

West Santa Ana Branch Transit Corridor

Final EIS/EIR Appendix G: Coordination



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WEST SANTA ANA BRANCH TRANSIT CORRIDOR PROJECT

**Final EIS/EIR Appendix G:
Coordination**

March 2024

Final Environmental Impact Statement/ Environmental Impact Report

LEAD AGENCIES: Federal Transit Administration of the U.S. Department of Transportation; Los Angeles County Metropolitan Transportation Authority

State Clearinghouse No.: 2017061007

TITLE OF PROPOSED ACTION: West Santa Ana Branch Transit Corridor Project

Additional written comments and/or questions concerning this document should be directed to the following:

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APPENDIX G: COORDINATION

USACE Correspondence

Section 106 Consultation with SHPO

Section 4(f) Consultation



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT
915 WILSHIRE BOULEVARD, SUITE 930
LOS ANGELES, CA 90017-3401

October 6, 2021

SUBJECT: USACE Request to be Cooperating Agency and Comments on DEIR/S for West Santa Ana Branch Transit Corridor Project.

Charlene Lee Lorenzo, Director
Federal Transit Administration, Region 9, Los Angeles Office
888 South Figueroa Suite 440
Los Angeles, California 90017-5467

Meghna Khanna, Project Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, Mail Stop 99-22-7
Los Angeles, CA 90012

Dear Ms. Lorenzo and Ms. Khanna:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the West Santa Ana Branch Transit Corridor Project. Our comments represent the Los Angeles District of the U.S. Army Corps of Engineers ("Corps") Regulatory and Engineering Divisions' interests in the project pursuant to our regulatory authorities promulgated under Section 404 of the Clean Water Act (33 U.S.C. 1344; hereafter, Section 404) and Section 14 of the Rivers and Harbors Act (33 U.S.C. 408; hereafter, Section 408) and considering our National Environmental Policy Act (NEPA) responsibilities.

Build Alternatives 1-3 involve the alteration of and discharge of fill material into three (3) federal flood control projects (federal project) containing waters of the U.S., specifically the Los Angeles River, Rio Hondo, and San Gabriel River. Build Alternative 4 involves the alteration of and a discharge of fill material into one (1) federal project containing waters of the U.S., specifically the San Gabriel River. As such, all the build alternatives would require authorization from the Corps under Section 404 and Section 408.

Based on the Draft EIS/EIR documentation, the Corps' Engineering Division believes that their action to authorize any of the proposed crossings under Section 408 may require the Corps to conduct at least an Environmental Assessment to fulfill their requirements under NEPA. As stated on page S-78 of the Draft EIS/EIR, the Federal Transit Administration (FTA) published the Notice of Intent pursuant to NEPA in the *Federal Register* on July 26, 2017. Under this version of the NEPA Regulations and the

version in the *Federal Register* as of the date of this letter, Federal agencies which have jurisdiction by law can be cooperating agencies in the preparation of an EIS.

By this letter, the Corps hereby requests to be a cooperating agency under 40 CFR Part 1501 and agrees to assist the FTA with preparing the final EIS/EIR due to our jurisdiction by law for areas that could be affected by the project and our special expertise in the following areas:

- Corps' Regulatory Program regulations at 33 CFR parts 320-332;
- Flood control; and
- Assessing the functions and services of aquatic resources and identifying appropriate methods to conduct such assessments.

Subject to availability of resources and in accordance with applicable laws and regulations, the Corps agrees to:

1. Assist in reviewing information and environmental analysis concerning which the Corps has special expertise.
2. Identify issues, concerns, and any technical studies that the Final EIS should address, including risk assessments for completed federal projects, to support the Corps in fulfilling its NEPA and other legal responsibilities.
3. Review the administrative final EIS/EIR. We request that FTA allow the Corps at least 30 days to review such documents.
4. Cooperate in the application of principles for integration of NEPA, the Section 404 Clean Water Act review process, the Public Interest Review process pursuant to 33 CFR 320.4, and the Section 408 review process pursuant to Engineering Circular 1165-2-220 Item 12.

The Corps will be required to comply with Section 106 of the National Historic Preservation Act of 1966 (NHPA; herein "Section 106") and Section 7 of the Endangered Species Act (ESA; herein "Section 7") for the federal actions under evaluation. It is appropriate for the FTA as the lead federal agency under NEPA to be the lead federal agency for purposes of compliance with Section 106 and Section 7. Pursuant to 50 C.F.R. § 402 and 36 C.F.R. § 800.2(a)(2), we request the FTA to ensure that the effects of the proposed activities subject to our statutory authorities are fully considered in the consultations with the U.S. Fish and Wildlife Service (USFWS), State Historic Preservation Officer (SHPO) and/or the Advisory Council on Historic Preservation, as applicable. In the event the FTA makes an effect determination or completes Section 7 of the ESA or Section 106 of the NHPA consultations absent coordination with the Corps, our agency must still demonstrate it is in compliance with the ESA and/or NHPA for our discretionary federal actions. The resource agencies with whom you consult and seek concurrence on your analysis of effects related to federally listed species and/or historic properties should be informed that the FTA's consultations

are inclusive of the Corps' federal actions/undertakings and are being carried out by the FTA on our behalf. I also request that we be given the opportunity to review pertinent biological and cultural resources documents, including draft biological opinions and draft MOAs. The Corps must be provided with a copy of the documentation demonstrating the FTA has complied with applicable requirements set forth in Section 7 of the ESA and Section 106 of the NHPA for the proposed project before we are able to render final Department of the Army (DA) permit decisions. When applications are submitted to the Corps for authorization under Section 404 and Section 408, please provide information documenting compliance with Section 106 and Section 7, which clearly describes the Area of Potential Effect and effects of the undertaking under Section 106 and the Action Area and effects of the activity under Section 7, such that the Corps can positively determine that the Section 106 and Section 7 compliance covers the Corps' action to authorize the regulated activities.

Comment 1. Chapter 2, Section 2.5.2 Build Alternatives (Page 2-16): If the existing piers and embankment walls are to be replaced, then the Corps would like to have as few piers in the channel as possible and the abutment placement pushed out to the land side of the levee systems LAR-CC2 and LAR RH2. The addition of new piers makes it harder for the Corps to keep the channel clear of debris and flowing as designed.

In addition, the SPL-HH policy for debris titled "Debris Loading on Bridges and Culverts" need to be satisfied wherever it is applied.

Comment 2. In Chapter 2 Alternatives Considered/Project Description, Table 2.8 Permits and Approvals (Page 2-54): The Corps' regulatory authority is identified as Section 404 and Section 408. This is confusing, because it obscures the fact that they are two very different pieces of legislation with different purposes. These short-hand names for the legislations should either be defined earlier in the document or within the table itself using the following example: "Section 404 of the Clean Water Act (33 U.S.C. 1344, hereafter Section 404)" and "Section 14 of the Rivers and Harbors Act (33 U.S.C. 408, hereafter Section 408)". In addition, remove reference to "Section 10 Bridge Permit". Section 10 of the Rivers and Harbors Act pertains to navigable waters of the U.S. While the Los Angeles River is a Traditionally Navigable Waterway for the purposes of Section 404, these reaches have not been evaluated for navigability under Section 10 of the Rivers and Harbors Act and are not subject to the ebb and flood of the tides.

Comment 3. In Chapter 2 Alternatives Considered/Project Description, Table 2.8 Permits and Approvals (Page 2-55): Under Regional Jurisdiction, please replace "Regional Water Quality Control Boards" with "Los Angeles Regional Water Quality Control Board" and add "Clean Water Act," before "Section 401".

Comment 4. Chapter 4 Affected Environment and Environmental Consequences (Starting on Page 4-1): For the Corps to be able to demonstrate that this EIS adequately covers the Corps' action (i.e., authorization of the river crossings under Section 404 and Section 408), the effects of the Section 408 components of this project (i.e., the river crossings) need to be identified as a Section 408 action and explicitly named, described, and evaluated for each element of the affected environment considered. Therefore, for each element considered (i.e., Land Use, Communities and Neighborhoods, etc.) the description of the Affected Environment must include a description of what is affected by the Section 408 action (i.e., each river crossing) and the analysis of the Effects of the Action must include an analysis of the effects due to the Section 408 action (i.e., each river crossing).

This is necessary to ensure that the Corps can base our Record of Decision for the Section 408 action on FTA's final EIS.

Comment 5. In Chapter 4 Affected Environment and Environmental Consequences, Table 4.0.1 Geographic Extent of Evaluation (Page 4-2, 4-3): The geographic extent for Noise and Vibration is defined as "Immediate vicinity". This is not a clear extent and is inconsistent with the 500-foot buffer evaluated in the discussion of Construction Impacts (Page 4-626). Recommend replacing with "500-feet". Finally, regarding the geographic extent for Archaeological Resources, the direct APE should include a direct reference to the bridge footings within the flood control channel. For example: "The direct APE encompasses the alignment ROWs, as well as all associated elements where construction would occur, including stations, laydown yards, maintenance facilities, parking lots, and bridge footings within flood control channels and waters of the U.S. ... Where the Project is aerial, including where it bridges over flood control channels and waters of the U.S., the direct APE encompasses the width of the proposed ROW. In areas with potential direct ground disturbance, including at bridge footings in flood control channels and waters of the U.S., the vertical extent of the direct APE extends approximately..."

Comment 6. In Chapter 4, Section 4.8.1.1 Ecosystems/Biological Resources, Regulatory Setting and Methodology, Regulatory Setting (Page 4-320): Add "The Fish and Wildlife Act of 1956" to the list of authorities attributed to the U.S. Fish and Wildlife Service. The Fish and Wildlife Coordination Act (15 U.S.C. 742a, *et seq.*) requires that any federal agency that proposes to control or modify any body of water must first consult with US Fish and Wildlife Service or the National Marine Fisheries Service, as appropriate, with a view to the conservation of wildlife resources.

Comment 7. In Chapter 4, Section 4.8.2.2 Ecosystems/Biological Resources, Affected Environment/Existing Conditions, Special-Status Biological Resources,

Jurisdictional Waters (Page 4-327): Please change this header to “Wetlands and Other Waters of the U.S.”

Comment 8. In Chapter 4, Section 4.8 Ecosystems/Biological Resources (Page 4-328): Remove reference to Section 10 of Rivers and Harbors Act. While the Los Angeles River is a Traditionally Navigable Waterway for the purposes of Section 404 of the Clean Water Act, these reaches have not been evaluated for navigability under Section 10 and are not subject to the ebb and flood of the tides.

Comment 9. In Chapter 4, Section 4.8 Ecosystems/Biological Resources (Page 4-333): This section describes the environmental consequences of the operation of the LRT on jurisdictional waters, not the construction. Please clarify this in the discussion. For example: “The LRT would span over these resources and therefore it’s operation would not disturb...”

Comment 10. In Chapter 4, Section 4.10.4 Hazards and Hazardous Materials Project Measures and Mitigation Measures (Page 4-405): Mitigation Measure HAZ PM-2 Disposal of Groundwater (Operation) indicates the possibility of dewatering contaminated groundwater during operations. Under certain circumstances, such as when there is measurable sediment in that water, this could trigger a Clean Water Act section 404 permit. This possibility should be mentioned, and the Corps listed as one of the agencies that would be notified.

Comment 11. In Chapter 4, Section 4.11.1.1 Water Resources, Regulatory Setting, Federal, Clean Water Act (Page 4-415): Please strike “navigable waters and traditionally navigable” from the first sentence, so that it reads “The USACE has jurisdiction over waters of the U.S., which are defined in Title 33, Part 328.3 of the Code of Federal Regulations.” We recommend removing all capitalizations of *waters* of the U.S. to be consistent with the referenced code. Please add a sentence stating that temporary (such as water diversion barriers) or permanent (such as bridge supports) discharges of dredged or fill material into the Los Angeles River, Rio Hondo, and San Gabriel River would require authorization from the Corps under Section 404 of the Clean Water Act. Finally, this is the appropriate place to discuss Section 401 and Section 402 of the Clean Water Act, currently discussed under State Regulations. These are federal regulations, even though the State implements them.

Comment 12. In Chapter 4, Section 4.11.1.1 Water Resources, Regulatory Setting, Rivers and Harbors Act of 1899 (Page 4-415): Please add “as amended” after 1899 and strike 403 from “(33 U.S.C. 403 and 408)”, so that it reads “Rivers and Harbors Act of 1899, as amended (33 U.S.C. 408).” Refer to Comment 2 above.

Comment 13. In Chapter 4, Section 4.11.3 Environmental Consequences/ Environmental Impacts on Water Resources: The Draft EIS does not evaluate the environmental consequences of the proposed river crossings on the hydrology within the channels. This evaluation is critical for informing a decision to authorize the crossings or not under Section 408. Furthermore, Appendices A, B, and C to Appendix T to the DEIS mentions that the water surface elevation is dropped due to the proposed project and that the change was due to having a supercritical flow condition at these locations. The Corps will need to review in detail the hydraulic analysis and the hydraulic models used in the analysis before making a determination regarding the significance of these impacts. This section, along with Appendix T and its Appendices A, B, and C should be updated accordingly, as necessary.

In addition, the appropriate Manning's roughness coefficient should be used in the model geometry. For example, using 0.013 for San Gabriel River is not appropriate unless there is a specific reason.

Comment 14. Chapter 4, Section 4.14.2.1 Built Environment Historic Properties and Historical Resources (starting on Page 4-485): The Los Angeles River channel (as-builts dated 1950, last modified in 1952), Rio Hondo channel (as-builts dated 1950, last modified in 1952), and San Gabriel River channel (possibly constructed in 1964) are considered elements of the built environment. It does not appear that these were evaluated for eligibility to be listed in the National Register of Historical Places. These channels should be described and evaluated for eligibility in the Cultural Resources Survey Report (Appendix W) and the Cultural Resources Effects Report (Appendix X) pursuant to 36 CFR 60.4. If any of these channels are determined to be eligible, the effects should be described in the Cultural Resources Effects Report as well as in Section 4.14 of the Draft EIS. If the Union Pacific Railroad (Map Reference No. 17-006, Page 4-490) was previously determined eligible, the date of determination, date of SHPO concurrence letter, and relevant SHPO concurrence letter should be included in the Cultural Resources Survey Report (Appendix W, Page 7-78) and Cultural Resources Effects Report (Appendix X, Page 5-161). If the resource has been recommended, but not determined eligible with SHPO concurrence, the cited evaluation should be reviewed, an eligibility determination made, and the reasoning conveyed in the Cultural Resources Survey Report (Appendix W, Page 7-78) and Cultural Resources Effects Report (Appendix X, Page 5-161). Finally, the date of SHPO concurrence and the relevant SHPO letter for P-19-192309, the SCE's Long Beach-Laguna Bell 66kV and 220 kV Transmission lines (Map Reference No. 18-016) should be included in the Cultural Resources Survey Report (Appendix W, Page 7-72) and Cultural Resources Effects Report (Appendix X, Page 5-142).

Comment 15. In Chapter 4, Section 4.14.1.2 Historic, Archaeological, and Paleontological Resources; Methodology (Page 4-470): It would be helpful to the reader

to restate the depths of the APE from the table on page 4-3. Also, please include statement of the vertical APE at the water crossings.

Comment 16. In Chapter 4, Section 4.15.1.2 Tribal Cultural Resources, Methodology (Page 4-515): In the last sentence of the first paragraph under the heading “Native American Heritage Commission Sacred Lands File Search”, please insert “(Appendix Z)” after “prepared for this Project”, so that it reads “Responses received from the NAHC are included in Appendix A of the Traditional Cultural Properties and Tribal Cultural Resources Impact Analysis Report prepared for the Project (Appendix Z)”.

Comment 17. Chapter 4, Section 4.18 Safety and Security (Page 4-571): The extension of existing abutments and new bridge beams have the potential to create new areas for individuals experiencing homelessness to occupy. This potential adverse effect on safety and security should be discussed in this section. If individuals were to occupy the abutments or under the bridge beams, they create a safety and security risk to regular maintenance of the flood control system, to themselves during rain events, and to the emergency personnel sent to rescue them. However, these adverse effects can be minimized by designing restrictive access to the abutments and areas under the bridge, designing the abutments in such a way as to prevent loitering or occupation, and relocating or preventing trespassers on a regular basis and at the request of the Corps.

Comment 18. Chapter 4, Section 4.19 Construction Impacts (Page 4-603): Construction related impacts on the operation and maintenance of the Los Angeles River are not assessed but should be. Potential adverse effects include localized flooding and decreased flood protection upstream. The potential adverse effects can be minimized by maintaining an open path through the construction site for the Corps’ maintenance equipment at all times during construction, timing construction to occur in the dry season and in dry weather, and by complying with conditions attached to the Section 408 authorization.

