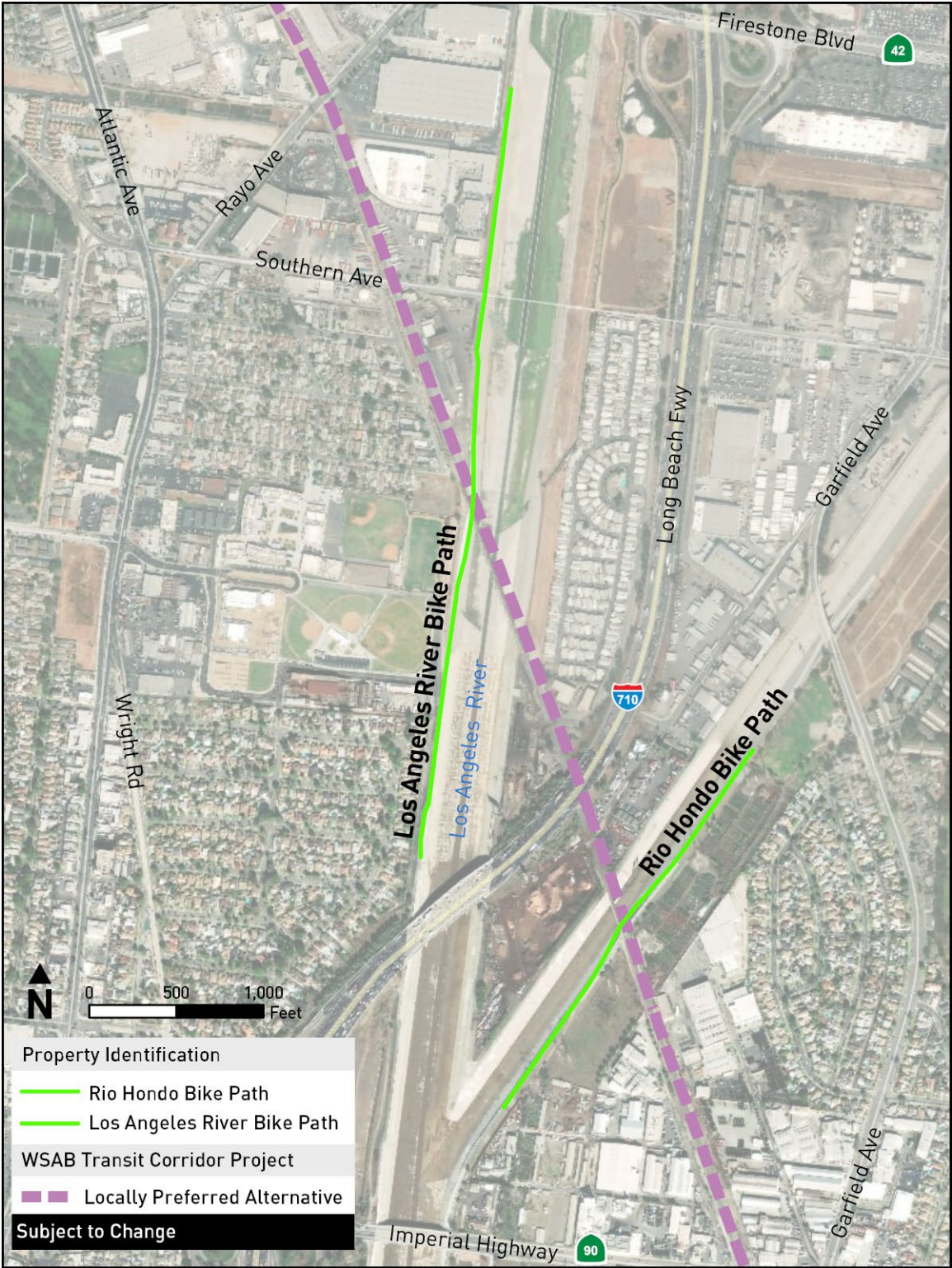
Ecological intrusion: The Section 4(f) property does not provide ecological value (wildlife habitat or waterfowl refuge) that will be diminished by the LPA.

5.4.2.2 Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail

The Los Angeles River Bike Path and Rio Hondo Bike Path are Class I bike paths that will cross under the LPA (Figure 5-3). The San Gabriel River Mid-Trail will cross under the LPA as the alignment crosses over the San Gabriel River (Figure 5-4).

The LPA will not require acquisition of land within the boundaries of any of the trails listed in Table 5.3; therefore, no Section 4(f) property will be permanently incorporated into the LPA. As shown in Table 5.3, and based on the discussion below, FTA determined that the Section 4(f) temporary occupancy exception applies to the LPA crossings of the Los Angeles River Bike Path, Rio Hondo Bike Path, and the San Gabriel River Mid-Trail. The County of Los Angeles Department of Public Works concurred with the determination. No constructive use of the properties will occur.