We look forward to continued dialogue and coordination with the FTA and the Los Angeles County Transportation Authority on this project. If you have any Regulatory-related questions, please contact Lia Protopapadakis at (213) 452-3372 or via email at Lia.Protopapadakis@usace.army.mil; and for any Section 408-related questions, please contact Rafi Talukder at (213) 452-3745 or via email at Rafiquel.I.Talukder@usace.army.mil. Please refer to this letter and the Corps' Regulatory File Number SPL-2021-00450-LPF in your reply.

Sincerely,

TALUKDER.RAFIQ
UL.I.1391001010

Digitally signed by
TALUKDER.RAFIQU.L.I.1391001010
Date: 2021.10.06 16:47:40 -07'00'

Rafi Talukder, P.E.
Chief, Facility Support and Permits Section
408 Permit Coordinator
Engineering Division



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

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October 13, 2021

Mr. Rafi Talukder, P.E.
Chief, Facility Support and Permits Section
408 Permit Coordinator
U.S. Army Corps of Engineers, Los Angeles District
Department of the Army
915 Wilshire Boulevard, Suite 930
Los Angeles, CA 90017-3401

Re: Regulatory File Number SPL-2021-00450-LPF;
Acknowledgment of Cooperating Agency on West
Santa Ana Branch Transit Corridor Project

Dear Mr. Talukder:

The Federal Transit Administration (FTA) and the Los Angeles County Metropolitan Transportation Authority (LACMTA), received comments on the West Santa Ana Branch Transit Corridor Project Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) from the Los Angeles District of the U.S. Army Corps of Engineers (Corps) dated October 6, 2021. The Corps has requested to be a cooperating agency under 40 CFR Part 1501. In accordance with 40 CFR 1501.6 of the Council on Environmental Quality's Regulations for Implementing the Procedural Provision of the National Environmental Policy Act (NEPA), the FTA acknowledges the Corps as a cooperating agency because your agency has jurisdiction by law and special expertise.

The Corps had reviewed the Draft EIS/EIR for the project pursuant to regulatory authorities promulgated under Section 404 of the Clean Water Act (33 U.S.C. 1344; hereafter, Section 404) and Section 14 of the Rivers and Harbors Act (33 U.S.C. 408; hereafter, Section 408) and considering the Corps' NEPA responsibilities. All of the proposed build alternatives for the West Santa Ana Branch Transit Corridor Project would require authorization from the Corps under Section 404 and Section 408. In the October 6, 2021 letter, the Corps indicated that the agency had jurisdiction by law for areas that could be affected by the project and special expertise in the following areas:

- Corps' Regulatory Program regulations at 33 CFR parts 320-332;
- Flood control; and
- Assessing the functions and services of aquatic resources and identifying appropriate methods to conduct such assessments

The FTA and LACMTA will coordinate with the Corps for the review of information and environmental analysis in the areas where the Corps has special expertise, and will address comments raised in the October 6, 2021 letter in the Final EIS/EIR.

The coordination will include reviews of preliminary drafts of the Final EIS/EIR and technical studies in support of the Corps fulfilling its NEPA responsibilities. The FTA, in coordination with LACMTA, will provide the Corps with copies of consultations as requested, such as Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act. Discussion of the consultations conducted thus far may also be found in the Draft EIS/EIR.

We expect that at the end of the process the EIS will satisfy your NEPA requirements including those related to project alternatives, environmental consequences, and mitigation. Further, we intend to utilize the EIS and our subsequent record of decision as our decision-making documents and as the basis for the permit application.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact Mr. Rusty Whisman, Transportation Program Specialist, at (213) 202-3956, or by email at rusty.whisman@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Tellis".

Ray Tellis
Regional Administrator

From: Whisman, Rusty (FTA)
Sent: Friday, June 23, 2023 3:39 PM
To: Lindquist, Natalie@Parks <Natalie.Lindquist@parks.ca.gov>
Cc: Nguyen, Mary (FTA) <Mary.Nguyen@dot.gov>
Subject: RE: West Santa Ana question

Hi Natalie,

Please see the updated letter (attached), which has been revised to clarify the properties for which we are seeking eligibility determination concurrence.

The team has updated the survey report with a June 19, 2023 date reflected (only appendices A, E, and F required updates), and the files can be found here:

https://www.dropbox.com/sh/dln0vaasiicdc1h/AAAcT_zg3UoQO94GFdCk-hfTa?dl=0

The responses are as follows:

1. I'm currently reviewing this project and have a quick question for you. In your letter MR 10-028 is associated with the address 2664 Randolph Street. In the Appendices, MR 10-028 is associated with the address 6049 Rugby Ave and MR 10-029 is associated with 2664 Randolph Street.
Response: MRN 10-029 corresponds to 2664 Randolph Street; MRN 10-028 corresponds to 6049 Rugby Avenue
The total number of ineligible resources in the letter was revised from 26 to 27, adding 10-029 to the list and amending the address for 10-028. Appendices A and E were updated.
2. The DPR for the following property uses the following name - 3382 E. Gage Avenue / 6411 Salt Lake Avenue (Map Reference No. 13-007). Your letter only lists 3382 E. Gage Ave. In the DPR 523 the two separate addresses are distinct buildings. If FTA needs both to be found not eligible, the FTA letter will have to be modified to reflect that.
Response: The DPR form for MRN 13-007 is correct; there are two houses with two addresses which share one APN (6324015001) and were therefore recorded together
The letter was revised to include the following address for MRN 13-007: 3382 E. Gage Avenue / 6411 Salt Lake Avenue. No changes were needed to Appendix E.
3. In your letter MRN 27-001 is listed as 9438 Alondra Blvd. The DPR 523 lists the address as 9348 Alondra Blvd. If the DPR address is correct, the FTA letter will need to be modified to reflect the correct address.
Response: The correct address associated with MRN 27-001 is 9438 Alondra.
The letter is correct and does not need to be revised. The DPR form was updated in Appendix F. No changes were needed to Appendix E.

Please let us know if you have any additional questions or comments.

Thank you.

Rusty
[Rusty Whisman](#)

Transportation Program Specialist
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office: 213.202.3956
email: rusty.whisman@dot.gov
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From: Lindquist, Natalie@Parks <Natalie.Lindquist@parks.ca.gov>
Sent: Wednesday, June 14, 2023 4:10 PM
To: Whisman, Rusty (FTA) <russell.whisman@dot.gov>
Cc: Nguyen, Mary (FTA) <Mary.Nguyen@dot.gov>
Subject: RE: West Santa Ana question

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Mary and Rusty,

Sorry I have a couple of additional clarifications:

1. The DPR for the following property uses the following name - 3382 E. Gage Avenue / 6411 Salt Lake Avenue (Map Reference No. 13-007). Your letter only lists 3382 E. Gage Ave. In the DPR 523 the two separate addresses are distinct buildings. If FTA needs both to be found not eligible, the FTA letter will have to be modified to reflect that.
2. In your letter MRN 27-001 is listed as 9438 Alondra Blvd. The DPR 523 lists the address as 9348 Alondra Blvd. If the DPR address is correct, the FTA letter will need to be modified to reflect the correct address.

Thank you,

Natalie Lindquist
natalie.lindquist@parks.ca.gov
Historian II
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816-7100
(916) 445-7014

From: Lindquist, Natalie@Parks
Sent: Wednesday, June 14, 2023 3:31 PM
To: Whisman, Rusty (FTA) <russell.whisman@dot.gov>
Cc: Nguyen, Mary (FTA) <Mary.Nguyen@dot.gov>
Subject: FW: West Santa Ana question

Hi Rusty,

I see that Mary is out of the office. I thought I would forward my question to you in the hopes of being able to get a letter out to you sooner.

Natalie Lindquist
natalie.lindquist@parks.ca.gov
Historian II

California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816-7100
(916) 445-7014

From: Lindquist, Natalie@Parks
Sent: Wednesday, June 14, 2023 3:00 PM
To: Nguyen, Mary (FTA) <Mary.Nguyen@dot.gov>
Subject: West Santa Ana question

Hi Mary,

I'm currently reviewing this project and have a quick question for you. In your letter MR 10-028 is associated with the address 2664 Randolph Street. In the Appendices, MR 10-028 is associated with the address 6049 Rugby Ave and MR 10-029 is associated with 2664 Randolph Street.

I'm just wondering if you need a determination of eligibility for 6049 Rugby Avenue as well as 2664 Randolph St?

Natalie Lindquist
natalie.lindquist@parks.ca.gov
Historian II
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U.S. Department
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**Federal Transit
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June 23, 2023

Ms. Julianne Polanco
State Historic Preservation Officer
Office of Historic Preservation
California Department of Parks and Recreation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Attention: Ms. Natalie Lindquist, State Historian

Re: Revised APE and Eligibility Determinations for
West Santa Ana Branch Transit Corridor
Project (FTA_2018_1224_001)

Dear Ms. Polanco:

The Federal Transit Administration (FTA) in coordination with the Los Angeles County Metropolitan Transportation Authority (LACMTA) is continuing consultation with the California State Historic Preservation Officer (SHPO) under Section 106 of the National Historic Preservation Act (36 Code of Federal Regulations [CFR] 800) for the West Santa Ana Branch (WSAB) Transit Corridor Project (Project). This letter requests your comments on revisions to the Area of Potential Effects (APE), as well as concurrence on the determinations of eligibility pursuant to 36 CFR 800.4. The APE map with highlighted revisions is included in Enclosure A. An updated version of the *West Santa Ana Branch Transit Corridor Project Cultural Resources Survey Report—Rev 2 (Survey Report—Rev 2)* is included as Enclosure B.

Background

The Project is a proposed light rail transit line that would extend through Southeast Los Angeles County. The WSAB Transit Corridor Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) studied four Build Alternatives: Alternatives 1, 2, 3, and 4. The Draft EIS/EIR was released in July 2021, and the public comment period ended on September 28, 2021. On January 27, 2022, the LACMTA Board of Directors identified Alternative 3 as the Locally Preferred Alternative (LPA).

Alternatives 1 and 2 from the Draft EIS/EIR differed in the Project's northern section but shared a common alignment from the Arts/Industrial District Station to the southern terminus at the proposed Pioneer Station in the City of Artesia. Both Alternatives 1 and 2 would total approximately 19.3 miles in length. Alternative 3 extends 14.5 miles and would begin at the Slauson/A Line Station, following along the same alignment as Alternatives 1 and 2 to the southern terminus at the proposed Pioneer Station. Alternatives 1, 2, and 3 would include elevated crossings of the Los Angeles (LA) River and the Rio Hondo Channel.

Alternative 4 would extend 6.6 miles, beginning at the I-105/C Line Station and terminating at the proposed Pioneer Station. All four alternatives from the Draft EIS/EIR include the following components: station configurations, parking facilities, elevated crossing of the San Gabriel River, street crossings (at-grade, freeway, elevated street, and elevated rail), traction power substations, and a maintenance and storage facility.

On December 21, 2018, FTA initiated Section 106 consultation with your office regarding the APE and the proposed approach to the survey, identification, and evaluation of cultural resources. In a letter dated January 18, 2019, the SHPO responded with comments on the APE and proposed a built environment screening methodology. In a letter dated April 26, 2019, FTA provided additional information to address SHPO's questions. In a letter dated May 29, 2019, SHPO indicated that there were no further comments on the APE and concurred with the proposed screening methodology. In a letter dated March 30, 2020, FTA requested comments on the revised APE and concurrence on the determinations of the National Register of Historic Places (NRHP) eligibility for 36 architectural properties, the assumed NRHP eligibility of 7 archaeological sites, and the NRHP ineligibility of 400 properties. The FTA did not receive a response from SHPO.

Revisions to the Area of Potential Effects

The APE was delineated to consider potential direct and indirect effects, including potential noise, vibration, and/or visual effects to historic properties. The APE is described as being composed of two components, a "direct APE" and an "architectural APE."

For considerations of direct APE, the APE includes areas of direct effects and ground disturbance, such as the alignment right-of-way (ROW), stations, laydown yards, maintenance facility, and parking lots, in addition to streets or parcels directly above proposed tunnel areas. The APE extends from the existing ground surface to approximately 90 feet above the existing ground surface and approximately 115 feet below the existing ground surface. The "architectural APE" was delineated in consideration of areas where built environment resources may be subject to potential direct and indirect effects and generally includes a one parcel buffer (except where the alignment is at-grade and project work is limited within the existing ROW) and the width of a highway in areas where construction activities cross highways. Following concurrence on the APE delineation in May 2019, project modifications resulted in expansion of the APE. In these instances, the APE was expanded in accordance with the SHPO-approved methodology outlined above and were reflected in the *Survey Report—Rev 1* attached to the above-referenced March 30, 2020, letter to your office.

Since 2022, the APE was expanded, subsequent to circulation of the Draft EIS/EIR, to account for design modifications, traffic mitigation measures, and temporary construction easements. Several parcels where these modifications are proposed were originally included in the architectural APE but are now included in the direct APE to account for direct impacts from ground disturbance. In areas where small-scale, low-lying modifications consistent with the existing urban environment are proposed on parcels adjacent to road ROWs (for example, curb construction and sidewalk realignment) or where acquisitions may be needed to facilitate such modifications, the direct APE was expanded to encompass the construction footprint associated with those changes. In these locations, the architectural APE was limited to the parcel on which such improvements are proposed because the associated potential effects would be minor, visually unobtrusive, and would cause little change to the existing setting in a highly developed area.

Additionally, portions of the direct APE coincide with existing roadway ROW. In these locations, the direct APE considers ground disturbance associated with construction of roadway modifications, for example changes to lane geometry or addition of traffic signals or at-grade crossing equipment. The methodology employed in expanding the APE in these areas assumes that in these locations, the direct APE extends up to 10 feet on adjacent parcels to account for potential ground disturbance associated with driveway regrading and curb and/or sidewalk reconstruction. The modifications proposed in these areas are consistent with existing conditions and their introduction does not have the potential to affect adjacent parcels as a whole; therefore, the architectural APE coincides with the direct APE in these areas.

Updates to the Survey Report

In the revised APE, 30 previously unrecorded properties, including three recommended as eligible for the NRHP and 27 recommended as ineligible for the NRHP, are as identified below.

Recommended Eligible for Listing in the NRHP

- Map Reference Number (MRN) 15-032/Cudahy Substation
- MRN 9-034/ L & F Machine Company-2110 Belgrave Avenue
- MRN 10-021/Huntington Park High School-6020 Miles Avenue

Recommended Ineligible for Listing in the NRHP

- | | |
|---|--|
| 1. MRN 9-035/5925 South Alameda Street | 14. MRN 13-007/3382 East Gage Avenue- /6411 Salt Lake Avenue |
| 2. MRN 10-018/ 2629 Clarendon Avenue | 15. MRN 13-008/3376 East Gage Avenue |
| 3. MRN 10-019/2672-2680 Randolph Street | 16. MRN 13-009/3372 East Gage Avenue |
| 4. MRN 10-020/2569 Clarendon Avenue | 17. MRN 13-010/3418 Bell Avenue |
| 5. MRN 10-022/2205 Randolph Street | 18. MRN 13-011/3412 Bell Avenue |
| 6. MRN 10-023/2468 Randolph Street | 19. MRN 13-012/3410 Bell Avenue |
| 7. MRN 10-024/6101 Malabar Street | 20. MRN 15-031/7810 Otis Avenue |
| 8. MRN 10-025/2502 Randolph Street | 21. MRN15-033/4620 Ardine Street |
| 9. MRN 10-026/2512 Randolph Street | 22. MRN 19-014/11518 Center Street |
| 10. MRN 10-027/2518 Randolph Street | 23. MRN 21-028/12305 Industrial Avenue |
| 11. MRN 10-028/6049 Rugby Avenue | 24. MRN 26-023/9135 Somerset Boulevard |
| 12. MRN 10-029/2664 Randolph Street | 25. MRN 27-001/9438 Alondra Boulevard |
| 13. MRN 11-021/3383 East Gage Avenue | 26. MRN 32-022/11609 186 th Street |
| | 27. MRN 32-023/11601 186 th Street |

Following identification of the LPA (Alternative 3) in January 2022, the construction completion date for the Project was updated from 2028 to 2034. As a result, built environment resources constructed between 1979 and 1989 (50 years from the revised project completion date plus a 5-year buffer) in the APE corresponding to Alternative 3 were surveyed, photographed, and researched to determine if they possess an association with a developed historical context. No additional historic properties eligible for the NRHP in the APE were identified. A table depicting a photograph of each parcel is included in Appendix K of the *Survey Report—Rev 2*.

The Project would cross the following river channels and are evaluated in the *Survey Report—Rev 2*:

- MRN 17-007/2,400 feet of the Los Angeles River Channel between Southern Avenue and the Interstate 710 crossing in South Gate
- MRN 18-017/2,900 feet of the Rio Hondo Channel between the Los Angeles River Channel and the Garfield Avenue Crossing in South Gate
- MRN 29-025/1,220 feet of the San Gabriel River Channel between State Route 91 and Artesia Boulevard in Cerritos

These river channels have been determined NRHP-eligible by the United States Army Corps of Engineers (USACE) and received SHPO concurrence in 2022; therefore, they are considered historic properties for the purposes of Section 106. This FTA consultation includes support for USACE permits for this Project related to these river crossings.

Additional research was conducted for archaeological site (P-19-002849/CA-LAN-002849H), which was identified during construction of the Alameda Corridor Project. The *Trail to Rails: Transformation of A Landscape-History and Historical Archaeology of the Alameda Corridor—Volume I of Treatment of Historic Properties Discovered During the Alameda Corridor Project* (Livingstone 2006) documents the discovery of P-19-002849/CA-LAN-002849H during the construction of the Alameda Corridor Project. The report states that it was removed in its entirety during construction of the Alameda Corridor Project. Given that P-19-002849/CA-LAN-002849H was removed as part of a previous project, it no longer exists within the APE.

Request for Comments/Concurrence

Pursuant to 36 CFR 800.4, the FTA requests comments on the revised APE and concurrence on the determination of NRHP eligibility of MRN 15-032-Cudahy Substation, MRN 9-034-L & F Machine Company/2110 Belgrave Avenue, and MRN 10-021-Huntington Park High School/6020 Miles Avenue and the determination of NRHP ineligibility of 27 properties above.

The FTA will assess effects on historic properties and continue consultation with your office on potential effects following completion of the Cultural Resources Effects Report.

If you have any questions, please contact Ms. Mary Nguyen, Environmental Protection Specialist, at (213) 202-3960, or by email at mary.nguyen@dot.gov.

Sincerely,

Ray Tellis
Regional Administrator

Enclosures

Enclosure A: Revised Area of Potential Effects Map

Enclosure B: *West Santa Ana Branch Transit Corridor Project Final Cultural Resources Survey Report – Rev 2* (June 2023)



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

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer

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calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

June 29, 2023

VIA EMAIL

In reply refer to: FTA_2018_1224_001

Mr. Ray Tellis, Regional Administrator
Federal Transit Administration
888 South Figueroa Street, Suite 440
Los Angeles, CA 90017-5467

RE: Supplemental Section 106 Consultation for the Proposed West Santa Ana Branch Transit Corridor, Los Angeles County, CA

Dear Ms. Lorenzo:

The Federal Transit Administration (FTA), in coordination with Los Angeles County Metropolitan Transportation Authority, is continuing consultation under Section 106 of the National Historic Preservation Act, as amended (36 CFR 800) for above project. As part of the submitted documentation the FTA provided a Cultural Resources Survey Report – Rev 2 for the project area.

The Project is a proposed light rail transit line that would extend through Southeast Los Angeles County.

On December 21, 2018, FTA initiated Section 106 consultation with the State Historic Preservation Officer (SHPO) regarding the area of potential effect (APE) and the proposed approach to the survey, identification, and evaluation of cultural resources. In a letter dated January 18, 2019, the SHPO responded with comments on the APE and proposed a built environment screening methodology. In a letter dated April 26, 2019, FTA provided additional information to address SHPO's questions. In a letter dated May 29, 2019, SHPO indicated that there were no further comments on the APE and concurred with the proposed screening methodology. In a letter dated March 30, 2020, FTA requested comments on the revised APE and concurrence on the determinations of the National Register of Historic Places (NRHP) eligibility for 36 architectural properties, the assumed NRHP eligibility of 7 archaeological sites, and the NRHP ineligibility of 400 properties. The FTA did not receive a response from SHPO.

Since 2022, the APE was expanded to account for design modifications, traffic mitigation measures, and temporary construction easements. Several parcels where these modifications are proposed were originally included in the architectural APE but are now included in the direct APE to account for direct impacts from ground disturbance. In areas where small-scale, low-lying modifications consistent with the existing urban environment are proposed on parcels adjacent to road ROWs (for example, curb construction and sidewalk realignment) or where acquisitions may be needed to facilitate such modifications, the direct APE was expanded to

encompass the construction footprint associated with those changes. In these locations, the architectural APE was limited to the parcel on which such improvements are proposed because the associated potential effects would be minor, visually unobtrusive, and would cause little change to the existing setting in a highly developed area.

Additionally, portions of the direct APE coincide with existing roadway ROW. In these locations, the direct APE considers ground disturbance associated with construction of roadway modifications, for example changes to lane geometry or addition of traffic signals or at-grade crossing equipment. The methodology employed in expanding the APE in these areas assumes that in these locations, the direct APE extends up to 10 feet on adjacent parcels to account for potential ground disturbance associated with driveway regrading and curb and/or sidewalk reconstruction. The modifications proposed in these areas are consistent with existing conditions and their introduction does not have the potential to affect adjacent parcels as a whole; therefore, the architectural APE coincides with the direct APE in these areas.

Pursuant to 36 CFR Part 800.5, the FTA has determined that the following properties are eligible for the NRHP for the following reasons:

- Cudahy Substation, 7950 Salt Lake Avenue, Cudahy – eligible under Criterion C as an intact example of a Southern California Edison substation building built within the scope of the company’s programmatic architecture program. The period of significance is 1928.
- L & F Machine Company, 2110 Belgrave Avenue, Huntington Park – eligible under Criterion A for its role in producing essential, large-scale astronomical equipment, particularly during the astronomy boom of the 1950-60s. The period of significance is 1946-1989.
- Huntington Park High School, 6020 Miles Avenue, Huntington Park – eligible under Criterion C as a representative example of the Public Works Administration Moderne style of architecture. The buildings are also good examples of the work of architect George M. Lindsey. The period of significance is 1934-1939.

The FTA has also determined that the following properties are not eligible for the NRHP:

- 5925 South Alameda Street, Huntington Park
- 2629 Clarendon Avenue, Huntington Park
- 2672-2680 Randolph Street, Huntington Park
- 2569 Clarendon Avenue, Huntington Park
- 2205 Randolph Street, Huntington Park
- 2468 Randolph Street, Huntington Park
- 6101 Malabar Street, Huntington Park
- 2502 Randolph Street, Huntington Park
- 2512 Randolph Street, Huntington Park
- 2518 Randolph Street, Huntington Park
- 6049 Rugby Avenue, Huntington Park

- 2664 Randolph Street, Huntington Park
- 3383 East Gage Avenue, Huntington Park
- 3382 East Gage Avenue/6411 Salt Lake Avenue, Huntington Park
- 3376 East Gage Avenue, Huntington Park
- 3372 East Gage Avenue, Huntington Park
- 3418 Bell Avenue, Bell
- 3412 Bell Avenue, Bell
- 3410 Bell Avenue, Bell
- 7810 Otis Avenue, Cudahy
- 4620 Ardine Street, Cudahy
- 11518 Center Street, South Gate
- 12305 Industrial Avenue, South Gate
- 9135 Somerset Boulevard, Bellflower
- 9438 Alondra Boulevard, Bellflower
- 11609 186th Street, Artesia
- 11601 186th Street, Artesia

Based on review of the submitted materials, I have the following comments:

- I find the FTA's documentation and delineation of the APE to be sufficient.
- I concur with the above determinations of eligibility.

If you require further information, please contact Natalie Lindquist at Natalie.Lindquist@parks.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Julianne Polanco', with a long horizontal line extending to the right.

Julianne Polanco
State Historic Preservation Officer



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

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November 17, 2023

Ms. Julianne Polanco
California State Historic Preservation Officer
Office of Historic Preservation
California Department of Parks and Recreation
1725 23rd Street, Suite 100
Sacramento, CA95816

Attention: Ms. Natalie Lindquist, State Historian

Re: Section 106 Finding of Effect for West Santa
Ana Branch Transit Corridor Project
(FTA_2018_1224_001)

Dear Ms. Polanco:

The Federal Transit Administration (FTA), in coordination with the Los Angeles County Metropolitan Transportation Authority (LACMTA), is continuing consultation with the California State Historic Preservation Officer (SHPO) under Section 106 of the National Historic Preservation Act (Section 106) and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800) for the West Santa Ana Branch (WSAB) Transit Corridor Project (Project). The FTA is the lead federal agency for the Project. This letter requests your comment on the revised APE and concurrence on the finding of no adverse effect for this undertaking per 36 CFR 800.4 and 36 CFR 800.5.

In addition, this consultation includes support for United States Army Corps of Engineers (USACE) permits for this Project related to the river crossings. The FTA is acting on behalf of the USACE to fulfill its federal responsibility under Section 106 pursuant to 36 CFR 800.2(a)(2).

Background

The Project is a proposed light rail transit line that would extend through Southeast Los Angeles County. The WSAB Transit Corridor Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) studied four Build Alternatives: Alternatives 1, 2, 3, and 4. The Draft EIS/EIR was released in July 2021, and the public comment period ended on September 28, 2021. On January 27, 2022, the LACMTA Board of Directors selected Alternative 3 as the Locally Preferred Alternative (LPA).

The LPA extends 14.5 miles, from the Slauson/A Line Station in the north to the proposed Pioneer Station in the south. The LPA will consist of 12.1 miles of at-grade alignment and 2.4 miles of aerial alignment.

The LPA includes the following components: nine station configurations, five parking facilities, elevated crossings of the Los Angeles (LA) River Channel, Rio Hondo River Channel, and San Gabriel River Channel, street crossings (at-grade, freeway, elevated street, and elevated rail), traction power substations, and one maintenance and storage facility. The LPA includes a design option to close 186th Street, keep 187th Street open to traffic in the City of Artesia and turn Corby Avenue into a cul-de-sac with an access driveway for the existing business.

On December 21, 2018, FTA initiated Section 106 consultation with your office regarding the Area of Potential Effects (APE), which accounted for potential effects associated with all four Build Alternatives, and a proposed approach to the survey, identification, and evaluation of cultural resources. In a letter dated January 18, 2019, SHPO responded with comments on the APE and the proposed built environment screening methodology. In a letter dated April 26, 2019, the FTA provided additional information to address comments. In a reply letter dated May 29, 2019, SHPO indicated that it had no further comments on the APE and concurred with the screening methodology.

Consultation continued with a letter dated March 30, 2020 and the transmittal of the West Santa Ana Branch Transit Corridor Project Cultural Resources Survey Report—Rev 1 (Survey Report—Rev 1) The FTA requested comments on the revised APE and concurrence from your office on determination of the National Register of Historic Places (NRHP) eligibility for 36 built environment historic properties, the assumed NRHP eligibility of seven archaeological sites, and the NRHP ineligibility of 400 properties. The FTA did not receive a response from your office.

In response to public and agency comment received on the Draft EIS/EIR, the alternatives were refined. Accordingly, the updated West Santa Ana Branch Transit Corridor Project Cultural Resources Survey Report—Rev 2 (Survey Report—Rev 2) was submitted to your office on May 11, 2023. The FTA requested comment on the revised APE and concurrence on the determinations of eligibility. In a letter dated June 29, 2023, SHPO deemed sufficient the documentation and delineation of the APE and concurred with the determinations of NRHP eligibility.

Area of Potential Effect

The APE was delineated to consider potential direct and indirect effects, including potential noise, vibration, and/or visual effects to historic properties. Previously, the vertical extent of the APE ranged from approximately 90 feet above the existing ground surface and approximately 115 feet below the existing ground surface. Following the APE delineation in June 2023, the depth of the APE has been expanded to approximately 150 feet below the existing ground surface to account for geotechnical borings necessary to support project construction.

Evaluation of Effect

The enclosed West Santa Ana Branch Transit Corridor Project Final Cultural Resources Effects Report (Effects Report) presents an assessment of effects of a No Build Alternative and the LPA, including design option, on the historic properties located in the APE for the LPA.

No known archaeological historic properties were identified in the APE for the LPA. The APE for the LPA is considered to have low to moderate sensitivity for the presence of buried archaeological deposits that could qualify as historic properties/historical resources. The Project would result in no adverse effect to known archaeological historic properties.

The measures outlined in Section 6 of the Effects Report will be implemented if unanticipated archaeological resources are discovered during construction.

Nineteen built environment historic properties were identified in the APE for the LPA. The LPA will introduce new permanent visual elements within the ROW, including additional rail-related features such as tracks, fencing, pedestrian crossing gates, a grade crossing house, and a train control house. The proposed visual elements will be similar in scale and massing to the existing rail-related features currently in the vicinity. Construction activities will primarily occur within the public and rail ROWs and will temporarily introduce features (e.g., construction vehicles, equipment, security fencing, and barricades) that may alter the visual character of the surrounding area. However, these visual changes will be temporary because construction equipment, construction vehicles, barricades, and security fences will be removed once construction is completed.

Partial acquisitions of historic properties would accommodate slight alterations to the right of way and sidewalk. The LPA will not physically alter or modify historic structures, except as noted on the enclosed summary table at crossings of the Century Freeway–Transitway Historic District, Los Angeles River Channel, the Union Pacific Los Angeles River Rail Bridge, Rio Hondo, and San Gabriel River. The integrity of location, design, materials, or workmanship will not be diminished by the LPA. Due to the nature of the existing urban environment, the project-related visual elements from both construction and operation will not diminish the integrity of setting, feeling, or association, and will not detract from the character of the area. Temporary construction-related visual elements will not permanently alter or diminish historic integrity; at the end of construction, these elements will be removed and there will be no permanent effects/impacts from construction.

The LPA proposes the demolition of Century Boulevard Underpass, a character-defining feature of the Century Freeway–Transitway Historic District. Caltrans documentation of the district indicates that while the bridges contribute to the district, they are not individually significant or significant engineering achievements. Rather, the district's overall significance is derived from its association with an Environmental Justice lawsuit and subsequent legal agreement and its intermodal design and integration of then-novel ITS features. The LPA will alter a small portion of the district. The district's appearance will continue to reflect the intermodal and aesthetic design it currently employs. The new LRT and replacement freight bridges will be generally consistent in scale, massing, and materials with other character-defining bridges throughout the district. New LRT and replacement freight bridges will integrate relief consistent with that present on character-defining bridges throughout the district. The design of the new LRT bridge will be reviewed and approved by a professional meeting the Secretary of Interior (SOI) professional standards in architectural history, history, or architecture under Project Measure CR PM-1 (SOI Standards Design Review). Coordination with Caltrans will continue as the project design progresses.

In addition, the removal and replacement of minimal landscaping, including the removal and replacement of roughly 15 trees, may be required. The district's original landscaping is one of its character-defining features. A review of historical and aerial imagery of the district indicates that landscaping on the I-105 north berm within the APE appears to have been planted after 1996 and is not original. Trees removed during construction would be replaced in-kind and at a ratio of 1:1, consistent with the principles in the Secretary's Standards for the Treatment of Historic Properties (36 CFR 68) and applicable guidelines (36 CFR 800.5 (ii)).

The overall intent of the original landscape design is expected to remain visible and intact with replacement of the removed trees. Proposed alterations to the district's landscaping will not alter any of the characteristics that qualify it for inclusion in the NRHP in a way that will reduce its overall integrity, given its roughly 19-mile length.

Construction of the new infill Metro C Line station will require realignment of approximately 2,500 feet (0.47 mile) of Metro C Line track. This is approximately 2.5 percent of the district's approximately 18 miles of Metro C Line track. The light rail in the median of I-105 is identified as a character-defining feature of the Century Freeway-Transitway Historic District. The LRT is significant for its integration into the freeway's design in support of its intermodal nature and not for its design or engineering. The tracks will remain in the median as an integrated component of the Century Freeway. They will continue to serve a purpose consistent with their historic and current function in support of the district's intermodal nature. The new infill station will be compatible in scale and massing with existing stations and will be located in the transitway median. No existing stations will be altered. The LPA will result in no adverse effect to the Century Freeway-Transitway Historic District.

The FTA applied the criteria of adverse effect per 36 CFR 800.5(a) and has determined that the Project would result in a finding of no adverse effect.

Request for Comment and Concurrence

Pursuant to 36 CFR 800.4, FTA requests comments on the revised APE, which includes consideration of the additional depth of soil disturbance from geotechnical borings. Additionally, in accordance with 36 CFR 800.5, FTA requests concurrence with a finding of no adverse effect on historic properties for this undertaking.

The FTA has also determined that these historic properties are subject to Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended. Based on your concurrence with the determination of no adverse effect under Section 106, FTA may make *de minimis* impact determinations under Section 4(f) for the above-listed properties.