Figure 5-3. Los Angeles River and Rio Hondo Bike Paths



Source: Metro 2024

Figure 5-4. San Gabriel River Mid-Trail



Source: Metro 2024I

Table 5.3. Recreational Trails with Temporary Occupancy Exception

Property	Description of Effect	Section 4(f) Finding
Los Angeles River Bike Path	Short-duration detour during construction	Temporary occupancy exception
Rio Hondo Bike Path	Short-duration detour during construction	Temporary occupancy exception
San Gabriel River Mid-Trail	Short-duration detour during construction	Temporary occupancy exception

Source: Metro 2024I

The LPA will require temporary easements during construction to safely construct crossings above the three trails listed in Table 5.3. The FTA found that the temporary occupancy exception applies to the three trails. Per 23 CFR Section 774.13 and as defined in Section 5.1.3.4, a temporary occupancy of a property does not constitute a use under Section 4(f) when all the following conditions are satisfied:

Is the duration temporary? The trails will be closed, and a detour will be provided only for the period of time needed to install and remove falsework above the trails. The specific duration of the closures and detours will be determined by the construction contractor, but it is expected to be less than one month for each trail, which will be less than the total duration of construction for the LPA. Detours will be provided as outlined in Mitigation Measure TRA-18 (Transportation Management Plan(s)) and communicated to trail users per Mitigation Measure COM-1 (Construction Outreach Plan).

Is the scope of work minor? Construction of the LRT crossings over the trails will constitute a very small (less than 1 percent) portion of the LPA and will temporarily affect a similarly small portion (about 2 to 3 percent) of the entire trail lengths, depending on the trail. No temporary or permanent physical modifications to the trails will occur. The only work that will affect the trails is construction of the LRT guideway above the trails.

Are there any anticipated permanent adverse physical impacts, or is there interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis? Once the guideway is constructed, regular recreational use of the trails can occur and will not be affected by the guideway. During construction, detours will be provided as outlined in Mitigation Measure TRA-18 (Transportation Management Plan(s)) and communicated to trail users per COM-1 (Construction Outreach Plan) to maintain the Section 4(f)-protected recreational activities.

Will the land being used be fully restored? No damage is expected, and any impacts, such as damaged pavement, will be fully restored.

Is there documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions? As discussed in Section 5.5, the County of Los Angeles Department of Public Works has concurred with FTA's assessment of temporary occupancy.

Based on the discussion above, the FTA found that the temporary occupancy exception applies to the three trails.

A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired [23 CFR 774.15(a)]. No constructive use of the properties will occur as defined in 23 CFR 774.15 and described in the following subsections.

Noise level increase: 23 CFR 774.15(e)(1) identifies that constructive use occurs when “[t]he projected noise level increase attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility of a property protected by Section 4(f), such as: [h]earing the performances at an outdoor amphitheater; [s]leeping in the sleeping area of a campground; [e]njoyment of a historic site where a quiet setting is a generally recognized feature or attribute of the site's significance; [e]njoyment of an urban park where serenity and quiet are significant attributes; or [v]iewing wildlife in an area of a wildlife and waterfowl refuge intended for such viewing.” None of these cases are present for the three trails. Per the FTA *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018), “parks used primarily for active recreation such as sports complexes and bike or running paths are not considered noise-sensitive”; therefore, the three trails were not evaluated for noise impacts and the acoustical environment is not a qualifying feature of the trails’ Section 4(f) protection.

Impairment of aesthetic features: The proximity of the Project will not impair aesthetic features or attributes of the Section 4(f) properties that contribute to their value as public bike paths or trails. As noted in Section 4.4 of the Final EIS/EIR, the trails are not identified as a scenic resource with sensitive viewers. Overall, the change in visual quality in this landscape unit will be neutral since the Project will be compatible with the existing visual character, including freeway and rail bridges, and viewer groups in the landscape unit will be insensitive to visual changes associated with the Project. Therefore, adverse visual effects are not expected.

Restricted access: The Project will not result in long-term restricted access that substantially diminishes the utility of the trails.

Vibration impacts: Bicycle and pedestrian use of the trails is not vibration-sensitive. Construction or operation vibration will not impair use of the trails.

Ecological intrusion: The Section 4(f) properties do not provide ecological value (wildlife habitat or waterfowl refuge) that will be diminished by the Project.

Based on the discussion above, no constructive use of the properties will occur as defined in 23 CFR 774.15.

5.5 Agency Coordination and Consultation

This section discusses consultation and coordination with officials with jurisdiction over Section 4(f) properties that could be affected by the Project and an overview of the public and agency review of the Section 4(f) evaluation. Table 5.4 summarizes the coordination with officials with jurisdiction over Section 4(f)-protected properties affected by the LPA, which is detailed in the *Final Section 4(f) and 6(f) Evaluation*. Prior to making Section 4(f) approvals under Section 774.3(a), the Section 4(f) evaluation shall be provided for coordination and comment to the official(s) with jurisdiction over the Section 4(f) resource and to the Department of the Interior, and as appropriate to the Department of Agriculture and the Department of Housing and Urban Development (23 CFR Section 774.5). The Department of

Interior acknowledged receipt of the Draft EIS/EIR with no concerns on September 23, 2021. Subsequently, Metro provided a letter to the Department of Interior updating them on the Section 4(f) analysis completed in support of the Final EIS/EIR on September 26, 2023. The Department of the Interior acknowledged receipt on December 20, 2023.