If you have any questions, please contact Ms. Mary Nguyen, Director of the Office of Planning and Program Development, at (213) 202-3960, or by email at mary.nguyen@dot.gov.

Sincerely,



Ray Tellis
Regional Administrator

Enclosures:

- West Santa Ana Branch Transit Corridor Project-Summary Table of Historic Property Effects Evaluation for the LPA
- *West Santa Ana Branch Transit Corridor Project Final Cultural Resources Effects Report (2023)*

West Santa Ana Branch Transit Corridor Project
Summary of Historic Property Effects Evaluation for the LPA

Property Name/Address	Map Reference No. (MRN)	Section 106 Finding
1) 6000 Alameda Street, Huntington Park*	9-015	The LPA will not physically alter or modify this property. No adverse effect.
2) L&F Machine Company/2110 Belgrave Avenue, Huntington Park	9-034	The LPA will not physically alter or modify this property. No adverse effect.
3) 6101 Santa Fe Avenue, Huntington Park	10-012	A small portion of 6101 Santa Fe Avenue will be permanently acquired to accommodate slight alterations to the ROW and sidewalk. The building located on the property will not be physically altered or modified. No adverse effect.
4) 2860 Randolph Street, Huntington Park	10-017	The LPA will not physically alter or modify this property. No adverse effect.
5) Huntington Park High School/6020 Miles Avenue, Huntington Park	10-021	Approximately 700 square feet of 6020 Miles Avenue will be acquired to accommodate the LPA. The buildings located on the property will not be physically altered or modified by the LPA. No adverse effect.
6) Randolph Substation/Randolph Street, Huntington Park	11-016	The LPA will not physically alter or modify this property. No adverse effect.
7) 6300-6302 State Street, Huntington Park	11-018	The LPA will not physically alter or modify this property. No adverse effect.
8) Cudahy Substation/Salt Lake Avenue, Cudahy	15-032	A small portion of the Cudahy Substation property will be permanently acquired to accommodate slight alterations to the ROW and sidewalk. The substation building located on the property will not be physically altered or modified. No adverse effect.
9) No address; Los Angeles Department of Water and Power Boulder Lines 1 and 2 (P-19-188983)	17-005	The LPA will not physically alter or modify the overhead towers to the east and west of the proposed alignment. No adverse effect.
10) Union Pacific Los Angeles River Rail Bridge, South Gate	17-006	The existing bridge will remain intact and continue its historic and current use following implementation of the LPA. While the LPA will not physically alter the deck of the bridge, the bridge's existing concrete piers will be extended to the north to support the new LRT bridge constructed for the LPA to cross the LA River. Modifications to the piers will be undertaken using materials consistent with the existing piers, and the scale and massing of extended portions of the piers will be consistent with those currently extant. No adverse effect.
11) Los Angeles River Channel**, South Gate (portion of)	17-007	The LPA will result in construction within the subject segment, but the LPA will not alter the segment's orientation or its overall size or shape and will not impact its ability to function in its historic and current capacity. The new LRT bridge and its associated features, including soundwalls, rail track, and catenary poles and wires are compatible with the subject segment's surrounding urban industrial setting. No adverse effect.

Property Name/Address	Map Reference No. (MRN)	Section 106 Finding
12) Pueblo Del Rio Public Housing Complex Historic District (portion of)/5024 Holmes Avenue, Los Angeles (P-19-188179)	8-013	The LPA will not physically alter or modify this property. No adverse effect.
13) Southern California Edison Long Beach-Laguna Bell 60 kilovolt (kV) and 220kV transmission lines (P-19-192309)	18-016	The LPA will not physically alter the property's overhead towers that are north and south of the LPA alignment. No adverse effect.
14) Rio Hondo River Channel**, South Gate (portion of)	18-017	The LPA will introduce new permanent visual elements, into the Rio Hondo Channel, approximately 15 feet west of the existing Rio Hondo Bridge (which is not a historic property). The LPA will alter the channel by introducing a new LRT bridge, piers, and abutments. However, the river's character-defining features will remain intact and the new project elements will be compatible with the design, workmanship, and materials found throughout 51-mile river. No adverse effect.
15) Rancho Los Amigos Medical Center Historic District, Downey (P-19-189330)	19-013	The LPA will have no direct physical impact to any of the district contributors. The LPA will introduce new permanent visual elements within the rail ROW and on an adjacent property, including the Gardendale Station, additional rail tracks, pedestrian crossing gates, grade crossing houses, a train control and communication house, catenary poles and wires, and a TPSS site. Proposed visual elements will be similar in scale and massing to the existing setting, and the LPA will not diminish the property's integrity of setting, feeling, or association, and will not detract from the character and quality of the area. No adverse effect.
16) Century Freeway–Transitway Historic District (portion of)	21-027	<p>The LPA will require demolition of one character-defining feature of the district (the Century Boulevard Underpass). Demolition will only impact 1 of 118 (less than 1 %) character-defining bridges/overcrossings. The new LRT and replacement freight bridges will be generally consistent in scale, massing, and materials with other character-defining bridges throughout the district. New LRT and replacement freight bridges will integrate relief consistent with that present on character-defining bridges throughout the district. In compliance with Project Measure CR PM-1 (SOI Standards Design Review), design of the new LRT bridge will be reviewed and approved by a professional meeting the SOI PQS in architectural history, history, or architecture as it advances.</p> <p>Removal and replacement of minimal landscaping, including the removal and replacement of up to 15 trees, may be required. The district's original landscaping is one of its character-defining features. Any trees removed during construction would be replaced in-kind and at a ratio of 1:1, consistent with the principles in the Secretary's Standards for the Treatment of Historic Properties (36 CFR 68) and applicable guidelines (36 CFR 800.5 (ii)). The overall intent</p>

Property Name/Address	Map Reference No. (MRN)	Section 106 Finding
		<p>of the original landscape design is expected to remain visible and intact with replacement of the removed trees.</p> <p>Shifting 2,500 feet (0.47 mile) of track will be a minor change within a median of Century Freeway is already dedicated to transit use. New infill station will be compatible in scale and massing with existing stations and will be located in the transitway median; no existing stations will be altered. No adverse effect.</p>
17) Bellflower Pacific Electric Railway Depot/16336 Bellflower Boulevard, Bellflower (P-19-186111)	28-008	The LPA will introduce permanent visual elements consistent in scale and design with the surrounding urban environment, a former light rail corridor. New permanent visual elements include a 12-foot-tall soundwall at-grade along the northern perimeter of the ROW, catenary poles and wires, fences, a new station, and parking. North-facing views of the original Bellflower Depot will remain available south of the ROW. Implementation of Measure VIB-6 will ensure that construction activities near historic structures will be held to a protective vibration damage threshold of 0.20 inch per second peak particle velocity, and equipment with the potential to damage historic buildings will not be used within 25 feet of the Bellflower Depot. No adverse effect.
18) 10040 Flora Vista Street, Bellflower	28-009	The LPA will not physically alter or modify the building. Therefore, the property's integrity of location, design, materials, and workmanship will not be diminished. No adverse effect.
19) San Gabriel River Channel**, Cerritos (portion of)	29-025	A new LRT bridge will be constructed roughly in the existing location of the San Gabriel River Bridge, which will be demolished by the Project. The bridge is not eligible for the NRHP. The LPA will introduce a new bridge, piers, and abutments. The river's character-defining features will remain intact and the new project elements will be compatible with the design, workmanship, and materials found throughout the 58-mile-long river. The new LRT bridge will not change the historic alignment of the river or result in the removal or substantial alteration of its character-defining features. No adverse effect.
<p>*= Property mistakenly addressed as 1978 Belgrave Avenue in the Draft EIS/EIR. **= segment of a channelized river that is contributing to a larger historic district encompassing elements of the Los Angeles County Drainage Area Project</p>		



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

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer

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January 4, 2024

VIA EMAIL

In reply refer to: FTA_2018_1224_001

Mr. Ray Tellis, Regional Administrator
Federal Transit Administration
888 South Figueroa Street, Suite 440
Los Angeles, CA 90017-5467

RE: Section 106 Finding of Effect for the Proposed West Santa Ana Branch Transit Corridor,
Los Angeles County, CA

Dear Mr. Tellis:

The Federal Transit Administration (FTA), in coordination with Los Angeles County Metropolitan Transportation Authority, is continuing consultation under Section 106 of the National Historic Preservation Act, as amended (36 CFR 800) for above undertaking. As part of the submitted documentation the FTA provided a Final Cultural Resources Effects Report for the project area.

The undertaking is a proposed light rail transit line that would extend through Southeast Los Angeles County.

On December 21, 2018, FTA initiated Section 106 consultation with the State Historic Preservation Officer (SHPO) regarding the area of potential effect (APE) and the proposed approach to the survey, identification, and evaluation of cultural resources. In a letter dated January 18, 2019, the SHPO responded with comments on the APE and proposed a built environment screening methodology. In a letter dated April 26, 2019, FTA provided additional information to address SHPO's questions. In a letter dated May 29, 2019, SHPO indicated that there were no further comments on the APE and concurred with the proposed screening methodology. In a letter dated March 30, 2020, FTA requested comments on the revised APE and concurrence on the determinations of the National Register of Historic Places (NRHP) eligibility for 36 architectural properties, the assumed NRHP eligibility of 7 archaeological sites, and the NRHP ineligibility of 400 properties. The FTA did not receive a response from SHPO.

Since 2022, the APE was expanded to account for design modifications, traffic mitigation measures, and temporary construction easements. In a letter of May 11, 2023, the FTA requested comment on the revised APE and concurrence on determinations of eligibility. The SHPO responded by letter on June 29, 2023 and concurred with FTA's APE delineation and determinations.

The APE was delineated to consider potential direct and indirect effects, including potential noise, vibration, and/or visual effects to historic properties. Previously, the vertical extent of the APE ranged from approximately 90 feet above the existing ground surface and approximately 115 feet below the existing ground surface. Following the APE delineation in June 2023, the depth of the APE has been expanded to approximately 150 feet below the existing ground surface to account for geotechnical borings necessary to support project construction.

The FTA found no known archaeological properties within the APE and considers the APE to have low to moderate sensitivity for the presence of buried archaeological deposits that could qualify as historic properties. The FTA found that the undertaking will have no adverse effect to known archaeological properties. Measures outlined in Section 6 of the Effects Reports will be implemented if unanticipated archaeological resources are discovered during construction.

Nineteen built-environment historic properties, eligible for the National Register of Historic Places (NRHP), were identified in the APE. The FTA found that the undertaking will have no adverse effect to these 19 historic properties. The undertaking will introduce new permanent visual elements within the right of way (ROW), including additional rail-related features such as tracks, fencing, pedestrian crossing gates, a grade crossing house, and a train control house. The proposed visual elements will be similar in scale and massing to the existing rail-related features currently in the vicinity.

The undertaking will physically alter or modify the following five historic properties:

- Century Freeway–Transitway Historic District – The undertaking will require demolition of one character-defining feature of the district (the Century Boulevard Underpass). Demolition will only impact 1 of 118 (less than 1 %) character-defining bridges/overcrossings. The new light rail and replacement freight bridges will be generally consistent in scale, massing, and materials with other character-defining bridges throughout the district. New light rail and replacement freight bridges will integrate relief consistent with that present on character-defining bridges throughout the district. Design of the new light rail bridge will be reviewed and approved by a professional meeting the Secretary of the Interior’s professional qualification standards in architectural history, history, or architecture as it advances.

Removal and replacement of minimal landscaping, including the removal and replacement of up to 15 trees, may be required. The district’s original landscaping is one of its character-defining features. Any trees removed during construction would be replaced in-kind and at a ratio of 1:1, consistent with the principles in the Secretary’s Standards for the Treatment of Historic Properties (36 CFR 68) and applicable guidelines (36 CFR 800.5 (ii)). The overall intent of the original landscape design is expected to remain visible and intact with replacement of the removed trees.

Shifting 2,500 feet (0.47 mile) of track will be a minor change within the median of Century Freeway that is already dedicated to transit use. The new infill station will be compatible in

scale and massing with existing stations and will be in the transitway median; no existing stations will be altered.

- Los Angeles River Channel – The undertaking will result in construction within the subject segment, but the undertaking will not alter the segment’s orientation or its overall size or shape and will not impact its ability to function in its historic and current capacity. The new light rail bridge and its associated features, including soundwalls, rail track, and catenary poles and wires are compatible with the subject segment’s surrounding urban industrial setting.
- Union Pacific Los Angeles River Rail Bridge – The existing bridge will remain intact and continue its historic and current use. While the undertaking will not physically alter the deck of the bridge, the bridge’s existing concrete piers will be extended to the north to support the new light rail bridge constructed for the undertaking to cross the LA River. Modifications to the piers will be undertaken using materials consistent with the existing piers, and the scale and massing of extended portions of the piers will be consistent with those currently extant.
- Rio Hondo River Channel – The undertaking will introduce new permanent visual elements, into the Rio Hondo Channel, approximately 15 feet west of the existing Rio Hondo Bridge (which is not a historic property). The undertaking will alter the channel by introducing a new light rail bridge, piers, and abutments. However, the river’s character-defining features will remain intact and the new project elements will be compatible with the design, workmanship, and materials found throughout 51-mile river.
- San Gabriel River Channel – The new light rail bridge will be constructed roughly in the existing location of the San Gabriel River Bridge, which will be demolished by the undertaking. The bridge is not eligible for the NRHP. The undertaking will introduce a new bridge, piers, and abutments. The river’s character-defining features will remain intact and the new project elements will be compatible with the design, workmanship, and materials found throughout the 58-mile-long river. The new light rail bridge will not change the historic alignment of the river or result in the removal or substantial alteration of its character-defining features.

The FTA applied the criteria of adverse effect per 36 CFR 800.5(a) and has determined that the undertaking will have no adverse effect on historic properties.

Based on review of the submitted materials, I have the following comments:

1. Comments on the APE:
 - It is requested that the FTA submit a revised APE map that denotes the APE revisions (geotechnical boring).
2. Comments on the WSAB Cultural Resources Effects Report:

- Section 5.2.2.12 Union Pacific Los Angeles River Rail Bridge, South Gate. It is requested that the FTA provide a photo simulation or artistic rendering that illustrates what the new light rail bridge will look like next to the existing historic bridge.
- Section 6.2.1 Development of Cultural Resource Mitigation and Monitoring Program. Because the FTA has presented a finding of no adverse effect for the undertaking, it is recommended that the term mitigation be removed from the report title. Mitigation is more applicable to resolve adverse effects; thus, it may be more appropriate to rename the report to Cultural Resource Monitoring and Discovery Program or something similar.
- Section 6.2.4 Treatment of Unanticipated Discoveries. It appears that the FTA is proposing to develop and implement the Cultural Resource Mitigation and Monitoring Program in accordance with 36 CFR § 800.13(a)(2). As such, the SHPO requests the opportunity to review and comment on the draft Cultural Resource Mitigation and Monitoring Program prior to its implementation. This review would give the SHPO an opportunity to provide comment on FTA's proposed measures to identify and treat post-review discoveries should they occur during construction activities.

If you require further information, please contact Natalie Lindquist at Natalie.Lindquist@parks.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Julianne Polanco', with a long horizontal line extending to the right.

Julianne Polanco
State Historic Preservation Officer



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

REGION IX
Arizona, California,
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American Samoa,
Northern Mariana Islands

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February 13, 2024

Ms. Julianne Polanco
California State Historic Preservation Officer
Office of Historic Preservation
California Department of Parks and Recreation
1725 23rd Street, Suite 100
Sacramento, California 95816

Attention: Ms. Natalie Lindquist, State Historian

Re: Continued Consultation for Finding of Effect
for West Santa Ana Branch Transit Corridor
Project (FTA_2018_1224_001)

Dear Ms. Polanco:

The Federal Transit Administration (FTA) in coordination with the Los Angeles County Metropolitan Transportation Authority (Metro) is continuing consultation with the California State Historic Preservation Office (SHPO) under Section 106 of the National Historic Preservation Act (Section 106) and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800) for the West Santa Ana Branch Transit Corridor Project (Project). The Project is a proposed light rail transit line that would extend through Southeast Los Angeles County. The FTA is the lead federal agency for the Project and is acting on behalf of the United States Army Corps of Engineers to fulfill its collective federal responsibility under Section 106 pursuant to 36 CFR 800.2(a)(2).

The purpose of this letter is to respond to your letter dated January 4, 2024, and summarize updates made to the West Santa Ana Branch Transit Corridor Project Final Cultural Resources Effects Report (Final Effects Report), presented in the attached West Santa Ana Branch Transit Corridor Project Revised Final Cultural Resources Effects Report (Revised Final Effects Report) following your initial review and in response to that letter. This letter requests comments on the expanded depth of the APE and concurrence on the Project's finding of no adverse effect pursuant to 36 CFR 800.4 and 36 CFR 800.5. A copy of the Revised Final Effects Report with changes tracked and a clean version (without the changes tracked) are enclosed for your review.

Summary of SHPO Consultation to Date

On December 21, 2018, the FTA initiated Section 106 consultation with your office regarding the APE and the proposed approach to the survey, identification, and evaluation of cultural resources. In a letter dated January 18, 2019, the SHPO responded with comments on the APE and proposed a built environment screening methodology. In a letter dated April 26, 2019, FTA provided additional information to address SHPO's questions.

In a letter dated May 29, 2019, SHPO indicated that there were no further comments on the APE and concurred with the proposed screening methodology. In a letter dated March 30, 2020, FTA requested comments on the revised APE and concurrence on the determinations of the National Register of Historic Places (NRHP) eligibility for 36 architectural properties, the assumed NRHP eligibility of 7 archaeological sites, and the NRHP ineligibility of 400 properties. The FTA did not receive a response from SHPO.

Since 2022, the APE was expanded to account for design modifications, traffic mitigation measures, and temporary construction easements. In a letter dated May 11, 2023, the FTA requested comment on the revised APE and concurrence on determinations of eligibility. The SHPO responded by letter on June 29, 2023, and concurred with FTA's eligibility determinations and found the APE delineation to be sufficient.

A preliminary Effects Report was circulated for public review and comment with the Project's Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) (Preliminary Effects Report) from July 30, 2021, to September 28, 2021. Following updates based on public review and comment on the Draft EIS/EIR, the Final Effects Report was submitted to the SHPO on November 17, 2023. On December 28, 2023, the SHPO requested a meeting to discuss the Project and the potential visual effects. On January 3, 2024, representatives from FTA and Metro met with a representative from the Office of Historic Preservation. The Revised Final Effects Report includes updates in response to that meeting and the SHPO's letter, dated January 4, 2024. A meeting summary is included in Section 8.1.3 and Appendix B of the Revised Final Effects Report.

The SHPO's letter, dated January 4, 2024, included the following comments regarding the APE map and Final Effects Report:

- **Comment on the APE:** "It is requested that FTA submit a revised APE map that denotes the APE revisions (geotechnical boring)."
- **Comments on the Final Effects Report:**
 - "Section 5.2.2.12 Union Pacific Los Angeles River Rail Bridge, South Gate: It is requested that the FTA provide a photo simulation or artistic rendering that illustrates what the new light rail bridge will look like next to the existing historic bridge.
 - Section 6.2.1 Development of Cultural Resource Mitigation and Monitoring Program: Because the FTA has presented a finding of no adverse effect for the undertaking, it is recommended that the term "mitigation" be removed from the report title. Mitigation is more applicable to resolve adverse effects; thus, it may be more appropriate to rename the report to Cultural Resource Monitoring and Discovery Program or something similar.
 - Section 6.2.4 Treatment of Unanticipated Discoveries: It appears that the FTA is proposing to develop and implement the Cultural Resource Mitigation and Monitoring Program in accordance with 36 CFR § 800.13(a)(2). As such, the SHPO requests the opportunity to review and comment on the draft Cultural Resource Mitigation and Monitoring Program prior to its implementation. This review would give the SHPO an opportunity to provide comment on FTA's proposed measures to identify and treat post-review discoveries should they occur during construction activities."

Updates to the Effects Report Based on SHPO Consultation

Based on the January 3, 2024, meeting and January 4, 2024, letter from SHPO, the following changes were made to the attached Revised Final Effects Report.

- **APE:** The depth of the APE was expanded from approximately 115 to approximately 150 feet below the existing ground surface to account for the depth associated with geotechnical borings necessary to support future stages of design and project construction. The APE map included in Appendix A of the attached Revised Final Effects Report now includes the following footnote: “Note: The vertical extent of the APE for the LPA extends from 150 feet below grade to 90 feet above grade.”
- **Section 5.2.2.12 Union Pacific Los Angeles River Rail Bridge, South Gate:** Visual aids (one plan view on an aerial image depicting the existing and proposed bridges [Figure 5-14], one rendering depicting a cross section of the existing and proposed bridges [Figure 5-15], and two photographs showing current ground-level views of the existing bridge with associated renderings showing proposed future ground-level views of the existing and proposed bridges [Figures 5-16, 5-17, 5-18, and 5-19]) have been added to Section 5.2.2.12 of the Revised Final Effects Report to illustrate the proximity, scale, and massing of the new light rail bridge next to the existing historic bridge. Additionally, minor text clarifications were added to the analysis included in this section regarding visual effects as well as noting that the current debris walls are not original to the bridge. The visual aids are enclosed for reference.
- **Section 6.2.1 Development of Cultural Resources Mitigation and Monitoring Program:** The title of the program required by Mitigation Measure CR-1 has been updated from “Cultural Resources Mitigation and Monitoring Program” to “Cultural Resources Monitoring and Discovery Program” and no longer includes the term mitigation.
- **Section 6.2.4 Treatment of Unanticipated Discoveries:** Mitigation Measure CR-4 has been updated to indicate that, if the preparation of a treatment plan is required, it will be prepared in accordance with 36 CFR § 800.13(a)(2) in consultation with the SHPO.

Historic Properties Identification and Effects Summary

As noted in the Survey Report—Rev 2, the surveys and record searches identified no known archaeological properties within the APE. The APE is considered to have low to moderate sensitivity for the presence of buried archaeological deposits that could qualify as historic properties. The Project would therefore result in no adverse effect to known archaeological properties. However, consistent with 36 CFR 800.13, the measures outlined in Section 6 of the Revised Final Effects Report will be implemented if unanticipated archaeological resources are discovered during construction.

As described in the Revised Final Effects Report and summarized in the attached table, the FTA found that the undertaking will have no adverse effect to the 19 built environment historic properties within the APE. The undertaking will introduce new permanent visual elements within the right-of-way, including additional rail-related features such as tracks, fencing, pedestrian crossing gates, a grade-crossing house, and a train-control house, in the vicinity of these historic properties. However, the proposed visual elements will be similar in scale and massing to the existing rail-related features currently in the vicinity of these properties.

The undertaking will also physically alter or modify the following five historic properties: Century Freeway–Transitway Historic District, Los Angeles River Channel, Union Pacific Los Angeles River Rail Bridge, Rio Hondo Channel, and San Gabriel River Channel. However, the undertaking would not adversely affect these properties. The analysis of the Project’s potential to affect these historic properties is presented in the following sections of the attached Revised Final Effects Report, respectively: Sections 5.2.2.18, 5.2.2.13, 5.2.2.12, 5.2.2.16, 5.2.2.21.

Request for Concurrence

Pursuant to 36 CFR 800.4, the FTA requests comments on the expanded depth of the APE. In accordance with 36 CFR 800.5, the FTA requests your concurrence with a finding of **no adverse effect** on historic properties for this undertaking.

The FTA has also determined that these historic properties are subject to Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended. Based on your concurrence with the determination of no adverse effect under Section 106, FTA may make *de minimis* impact determinations under Section 4(f) for the above-listed properties.

If you have any questions, please contact Ms. Mary Nguyen, Director of the Office of Planning and Program Development, at (213) 202-3960, or by email at mary.nguyen@dot.gov.

Sincerely,



Ray Tellis
Regional Administrator

Enclosures

- Summary of Effects Evaluation for Built Environment Historic Properties
- *West Santa Ana Branch Transit Corridor Project Revised Final Cultural Resources Effects Report (changes tracked)*
- *West Santa Ana Branch Transit Corridor Project Revised Final Cultural Resources Effects Report (final clean)*
- Visual aids depicting existing and future conditions of the area surrounding the Union Pacific Los Angeles River Rail Bridge

Summary of Effects Evaluation for Built Environment Historic Properties

Property Name/Address	Map Reference No. (MRN)	Effects Evaluation
Pueblo Del Rio Public Housing Complex Historic District (portion of)/5024 Holmes Avenue, Los Angeles (P-19-188179)	8-013	The LPA will not physically alter or modify this property. No adverse effect.
6000 Alameda Street, Huntington Park*	9-015	The LPA will not physically alter or modify this property. No adverse effect.
L&F Machine Company/2110 Belgrave Avenue, Huntington Park	9-034	The LPA will not physically alter or modify this property. No adverse effect.
6101 Santa Fe Avenue, Huntington Park	10-012	A small portion of 6101 Santa Fe Avenue will be permanently acquired to accommodate slight alterations to the ROW and sidewalk. The building located on the property will not be physically altered or modified. No adverse effect.
2860 Randolph Street, Huntington Park	10-017	The LPA will not physically alter or modify this property. No adverse effect.
Huntington Park High School/6020 Miles Avenue, Huntington Park	10-021	Approximately 700 square feet of 6020 Miles Avenue will be acquired to accommodate the LPA. The buildings located on the property will not be physically altered or modified by the LPA. No adverse effect.
Randolph Substation/Randolph Street, Huntington Park	11-016	The LPA will not physically alter or modify this property. No adverse effect.
6300-6302 State Street, Huntington Park	11-018	The LPA will not physically alter or modify this property. No adverse effect.
Cudahy Substation/Salt Lake Avenue, Cudahy	15-032	A small portion of the Cudahy Substation property will be permanently acquired to accommodate slight alterations to the ROW and sidewalk. The substation building located on the property will not be physically altered or modified. No adverse effect.
No address; Los Angeles Department of Water and Power Boulder Lines 1 and 2 (P-19-188983)	17-005	The LPA will not physically alter or modify the overhead towers to the east and west of the proposed alignment. No adverse effect.
Union Pacific Los Angeles River Rail Bridge, South Gate	17-006	The existing bridge deck will remain intact and continue its historic and current use following implementation of the LPA. While the LPA will not physically alter the deck of the bridge, the bridge's existing concrete piers will be extended to the north to support the new LRT bridge constructed for the LPA to cross the LA River. Modifications to the piers will be undertaken using materials consistent with the existing piers, and the scale and massing of extended portions of the piers will be consistent with those currently extant. No adverse effect.
Los Angeles River Channel**, South Gate (portion of)	17-007	The LPA will result in construction within the subject segment, but the LPA will not alter the segment's orientation or its overall size or shape and will not impact its ability to function in its historic and current capacity. The new LRT bridge and its associated features, including soundwalls, rail track, and catenary poles and wires, are

Property Name/Address	Map Reference No. (MRN)	Effects Evaluation
		compatible with the subject segment's surrounding urban industrial setting. No adverse effect.
Southern California Edison Long Beach-Laguna Bell 60 kilovolt (kV) and 220kV transmission lines Transmission Line (P-19-192309)	18-016	The LPA will not physically alter the property's overhead towers that are north and south of the LPA alignment. No adverse effect.
Rio Hondo River Channel**, South Gate (portion of)	18-017	The LPA will introduce new permanent visual elements, into the Rio Hondo Channel, approximately 15 feet west of the existing Rio Hondo Bridge (which is not a historic property). The LPA will alter the channel by introducing a new LRT bridge, piers, and abutments. However, the river's character-defining features will remain intact and the new project elements will be compatible with the design, workmanship, and materials found throughout the 51-mile river. No adverse effect.
Rancho Los Amigos Medical Center Historic District, Downey (P-19-189330)	19-013	The LPA will have no direct physical impact to any of the district contributors. The LPA will introduce new permanent visual elements within the rail ROW and on an adjacent property, including the Gardendale Station, additional rail tracks, pedestrian crossing gates, grade-crossing houses, a train control and communication house, catenary poles and wires, and a TPSS site. Proposed visual elements will be similar in scale and massing to the existing setting, and the LPA will not diminish the property's integrity of setting, feeling, or association, and will not detract from the character and quality of the area. No adverse effect.
Century Freeway–Transitway Historic District (portion of)	21-027	The LPA will require demolition of one character-defining feature of the district (the Century Boulevard Underpass). Demolition will only impact 1 of 118 (less than 1%) character-defining bridges/overcrossings. The new LRT and replacement freight bridges will be generally consistent in scale, massing, and materials with other character-defining bridges throughout the district. New LRT and replacement freight bridges will integrate relief consistent with that present on character-defining bridges throughout the district. In compliance with Project Measure CR PM-1 (SOI Standards Design Review), design of the new LRT bridge will be reviewed and approved by a professional meeting the SOI PQS in architectural history, history, or architecture as it advances. Removal and replacement of minimal landscaping, including the removal and replacement of up to 15 trees, may be required. The district's original landscaping is one of its character-defining features. Any trees removed during construction would be replaced in-kind and at a ratio of 1:1, consistent with the principles in the Secretary's Standards for the Treatment of Historic Properties (36 CFR 68) and applicable guidelines (36 CFR 800.5 (ii)). The overall intent of the original landscape design is expected to remain visible and intact with replacement of the removed trees. Shifting 2,500 feet (0.47 mile) of track will be a minor change within the median of the Century Freeway

Property Name/Address	Map Reference No. (MRN)	Effects Evaluation
		that is already dedicated to transit use. A new infill station will be compatible in scale and massing with existing stations and will be located in the transitway median; no existing stations will be altered. No adverse effect.
Bellflower Pacific Electric Railway Depot/16336 Bellflower Boulevard, Bellflower (P-19-186111)	28-008	The LPA will introduce permanent visual elements consistent in scale and design with the surrounding urban environment, a former light rail corridor. New permanent visual elements include a 12-foot-tall soundwall at-grade along the northern perimeter of the ROW, catenary poles and wires, fences, a new station, and parking. North-facing views of the original Bellflower Depot will remain available south of the ROW. Implementation of Measure VIB-6 will ensure that construction activities near historic structures will be held to a protective vibration damage threshold of 0.20 inch per second peak particle velocity, and equipment with the potential to damage historic buildings will not be used within 25 feet of the Bellflower Depot. No adverse effect.
10040 Flora Vista Street, Bellflower	28-009	The LPA will not physically alter or modify the building. Therefore, the property's integrity of location, design, materials, and workmanship will not be diminished. No adverse effect.
San Gabriel River Channel**, Cerritos (portion of)	29-025	A new LRT bridge will be constructed roughly in the existing location of the San Gabriel River Bridge, which will be demolished by the Project. The bridge is not eligible for the NRHP. The LPA will introduce a new bridge, piers, and abutments. The river's character-defining features will remain intact and the new project elements will be compatible with the design, workmanship, and materials found throughout the 58-mile-long river. The new LRT bridge will not change the historic alignment of the river or result in the removal or substantial alteration of its character-defining features. No adverse effect.
<p>*= Property mistakenly addressed as 1978 Belgrave Avenue in the Draft EIS/EIR. **= Segment of a channelized river that is contributing to a larger historic district encompassing elements of the Los Angeles County Drainage Area Project LPA = Locally Preferred Alternative; LRT = light rail transit; NRHP = National Register of Historic Places; ROW = right-of-way; SOI PQS = Secretary of the Interior's Professional Qualification Standards; TPSS = traction power substation</p>		



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

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

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March 12, 2024

VIA EMAIL

In reply refer to: FTA_2018_1224_001

Mr. Ray Tellis, Regional Administrator
Federal Transit Administration
888 South Figueroa Street, Suite 440
Los Angeles, CA 90017-5467

RE: Continued Section 106 Consultation for the Finding of Effect for the Proposed West Santa Ana Branch Transit Corridor, Los Angeles County, CA

Dear Mr. Tellis:

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The FTA found no known archaeological properties within the APE and considers the APE to have low to moderate sensitivity for the presence of buried archaeological deposits that could qualify as historic properties. The FTA found that the undertaking will have no adverse effect to known archaeological properties. Measures outlined in Section 6 of the Effects Reports will be implemented if unanticipated archaeological resources are discovered during construction.

Nineteen built-environment historic properties, eligible for the National Register of Historic Places (NRHP), were identified in the APE. The FTA found that the undertaking will have no adverse effect to these 19 historic properties. The undertaking will introduce new permanent visual elements within the right of way (ROW), including additional rail-related features such as tracks, fencing, pedestrian crossing gates, a grade crossing house, and a train control house. The proposed visual elements will be similar in scale and massing to the existing rail-related features currently in the vicinity.

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Removal and replacement of minimal landscaping, including the removal and replacement of up to 15 trees, may be required. The district's original landscaping is one of its character-defining features. Any trees removed during construction would be replaced in-kind and at

a ratio of 1:1, consistent with the principles in the Secretary's Standards for the Treatment of Historic Properties (36 CFR 68) and applicable guidelines (36 CFR 800.5 (ii)). The overall intent of the original landscape design is expected to remain visible and intact with replacement of the removed trees.