Table 5.4. Summary of Coordination with Agencies with Jurisdiction over Section 4(f) Properties

Consulted Agency	Applicable Properties	Outreach	Response
The California State Historic Preservation Officer	All historic properties	Consultation on Section 106 APE on December 19, 2018 and April 26, 2019 Consultation on Determination of Eligibility and APE expansion on March 30, 2020 Consultation related to Century Freeway-Transitway Historic District on September 9, 2020 and May 22, 2023 Additional consultation on Determination of Eligibility and APE expansion on May 12, 2023 Consultation on Determination of Effect and additional APE expansion on November 17, 2023, January 3, 2024, and February 13, 2024	APE concurrence on May 29, 2019 Determination of Eligibility and APE expansion concurrence on June 29, 2023 Meeting January 3, 2024; Consultation comments on January 4, 2024 Determination of Effect and APE expansion concurrence on March 12, 2024
City of Paramount Community Services and Recreation Department	Paramount Park	January 29, 2020 September 13, 2023	<i>de minimis</i> impact finding concurrence on November 16, 2023 Temporary occupancy exception concurrence on November 16, 2023
Los Angeles County Department of Public Works	Los Angeles River Bike Path	January 29, 2020 September 13, 2023	February 28, 2020
	Rio Hondo Bike Path		Temporary occupancy exception concurrence on November 29, 2023
	San Gabriel River Mid-Trail		

Consulted Agency	Applicable Properties	Outreach	Response
Los Angeles County Department of Parks and Recreation	Los Angeles River Bike Path	September 13, 2023	None required
	Rio Hondo Bike Path		
	San Gabriel River Mid-Trail		
Los Angeles Department of Water and Power	Paramount Park	September 13, 2023	None required

Source: Metro 2024l

Note: APE = Area of Potential Effect

FTA and Metro completed an effects determination for each NRHP-eligible or listed property and made an overall Section 106 finding for the Project of No Adverse Effect as documented in the *West Santa Ana Branch Transit Corridor Project Revised Final Cultural Resource Effects Report* (Metro 2024u). The SHPO concurred with this finding on March 12, 2024.

Circulation of the Draft EIS/EIR provided the public and agencies with jurisdiction over Section 4(f) properties an opportunity to review and consider the Section 4(f) analysis and FTA's preliminary determinations. No public comments concerned Paramount Park or the river bike trails subject to Section 4(f). The City of Paramount Community Services and Recreation Department concurred with FTA's findings of *de minimis* impact and that the conditions for application of the temporary occupancy exception are met for Paramount Park on November 16, 2023. The Los Angeles County Department of Public Works concurred that the conditions for application of the temporary occupancy exception are met for the Los Angeles River Bike Path, the Rio Hondo Bike Path, and the San Gabriel River Mid-Trail on November 29, 2023.

5.6 Section 4(f) Finding

The FTA has determined that the LPA will have a *de minimis* impact on or temporary use exception for Section 4(f)-protected properties.

Based on the evaluation summarized in Section 5.4 and considering the permanent and temporary effects of the Project, FTA has determined that the Project will have a *de minimis* impact on the activities, attributes, or features that qualify the Century Freeway-Transitway Historic District, 6101 Santa Fe Avenue, Huntington Park High School, Cudahy Substation, Los Angeles River channel, Rio Hondo channel, and San Gabriel River channel for protection under Section 4(f). The FTA also has made a determination that the Project will have a *de minimis* impact on Paramount Park (Section 5.4.2.1).

The FTA also has determined that the temporary occupancy exception to Section 4(f) use applies to Paramount Park, the Los Angeles River Bike Path, the Rio Hondo Bike Path, and the San Gabriel River Mid-Trail.

The Project will have no use of other Section 4(f) properties. There will be no constructive use of any Section 4(f) properties (Metro, 2024l). FTA determined that the Project will satisfy the requirements of Section 4(f) because the only impacts to Section 4(f) properties will be *de minimis* or meet the requirements of the temporary occupancy exception.

5.7 Section 6(f) Finding

Section 6(f) properties are recreation resources created or improved with funds from the Land and Water Conservation Act which requires that an area funded with this assistance be “continually maintained in public recreation use” unless the National Park Service, or other state designee, approves substitution per the Conversion Requirements, including conversion to other uses either “in whole or in part” (36 CFR Ch 1, Section 59.3). Section 6(f) prohibits the conversion of property acquired or developed with these funds to a non-recreational purpose without the approval of the Secretary of the U.S. Department of the Interior’s National Park Service and mitigation that includes replacement of the quality and quantity of land used. As documented in Chapter 11 of the *Final Section 4(f) and 6(f) Evaluation*, the Project will not convert any recreational areas funded by the Land and Water Conservation Fund to a non-recreational use; therefore, there is no conversion of Section 6(f) property.