Shifting 2,500 feet (0.47 mile) of track will be a minor change within the median of Century Freeway that is already dedicated to transit use. The new infill station will be compatible in scale and massing with existing stations and will be in the transitway median; no existing stations will be altered.

- Los Angeles River Channel – The undertaking will result in construction within the subject segment, but the undertaking will not alter the segment's orientation or its overall size or shape and will not impact its ability to function in its historic and current capacity. The new light rail bridge and its associated features, including soundwalls, rail track, and catenary poles and wires are compatible with the subject segment's surrounding urban industrial setting.
- Union Pacific Los Angeles River Rail Bridge – The existing bridge will remain intact and continue its historic and current use. While the undertaking will not physically alter the deck of the bridge, the bridge's existing concrete piers will be extended to the north to support the new light rail bridge constructed for the undertaking to cross the LA River. Modifications to the piers will be undertaken using materials consistent with the existing piers, and the scale and massing of extended portions of the piers will be consistent with those currently extant.
- Rio Hondo River Channel – The undertaking will introduce new permanent visual elements, into the Rio Hondo Channel, approximately 15 feet west of the existing Rio Hondo Bridge (which is not a historic property). The undertaking will alter the channel by introducing a new light rail bridge, piers, and abutments. However, the river's character-defining features will remain intact and the new project elements will be compatible with the design, workmanship, and materials found throughout 51-mile river.
- San Gabriel River Channel – The new light rail bridge will be constructed roughly in the existing location of the San Gabriel River Bridge, which will be demolished by the undertaking. The bridge is not eligible for the NRHP. The undertaking will introduce a new bridge, piers, and abutments. The river's character-defining features will remain intact and the new project elements will be compatible with the design, workmanship, and materials found throughout the 58-mile-long river. The new light rail bridge will not change the historic alignment of the river or result in the removal or substantial alteration of its character-defining features.

The FTA applied the criteria of adverse effect per 36 CFR 800.5(a) and has determined that the undertaking will have no adverse effect on historic properties.

Based on review of the submitted materials, I have the following comments:

1. The APE as currently delineated appears appropriate.
2. I do not object to the FTA's finding of no adverse effect for the project.
3. Be advised that under certain circumstances, such as an unanticipated discovery or a change in undertaking description, the FTA may have additional future responsibilities for this undertaking under 36 CFR Part 800.

If you require further information, please contact Natalie Lindquist at Natalie.Lindquist@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
2800 Cottage Way, Rm E-1712
Sacramento, California, 95825

In Reply Refer To:
9043.1
21/0304

September 23, 2021

Meghna Khanna
Project Manager
One Gateway Plaza, M/S 99-22-7
Los Angeles, CA 90012
wsab@metro.net

Subject: Draft Environmental Assessment and Draft Section 4(f)
Evaluation for the West Santa Ana Branch Transit Corridor Project

Dear Project Manager Khanna:

As required under Section 4(f) of the Department of Transportation Act of 1966, the United States Department of the Interior, through the National Park Service, has reviewed a draft Section 4(f) evaluation for the West Santa Ana Branch Transit Corridor project.

In a report dated July 30, 2021, the Federal Transit Administration of the U.S. Department of Transportation and the Los Angeles County Metropolitan Transportation Authority evaluated Section 4(f) properties affected by the West Santa Ana Branch Transit Corridor project in Los Angeles County, California: Los Angeles Union Station; the Barker Brothers Furniture Store; I-105/Century Freeway- Transitway Historic District; 6000 Alameda Street; 6101 Santa Fe Avenue; Seventh Street Commercial Historic District; Paramount Park; and resources associated with temporary occupancy. They concluded that the project would have a *de minimis* impact or fell under the temporary use exception for these properties.

No Department of the Interior Bureaus have identified any concerns with the 4(f) evaluation and the relevant National Park Service programs indicate no comments either. As such, the Department of the Interior has no comments on this project.

If you have any questions regarding the review by the National Park Service please contact Doug Wilson at doug_wilson@nps.gov. For all other questions, please contact me at janet_whitlock@ios.doi.gov or at 415 420-0524.

Sincerely,

Digitally signed original on file
with Metro

Janet L. Whitlock
Regional Environmental Officer

cc:

Shawn Alam, DOI

David Louter, NPS

Nick Mitrovich, NPS

Roxanne Runkel, NPS

Doug Wilson, NPS

Danette Woo, NPS



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September 26, 2023

Janet Whitlock
Regional Environmental Officer
United States Department of the Interior, Office of the Secretary
2800 Cottage Way, Rm E-1712
Sacramento, CA 95825

Subject: Updates to Draft Section 4(f) Evaluation for West Santa Ana Branch Transit Corridor Project

Dear Ms. Whitlock:

As required under Section 4(f) of the Department of Transportation Act of 1966, the Los Angeles County Metropolitan Transportation Authority (Metro) and Federal Transit Administration (FTA) previously provided the U.S. Department of the Interior with a copy of the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) and Draft Section 4(f) Evaluation dated July 30, 2021, for the West Santa Ana Branch Transit Corridor (Project), a proposed new light rail transit (LRT) line. Metro received the Department of the Interior's September 23, 2021, comment letter, which indicated that the agency and its bureaus had no comments on the Project. This letter provides an update on the preliminary Section 4(f) determinations from the Draft EIS/EIR.

The July 2021 Draft EIS/EIR and Draft Section 4(f) Evaluation included evaluation of a No Build Alternative, four Build Alternatives, two design options, and two site options for a maintenance and storage facility. In January 2022, the Metro Board of Directors selected the Locally Preferred Alternative (LPA) for the Project, which will extend LRT approximately 14.5 miles from the northern terminus in the City of Los Angeles/Florence-Firestone community of Los Angeles County to the southern terminus in the City of Artesia.

The LPA evaluated in the Final EIS/EIR is Alternative 3 from the Draft EIS/EIR with refinements to address stakeholder coordination and comments on the Draft EIS/EIR. Design refinements relevant to the Section 4(f) evaluation include replacing a previously proposed pedestrian undercrossing with a pedestrian bridge at Paramount High School that will span the entire rail right-of-way and touch down within Paramount Park.

The FTA has found that the LPA will have a de minimis impact on the activities, attributes, or features that qualify the seven historic sites listed in Table 1 for protection under Section 4(f). Two of these historic sites (Century Freeway-Transitway Historic District and 6101 Santa Fe Avenue) were previously identified as having de minimis impacts in the Draft Section 4(f) Evaluation. The three river channels (LA River, Rio Hondo Channel, and San Gabriel River) were determined eligible for the National Register of Historic Places in 2022 after circulation of the Draft EIS/EIR, and were included in the Area of Potential Effects (APE) delineated for the Project prior to the Draft EIS/EIR. Two of these historic sites (Huntington Park High School and Cudahy Substation) were identified after circulation of the Draft EIS/EIR in portions of the APE expanded since the Draft EIS/EIR. As with the Draft Section 4(f)

Evaluation, the FTA has found that the Project will have a de minimis impact on one Section 4(f) protected park, Paramount Park.

Table 1. De minimis Findings

Section 4(f) Property	Finding
Century Freeway-Transitway Historic District	de minimis impact
6101 Santa Fe Avenue, Huntington Park	de minimis impact
Huntington Park High School/6020 Miles Avenue, Huntington Park	de minimis impact
Cudahy Substation, Cudahy	de minimis impact
LA River Channel, South Gate	de minimis impact
Rio Hondo Channel, South Gate	de minimis impact
San Gabriel River Channel, Cerritos	de minimis impact
Paramount Park	de minimis impact

The FTA also has determined that the temporary occupancy exception to Section 4(f) use will apply to the four properties identified in Table 2 under the LPA. All of the properties except for Paramount Park were previously identified in the Draft Section 4(f) Evaluation as qualifying for the temporary occupancy exception. Paramount Park was previously identified as having de minimis impacts only; however, after further review, FTA determined that the construction impacts affecting a small portion of Paramount Park qualified for application of the temporary occupancy exception.

Table 2. Findings of Temporary Occupancy Exception (No Use)

Section 4(f) Property	Finding
Paramount Park	Temporary occupancy exception
Los Angeles River Bike Path	Temporary occupancy exception
Rio Hondo Bike Path	Temporary occupancy exception
San Gabriel River Mid-Trail	Temporary occupancy exception

FTA has sought concurrence from the agencies with jurisdiction for the above-listed determinations. The Project will have no use of other Section 4(f) properties. FTA has 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.

If you have any questions about the updated Section 4(f) determinations, please contact Ms. Meghna Khanna at KhannaM@metro.net or (213) 922-3931 or Ms. K.C. Kelly, FTA Environmental Protection Specialist, at kathleen.kelly@dot.gov or (202) 366-9469.

Sincerely,

Meghna khanna

Meghna Khanna, AICP
Los Angeles County Metropolitan Transportation Authority
Senior Director, Countywide Planning & Development
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012



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September 13, 2023

Mark Pestrella
Director of Public Works
County of Los Angeles Department of Public Works
P.O. Box 1460
Alhambra, CA 98102-1460

Subject: Request for Concurrence on Section 4(f) Determination for the West Santa Ana Branch Transit Corridor Project

Dear Mr. Pestrella:

The Los Angeles County Metropolitan Transportation Authority (Metro), in coordination with the Federal Transit Administration (FTA), is conducting consultation under Section 4(f) of the U.S. Department of Transportation Act (as codified under 49 United States Code (USC) 303 and with implementing regulations under 23 Code of Federal Regulations [CFR] Part 774) for the West Santa Ana Branch (WSAB) Transit Corridor (Project).

The Project will cross portions of the Los Angeles River Bike Path, Rio Hondo Bike Path, and the San Gabriel River Mid-Trail, which are Section 4(f) recreational resources. The County of Los Angeles Department of Public Works (LADPW) has been identified as the agency with jurisdiction for these facilities, and, as director, you have been identified as the official with jurisdiction over them. Per 23 CFR 774.13(d), this letter requests the LADPW's written concurrence with the Section 4(f) determination of temporary occupancy for the Los Angeles River Bike Path, Rio Hondo Bike Path, and the San Gabriel River Mid-Trail.

Project Description

The Project is a proposed new light rail transit (LRT) line. In January 2022, the Metro Board of Directors approved the Locally Preferred Alternative (LPA), which will extend approximately 14.5 miles from the northern terminus in the City of Los Angeles/Florence-Firestone community of Los Angeles (LA) County to the southern terminus in the City of Artesia.

The July 2021 Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) and corresponding technical studies included evaluation of a No Build Alternative, four Build Alternatives, two design options, and two site options for a maintenance and storage facility (MSF):

- Alternative 1: Los Angeles Union Station to Pioneer Station; the northern terminus would be located underground at Los Angeles Union Station (LAUS) Forecourt
 - Design Option 1: Locate the northern terminus station box at the LAUS Metropolitan Water District (MWD) east of LAUS and the MWD building, below the baggage area parking facility
 - Design Option 2: Addition of Little Tokyo Station
- Alternative 2: 7th St/Metro Center to Pioneer Station; the northern terminus would be located underground at 8th Street between Figueroa Street and Flower Street near the 7th Street/Metro Center Station

- Alternative 3: Slauson/A Line (Blue) to Pioneer Station; the northern terminus would be located just north of the intersection of Long Beach Avenue and Slauson Avenue in the City of Los Angeles, connecting to the current A (Blue) Line Slauson Station
- Alternative 4: I-105/C Line (Green) to Pioneer Station; the northern terminus would be located at I-105 in the City of South Gate, connecting to the C (Green) Line along the I-105
- Paramount MSF site option
- Bellflower MSF site option

The LPA evaluated for the Final EIS/EIR is Alternative 3 from the Draft EIS/EIR with refinements to address stakeholder coordination and comments on the Draft EIS/EIR. These design refinements do not change the Section 4(f) analysis described for these bike paths/trails in the Draft EIS/EIR. The LRT alignment under the LPA will cross over portions of the Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail in the existing freight rail right-of-way, as shown in Attachment 1, Figures 1 and 2.

Background on Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 (as codified under 49 USC 303 and with implementing regulations under 23 CFR Part 774) provides 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 officials having jurisdiction over the park, area, refuge, or site).

As defined in 23 CFR §774.17, a “use” of Section 4(f) property occurs:

1. When land is permanently incorporated into a transportation facility;
2. When there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in 23 CFR §774.13(d); or
3. When there is a constructive use of a Section 4(f) property as determined by the criteria in 23 CFR §774.15.

Under 23 CFR §774.3(2)(b), it may be determined that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures), will have a de minimis impact, as defined in 23 CFR §774.17, on the property. For parks, recreation areas, and wildlife and waterfowl refuges, a de minimis impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).

The first form of use, permanent incorporation/easement of a Section 4(f) property, occurs when the property is acquired outright for a transportation project or a property interest that allows permanent access onto the property, such as a permanent easement for maintenance or other transportation-related purpose.

The second form of use is commonly referred to as temporary use or temporary occupancy. A temporary use of a Section 4(f) resource occurs when there is a temporary occupancy of the property that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. Examples of temporary occupancy of Section 4(f) land include right-of-entry, project construction, a temporary easement, or other short-term arrangement. 23 CFR 774.13(d) outlines conditions under which temporary occupancies of land are so minimal as to not constitute a use within the meaning of

Section 4(f). This is also referred to as a temporary occupancy exception. A temporary occupancy will not constitute a Section 4(f) use when all of the conditions listed in 23 CFR 774.13(d) are satisfied:

- 1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
- 2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- 3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- 4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- 5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

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. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished (23 CFR 774.15[a]).

Description of Section 4(f) Protected Resources

As discussed in the Draft Section 4(f) Evaluation for the Draft EIS/EIR for the Project, the resources listed in Table 1 were identified as Section 4(f) resources, which are publicly owned and accessible recreational resources under LADPW jurisdiction.

Table 1. Section 4(f)-Protected Recreational Trails under County of Los Angeles Department of Public Works Jurisdiction

Park or resource	Location
Los Angeles River Bike Path/Trail	Along Los Angeles River, in the vicinity of the 710 Freeway south of Firestone Boulevard
Rio Hondo Bike Path/Trail	Along Rio Hondo Channel, in the vicinity of Imperial Highway
San Gabriel River Mid-Trail	Along San Gabriel River, in the vicinity of the SR-91 Freeway

The Los Angeles River Bike Path is a Class I bike path and is the LA River's longest contiguous bikeway, extending approximately 17 miles from the railyards in the City of Vernon to the Shoreline Pedestrian Bike path in the City of Long Beach. The LA River Bike Path runs on the east side of the river channel in the City of Long Beach and crosses the LA River on a roadway bridge. Once it intersects Imperial Highway, the bike path continues north along the west side of the LA River to the City of Vernon. The bike path on the east side continues under the bridge to the confluence of the Rio Hondo River and LA River in the City of South Gate, which becomes the Rio Hondo Bike Path. The Rio

Hondo Bike Path continues to downtown Long Beach and ends by the Pacific Ocean. The LA River Bike Path will cross under the LPA (see Attachment 1, Figure 1).

The Rio Hondo Bike Path is a Class I bike path (separated right-of-way for the exclusive use of bicycles and pedestrians) paralleling Rio Hondo Channel through the San Gabriel Valley in eastern LA County. The bike path extends approximately 17 miles from the Peck Road Water Conservation Park in the southern Monrovia area to the LA River in the City of South Gate. The bike path heads southbound through the Whittier Narrows Recreation Area and continues south until it joins the LA River Bike Path at the confluence of the Rio Hondo and Los Angeles River. The Rio Hondo Bike Path will cross under the LPA as the alignment crosses the Rio Hondo Channel (see Attachment 1, Figure 1).

The San Gabriel River Mid-Trail is approximately 35 miles long and follows the San Gabriel River between Azusa and Seal Beach. The trail will cross under the LPA as the alignment will cross over the San Gabriel River (see Attachment 1, Figure 2).

Section 4(f) Evaluation

The Draft EIS/EIR and Section 4(f) Evaluation identified that the Project would result in a temporary occupancy of portions of the Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail properties. As described above, Alternative 3 was selected as the LPA after the Draft EIS/EIR and was refined. However, the evaluation summarized in this letter is consistent with the Draft Section 4(f) Evaluation in the Draft EIS/EIR because the design refinements will not change the effects to the bike paths/trails listed in Table 1, and the impacts to these resources previously described for Alternative 3 are the same as for the LPA.

The LPA will not require acquisition of land within the boundaries of any of these trails; therefore, no Section 4(f) property will be permanently incorporated into the Project.

The LPA will require temporary easements during construction to safely construct the light rail guideway above the three paths. The FTA has made the determination of a temporary occupancy exception of the Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail properties since the conditions under 23 CFR 774.13(d) for a temporary occupancy have been met as follows:

1. Duration is 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 is expected to be less than one month for each trail, which will be less than the total duration of construction for the Project. Detours will be provided as outlined in Mitigation Measure TRA-20 Transportation Management Plan(s), and communicated to trail users per Mitigation Measure COM-1 Construction Outreach Plan of the Draft EIS/EIR.
2. Scope of work is minor
Construction of the LRT crossings over the trails will constitute a very small (less than 1 percent) portion of the Project and will temporarily affect a similarly small portion (about 2 to 3 percent) of the entire trail lengths, depending on the trail. There will be no temporary or permanent physical modifications to the trails. The only work that will affect the trails is construction of the LRT guideway above the trails, which will require temporary detours as noted above.

3. 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;
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-20 Transportation Management Plan(s), and communicated to trail users per COM-1 to maintain the Section 4(f)-protected recreational activities.
4. The land being used will be fully restored
No damage to the trails is expected, and any impacts, such as damaged pavement, will be fully restored.
5. There must be documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions
The purpose of this letter is to confirm that the County of Los Angeles Department of Public Works agrees with the assessment of temporary occupancy.

The FTA and Metro also evaluated the potential for a constructive use. No constructive use of the properties (noise level increase, impairment of aesthetic features, restricted access, vibration impacts, or ecological intrusion) will occur by the LPA as defined in 23 CFR 774.15 because there would be no substantial impairment to recreational non-motorized use of the trail as documented in Section 5.4.2.2 of the Draft EIS/EIR.

Previous Consultation

Consistent with 23 CFR 774.5(b) and as part of the preparation of the Draft Section 4(f) Evaluation for the Draft EIS/EIR for the Project, Metro previously consulted with the LADPW through a letter dated January 29, 2020. The letter identified the potential need for temporary closures of, and the provision for detours to, the three recreational resources listed in Table 1 during construction of the Project.

In a response letter dated February 27, 2020, the LADPW confirmed the local recreational significance of the bike paths and the department’s status as the official with jurisdiction. The LADPW also identified the County of Los Angeles Department of Parks and Recreation (DPR) as an interested agency regarding the Los Angeles River, Rio Hondo, and San Gabriel River multi-use trails. Metro is separately coordinating with the DPR regarding the bike paths and trail. In July 2021, the FTA and Metro published the Draft EIS/EIR, including the Section 4(f) Evaluation, for public review for 45 days, which was then extended to a 60-day public review period through September 28, 2021, to provide additional time for the public to respond. The Draft Section 4(f) Evaluation included a preliminary determination by FTA that there would be a Section 4(f) temporary occupancy exception of the Los Angeles River Bike Path, Rio Hondo Bike Path, and the San Gabriel River Mid-Trail property for the WSAB Project.

No public or agency comments related to the bike paths and trail or the associated preliminary Section 4(f) determinations were received during the 60-day Draft EIS/EIR comment period, which ran from July 30 to September 28, 2021.

Request for Concurrence with the Section 4(f) Determination

Per 23 CFR 774.5(b), the FTA and Metro are seeking written concurrence with the following Section 4(f) determination, which is consistent with evaluation in the Draft EIS/EIR:

Temporary occupancy exception of the Los Angeles River Bike Path

Temporary occupancy exception of the Rio Hondo Bike Path

Temporary occupancy exception of the San Gabriel River Mid-Trail

In the signature box below, please sign to acknowledge that the DPR, which has jurisdiction over the three above-listed recreational trails, concurs with findings of temporary occupancy. Please return the concurrence to Ms. Meghna Khanna at the address listed below, or send a copy by email to KhannaM@metro.net.

The coordination requirements in 23 CFR 774.5 must be completed before the FTA may make Section 4(f) approvals under this section. Per 23 CFR 774.5(a), comments or concurrence are requested within 45 days from the receipt of this letter. If comments are not received within 15 days after the comment deadline, the FTA may assume a lack of objection and proceed with the action.

If you have any questions, please contact Ms. Meghna Khanna at (213) 922-3931 or Ms. Mary Nguyen, FTA Environmental Protection Specialist, at Mary.Nguyen@dot.gov or (213) 202-3960.

Sincerely,

Meghna khanna

Meghna Khanna, AICP
Los Angeles County Metropolitan Transportation Authority
Senior Director, Countywide Planning & Development
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012

The County of Los Angeles Department of Public Works, as the Official with Jurisdiction for the Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail, concurs that the West Santa Ana Branch Transit Corridor Project will have a temporary occupancy exception of the three recreational trails, as defined in 23 CFR 774.13.

Mark Pestrella

Director of Public Works
County of Los Angeles Department of Public Works

Date

CC: Michelle O'Connor, County of Los Angeles Department of Parks and Recreation

Attachment:

Attachment 1

- Figure 1: Los Angeles River and Rio Hondo Bike Path Crossings with Locally Preferred Alternative
- Figure 2: San Gabriel River Mid-Trail Crossing with Locally Preferred Alternative

Attachment 1

Figure 1: Los Angeles River and Rio Hondo Bike Path Crossings with Locally Preferred Alternative (LPA)



Figure 2: San Gabriel River Mid-Trail Crossing with Locally Preferred Alternative (LPA)





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September 13, 2023

Michelle O'Connor
Section Head, Trails Planning
County of Los Angeles Department of Parks and Recreation
Planning and Development Agency
510 South Vermont Avenue
Los Angeles, CA 90020

Subject: Section 4(f) Determination for the West Santa Ana Branch Transit Corridor Project

Dear Ms. O'Connor:

The Los Angeles County Metropolitan Transportation Authority (Metro), in coordination with the Federal Transit Administration (FTA), is conducting consultation under Section 4(f) of the U.S. Department of Transportation Act (as codified under 49 United States Code (USC) 303 and with implementing regulations under 23 Code of Federal Regulations [CFR] Part 774) for the West Santa Ana Branch (WSAB) Transit Corridor (Project).

The WSAB Project will cross the Los Angeles River, Rio Hondo, and the San Gabriel River bike paths/multi-use trails. The County of Los Angeles Department of Public Works (LADPW) has been identified as the agency with jurisdiction for these facilities. Per 23 CFR 774.13(d), Metro and FTA have requested concurrence from LADPW with the Section 4(f) determination of temporary occupancy for these bike paths/multi-use trails.

During the Section 4(f) consultation, LADPW identified the County of Los Angeles Department of Parks and Recreation (DPR) as an agency with an interest in the development and management of these facilities. The purpose of this letter is to inform the DPR of the final Section 4(f) determinations for the Section 4(f) resources under county jurisdiction that will be affected by the Project.

Project Description

The Project is a proposed new light rail transit (LRT) line. In January 2022, the Metro Board of Directors approved the Locally Preferred Alternative (LPA), which will extend approximately 14.5 miles from the northern terminus in the City of Los Angeles/Florence-Firestone community of Los Angeles (LA) County to the southern terminus in the City of Artesia.

The July 2021 Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) and corresponding technical studies included evaluation of a No Build Alternative, four Build Alternatives, two design options, and two site options for a maintenance and storage facility (MSF):

- Alternative 1: Los Angeles Union Station to Pioneer Station; the northern terminus would be located underground at Los Angeles Union Station (LAUS) Forecourt
 - Design Option 1: Locate the northern terminus station box at the LAUS Metropolitan Water District (MWD) east of LAUS and the MWD building, below the baggage area parking facility

- Design Option 2: Addition of Little Tokyo Station
- Alternative 2: 7th St/Metro Center to Pioneer Station; the northern terminus would be located underground at 8th Street between Figueroa Street and Flower Street near the 7th Street/Metro Center Station
- Alternative 3: Slauson/A Line (Blue) to Pioneer Station; the northern terminus would be located just north of the intersection of Long Beach Avenue and Slauson Avenue in the City of Los Angeles, connecting to the current A (Blue) Line Slauson Station
- Alternative 4: I-105/C Line (Green) to Pioneer Station; the northern terminus would be located at I-105 in the City of South Gate, connecting to the C (Green) Line along the I-105
- Paramount MSF site option
- Bellflower MSF site option

The LPA evaluated for the Final EIS/EIR is Alternative 3 from the Draft EIS/EIR with refinements to address stakeholder coordination and comments on the Draft EIS/EIR. These design refinements do not change the Section 4(f) analysis described for these bike paths/trails in the Draft EIS/EIR. The LRT alignment under the LPA will cross over portions of the Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail in the existing freight rail right-of-way, as shown in Attachment 1, Figures 1 and 2.

Background on Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 (as codified under 49 USC 303 and with implementing regulations under 23 CFR Part 774) provides 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 officials having jurisdiction over the park, area, refuge, or site).

As defined in 23 CFR §774.17, a “use” of Section 4(f) property occurs:

1. When land is permanently incorporated into a transportation facility;
2. When there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in 23 CFR §774.13(d); or
3. When there is a constructive use of a Section 4(f) property as determined by the criteria in 23 CFR §774.15.

Under 23 CFR §774.3(2)(b), it may be determined that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures), will have a de minimis impact, as defined in 23 CFR §774.17, on the property. For parks, recreation areas, and wildlife and waterfowl refuges, a de minimis impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).

The first form of use, permanent incorporation/easement of a Section 4(f) property, occurs when the property is acquired outright for a transportation project or a property interest that allows permanent access onto the property, such as a permanent easement for maintenance or other transportation-related purpose.

The second form of use is commonly referred to as temporary use or temporary occupancy. A temporary use of a Section 4(f) resource occurs when there is a temporary occupancy of the property that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. Examples of temporary occupancy of Section 4(f) land include right-of-entry, project construction, a temporary easement, or other short-term arrangement. 23 CFR 774.13(d) outlines conditions under which temporary occupancies of land are so minimal as to not constitute a use within the meaning of Section 4(f). This is also referred to as a temporary occupancy exception. A temporary occupancy will not constitute a Section 4(f) use when all of the conditions listed in 23 CFR 774.13(d) are satisfied:

- 1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
- 2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- 3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- 4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- 5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

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. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished (23 CFR 774.15[a]).

Description of Section 4(f) Protected Resources

As discussed in the Draft Section 4(f) Evaluation for the Draft EIS/EIR for the Project, the resources listed in Table 1 were identified as Section 4(f) resources, which are publicly owned and accessible recreational resources under LADPW jurisdiction.

Table 1. Section 4(f)-Protected Recreational Trails under County of Los Angeles Department of Public Works Jurisdiction

Park or resource	Location
Los Angeles River Bike Path/Trail	Along Los Angeles River, in the vicinity of the 710 Freeway south of Firestone Boulevard
Rio Hondo Bike Path/Trail	Along Rio Hondo Channel, in the vicinity of Imperial Highway
San Gabriel River Mid-Trail	Along San Gabriel River, in the vicinity of the SR-91 Freeway

The Los Angeles River Bike Path is a Class I bike path and is the LA River's longest contiguous bikeway, extending approximately 17 miles from the railyards in the City of Vernon to the Shoreline Pedestrian Bike path in the City of Long Beach. The LA River Bike Path runs on the east side of the river channel in the City of Long Beach and crosses the LA River on a roadway bridge. Once it

intersects Imperial Highway, the bike path continues north along the west side of the LA River to the City of Vernon. The bike path on the east side continues under the bridge to the confluence of the Rio Hondo River and LA River in the City of South Gate, which becomes the Rio Hondo Bike Path. The Rio Hondo Bike Path continues to downtown Long Beach and ends by the Pacific Ocean. The LA River Bike Path will cross under the LPA (see Attachment 1, Figure 1).

The Rio Hondo Bike Path is a Class I bike path (separated right-of-way for the exclusive use of bicycles and pedestrians) paralleling Rio Hondo Channel through the San Gabriel Valley in eastern LA County. The bike path extends approximately 17 miles from the Peck Road Water Conservation Park in the southern Monrovia area to the LA River in the City of South Gate. The bike path heads southbound through the Whittier Narrows Recreation Area and continues south until it joins the LA River Bike Path at the confluence of the Rio Hondo and Los Angeles River. The Rio Hondo Bike Path will cross under the LPA as the alignment crosses the Rio Hondo Channel (see Attachment 1, Figure 1).

The San Gabriel River Mid-Trail is approximately 35 miles long and follows the San Gabriel River between Azusa and Seal Beach. The trail will cross under the LPA, as the alignment will cross over the San Gabriel River (see Attachment 1, Figure 2).

Section 4(f) Evaluation

The Draft EIS/EIR and Section 4(f) Evaluation indicated that the Project would result in a temporary occupancy of portions of the Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail properties. As described above, Alternative 3 was selected as the LPA and was refined in response to stakeholder coordination and comments on the Draft EIS/EIR. However, the evaluation summarized in this letter is consistent with the Draft Section 4(f) Evaluation in the Draft EIS/EIR because the design refinements will not change the effects to the bike paths/trails listed in Table 1, and the impacts to these resources previously described for Alternative 3 are the same as for the LPA.

The LPA will not require acquisition of land within the boundaries of any of these trails; therefore, no Section 4(f) property will be permanently incorporated into the Project.

The LPA will require temporary easements during construction to safely construct the light rail guideway above the three paths. The FTA has made the determination of a temporary occupancy exception of the Los Angeles River Bike Path, Rio Hondo Bike Path, and San Gabriel River Mid-Trail properties since the conditions under 23 CFR 774.13(d) for a temporary occupancy have been met as follows:

1. Duration is 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 is expected to be less than one month for each trail, which will be less than the total duration of construction for the Project. Detours will be provided as outlined in Mitigation Measure TRA-20 Transportation Management Plan(s), and communicated to trail users per Mitigation Measure COM-1 Construction Outreach Plan of the Draft EIS/EIR.
2. Scope of work is minor
Construction of the LRT crossings over the trails will constitute a very small (less than 1 percent) portion of the Project and will temporarily affect a similarly small portion (about 2 to 3 percent) of the entire trail lengths, depending on the trail. There will be no temporary or permanent physical modifications to the trails. The only work that will affect the trails is

construction of the LRT guideway above the trails, which will require temporary detours as noted above.

3. 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;
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-20 Transportation Management Plan(s), and communicated to trail users per COM-1 to maintain the Section 4(f)-protected recreational activities.
4. The land being used will be fully restored
No damage to the trails is expected, and any impacts, such as damaged pavement, will be fully restored.
5. There must be documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions
The FTA and Metro have requested concurrence from the County of Los Angeles Department of Public Works regarding the assessment of temporary occupancy of the three bike paths/trails.

The FTA and Metro also evaluated the potential for a constructive use. No constructive use of the properties (noise level increase, impairment of aesthetic features, restricted access, vibration impacts, or ecological intrusion) will occur by the LPA as defined in 23 CFR 774.15 because there would be no substantial impairment to recreational non-motorized use of the trail as documented in Section 5.4.2.2 of the Draft EIS/EIR.

Previous Coordination

Consistent with 23 CFR 774.5(b) and as part of the preparation of the Draft Section 4(f) Evaluation for the Draft EIS/EIR for the Project, Metro previously consulted with the LADPW through a letter dated January 29, 2020. The letter identified the potential need for temporary closures of, and the provision for detours to, the three recreational resources listed in Table 1 during construction of the Project. In a response letter dated February 27, 2020, the LADPW confirmed the local recreational significance of the bike paths and the department's status as the official with jurisdiction. The LADPW identified the DPR as an interested agency regarding the Los Angeles River, Rio Hondo, and San Gabriel River multi-use trails and requested further coordination with DPR.

In July 2021, FTA and Metro published the Draft EIS/EIR, including the Section 4(f) Evaluation, for public review for 45 days, which was then extended to a 60-day public review period through September 28, 2021, to provide additional time for the public to respond. The Draft Section 4(f) Evaluation included a preliminary determination by FTA that there would be a Section 4(f) temporary occupancy exception of the Los Angeles River Bike Path, Rio Hondo Bike Path, and the San Gabriel River Mid-Trail property for the WSAB Project.

No public or agency comments related to the bike paths and trail or the associated preliminary Section 4(f) determinations were received during the 60-day Draft EIS/EIR comment period, which ran from July 30 to September 28, 2021.

The FTA and Metro look forward to continued coordination with the DPR. If you have any questions, please contact Ms. Meghna Khanna at KhannaM@metro.net or (213) 922-3931 or Ms. Mary Nguyen, FTA Environmental Protection Specialist, at Mary.Nguyen@dot.gov or (213) 202-3960.

Sincerely,

Meghna khanna

Meghna Khanna, AICP
Los Angeles County Metropolitan Transportation Authority
Senior Director, Countywide Planning & Development
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012

CC: Mark Pestrella, County of Los Angeles Department of Public Works

Attachments:

- Attachment 1: Figures
- Figure 1: Los Angeles River and Rio Hondo Bike Path Crossings with Locally Preferred Alternative
- Figure 2: San Gabriel River Mid-Trail Crossing with Locally Preferred Alternative
- Attachment 2: Previous correspondence with County of Los Angeles Department of Public Works

Attachment 1: Figures

Figure 1: Los Angeles River and Rio Hondo Bike Path Crossings with Locally Preferred Alternative

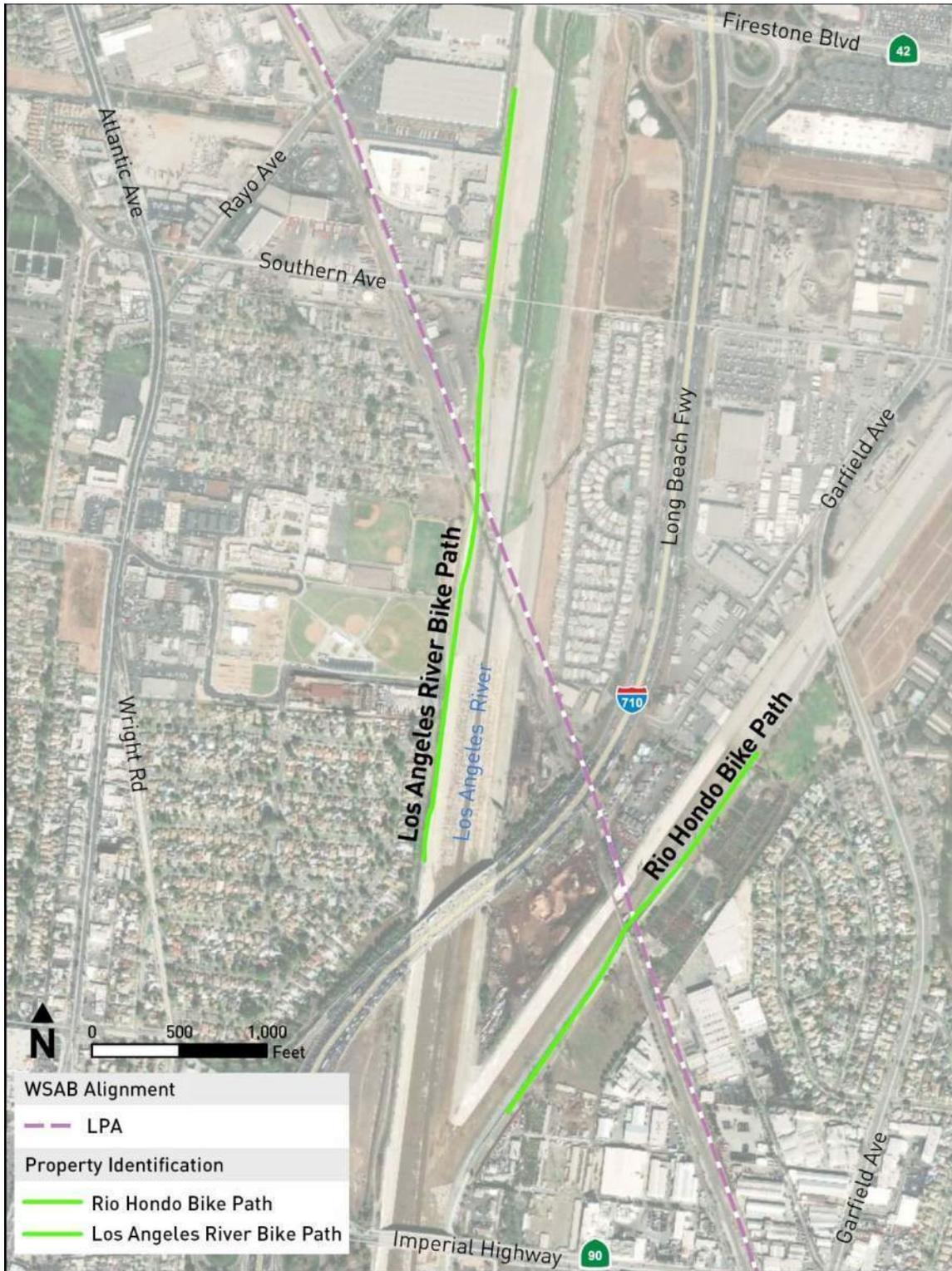


Figure 2: San Gabriel River Mid-Trail Crossing with Locally Preferred Alternative





Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

January 29, 2020

Elaine Kunitake
Principal Engineer
Public Works Los Angeles County
P.O. Box 1460
Alhambra, CA 91802-1460

Subject: WSAB Project: Environmental Section 4(f) Consultation

Dear Miss Kunitake:

The Los Angeles County Metropolitan Transportation Authority (LACMTA), in coordination with the Federal Transit Administration (FTA), is preparing a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the West Santa Ana Branch (WSAB) Transit Corridor Project. The FTA serves as the Federal lead agency under the National Environmental Policy Act (NEPA). LACMTA is the local lead agency under the California Environmental Quality Act (CEQA). The purpose of this letter is to conduct consultation with agencies of jurisdiction per Section 4(f) of the Department of Transportation Act of 1966 (as codified under 49 United States Code [USC] 303 and with implementing regulations under 23 Code of Federal Regulations [CFR] Part 774).

Project Description

Metro is evaluating a new light rail transit (LRT) line that would connect southeast LA County to downtown Los Angeles, serving the cities and communities of downtown Los Angeles, unincorporated Florence-Graham community of LA County, Vernon, Huntington Park, Bell, Cudahy, South Gate, Downey, Paramount, Bellflower, Cerritos and Artesia. Metro is evaluating four Build Alternatives. Attachment 1 includes the current description of the WSAB Transit Corridor Project and project alignment map. Additional information may be found at www.metro.net/wsab.

Background on Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 provides 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 officials having jurisdiction over the park, area, refuge, or site).

As defined in 23 CFR §774.17, a “use” of Section 4(f) property occurs:

1. When land is permanently incorporated into a transportation facility;
2. When there is a temporary occupancy of land that is adverse in terms of the statute's reservation purpose as determined by the criteria in 23 CFR §774.13(d); or
3. When there is a constructive use of a Section 4(f) property as determined by the criteria in 23 CFR §774.15.

Under 23 CFR §774.3(2)(b), it may be determined that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures), will have a *de minimis* impact, as defined in 23 CFR §774.17, on the property. For parks,

recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).

Permanent incorporation/easement of a Section 4(f) property is acquired outright for a transportation project or a property interest that allows permanent access onto the property such as a permanent easement for maintenance or other transportation-related purpose. The second form of use is commonly referred to as temporary. A temporary use of a Section 4(f) resource occurs when there is a temporary occupancy of the property that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. 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. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished (23 CFR 774.15[a]).

Identification of Section 4(f) Resources

LACMTA and FTA have identified the parks or other resources below as publicly owned and publicly accessible recreational trails being near the WSAB Transit Corridor Project, as shown in Attachment 2. LACMTA is analyzing potential use of these resources under Section 4(f).

Park or resource	Location
Los Angeles River Bike Path	Along San Gabriel River, in the vicinity of the 710 Freeway south of Firestone Boulevard
Rio Hondo Bike Path	Along Rio Hondo River, in the vicinity of Imperial Highway
San Gabriel River Mid-Trail	Along San Gabriel River, in the vicinity of the SR-91 Freeway

The Los Angeles County Department of Parks and Recreation has been identified as an agency with jurisdiction over the resources. LACMTA and FTA are requesting the following information:

- a) Confirm that your agency has jurisdiction over the resource and identify the official with jurisdiction over the resource.
- b) Whether your agency identifies the resource as a public park of national, state, or local significance that is accessible to the public.
- c) That the area shown on the attached figure accurately represents the area within your jurisdiction that functions as a significant public park or recreational facility.

LACMTA has identified a potential need for temporary closure or detour to these trails and requires the information above to identify Section 4(f) resources for analysis of the WSAB Transit Corridor Project. Also, please include any comments or concerns related to the WSAB Transit Corridor Project potential effects to the trails.

Please direct any questions to Ms. Meghna Khanna at KhannaM@metro.net or (213) 922-3931. Please respond to Ms. Khanna by e-mail or by letter at the address below or to Ms. Mary Nguyen, FTA Environmental Protection Specialist, at Mary.Nguyen@dot.gov or (213) 202-3960. If we have not received a response within 30 days, LACMTA will continue the analysis under the assumption that the Los Angeles County Department of Parks and Recreation is the agency with jurisdiction and that the resources are significant public parks or recreational resources. LACMTA will continue to coordinate with your agency through the environmental review process, including coordination on any requirements to maintain trail connectivity during construction.

Sincerely,

Meghna khanna

Meghna Khanna, AICP

LA Metro

Senior Director, Countywide Planning & Development

One Gateway Plaza (Mail Stop 99-22-7)

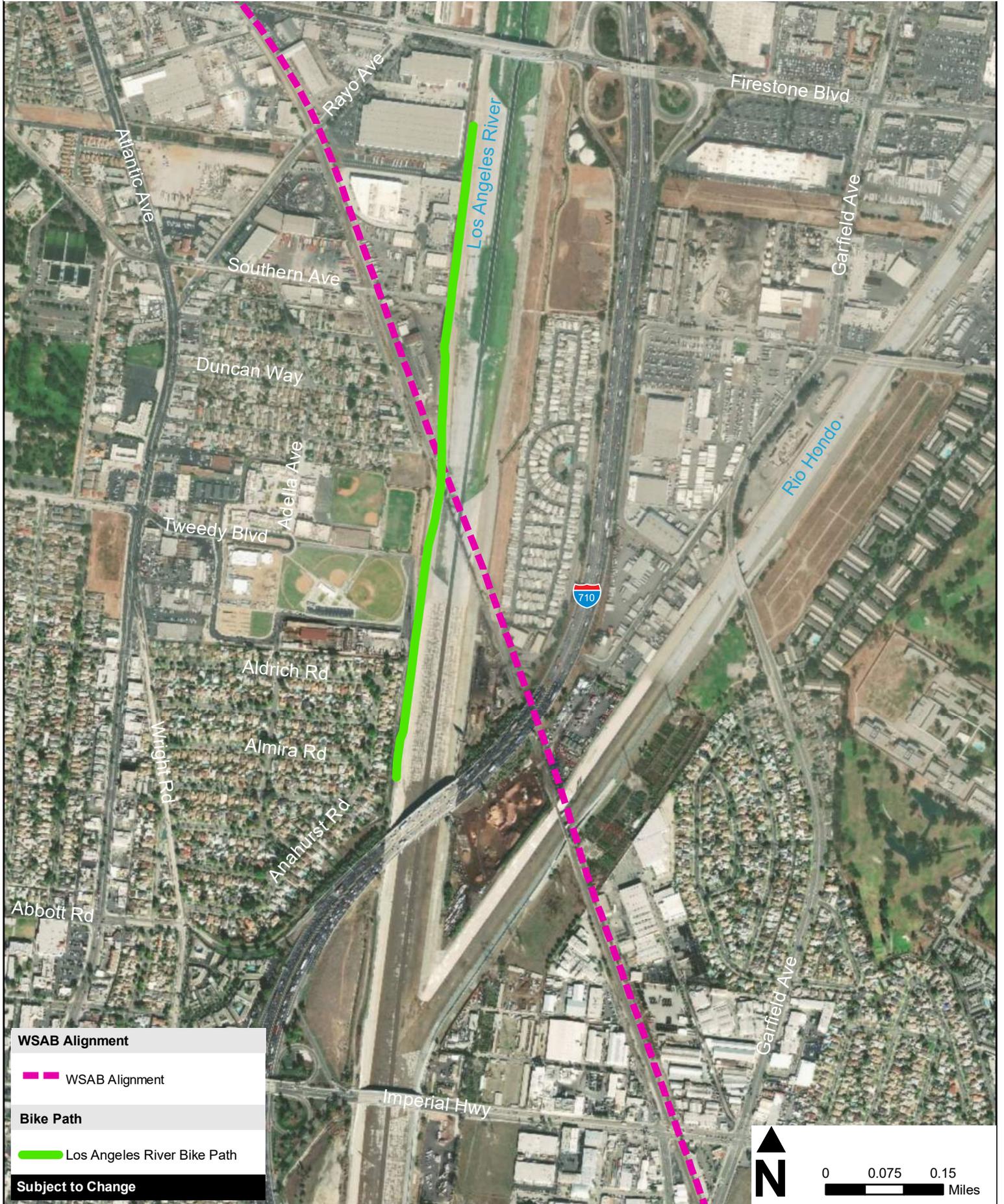
Los Angeles, CA 90012

Attachments:

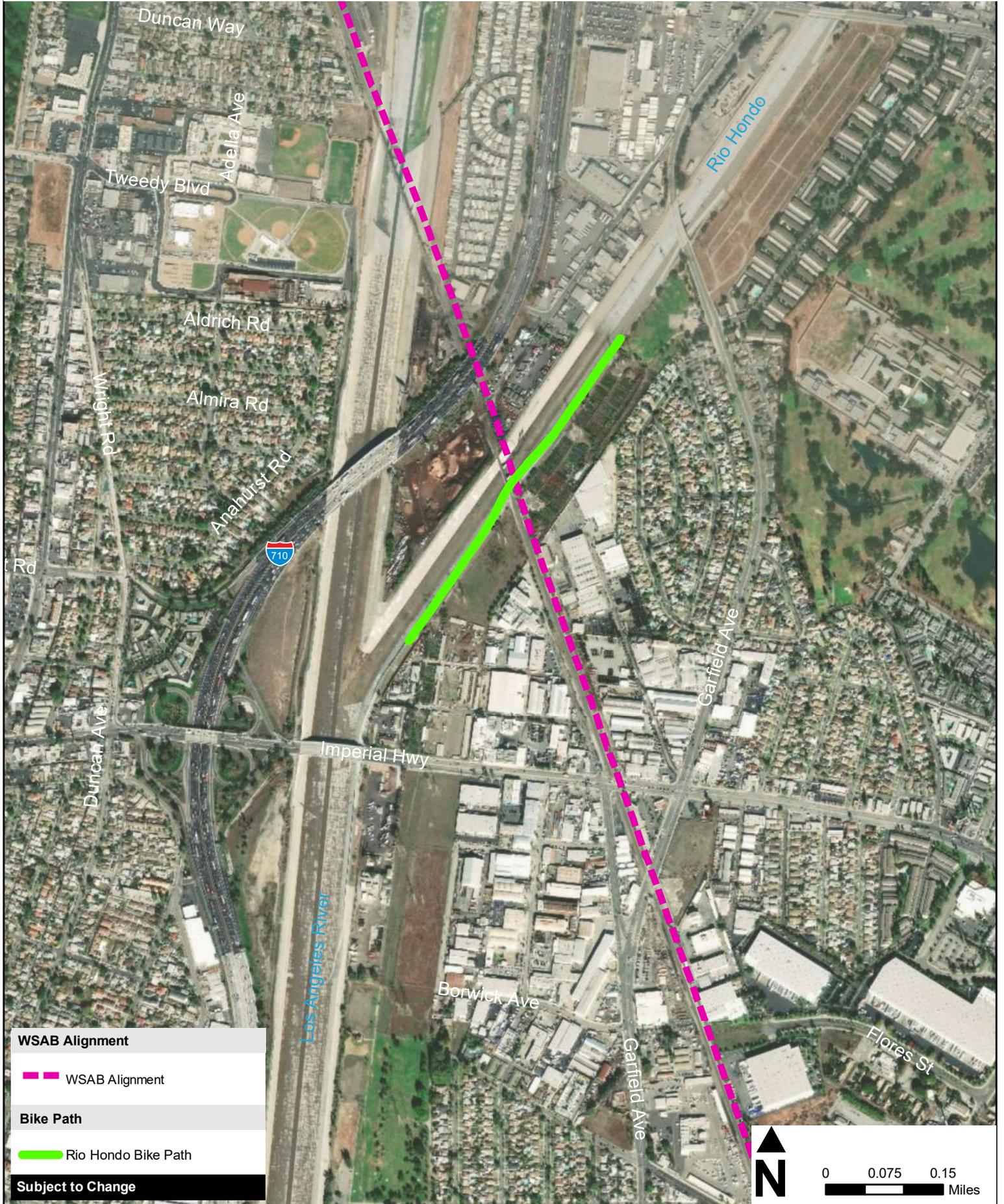
Attachment 1: Project Factsheet

Attachment 2: Identified Section 4(f) Property

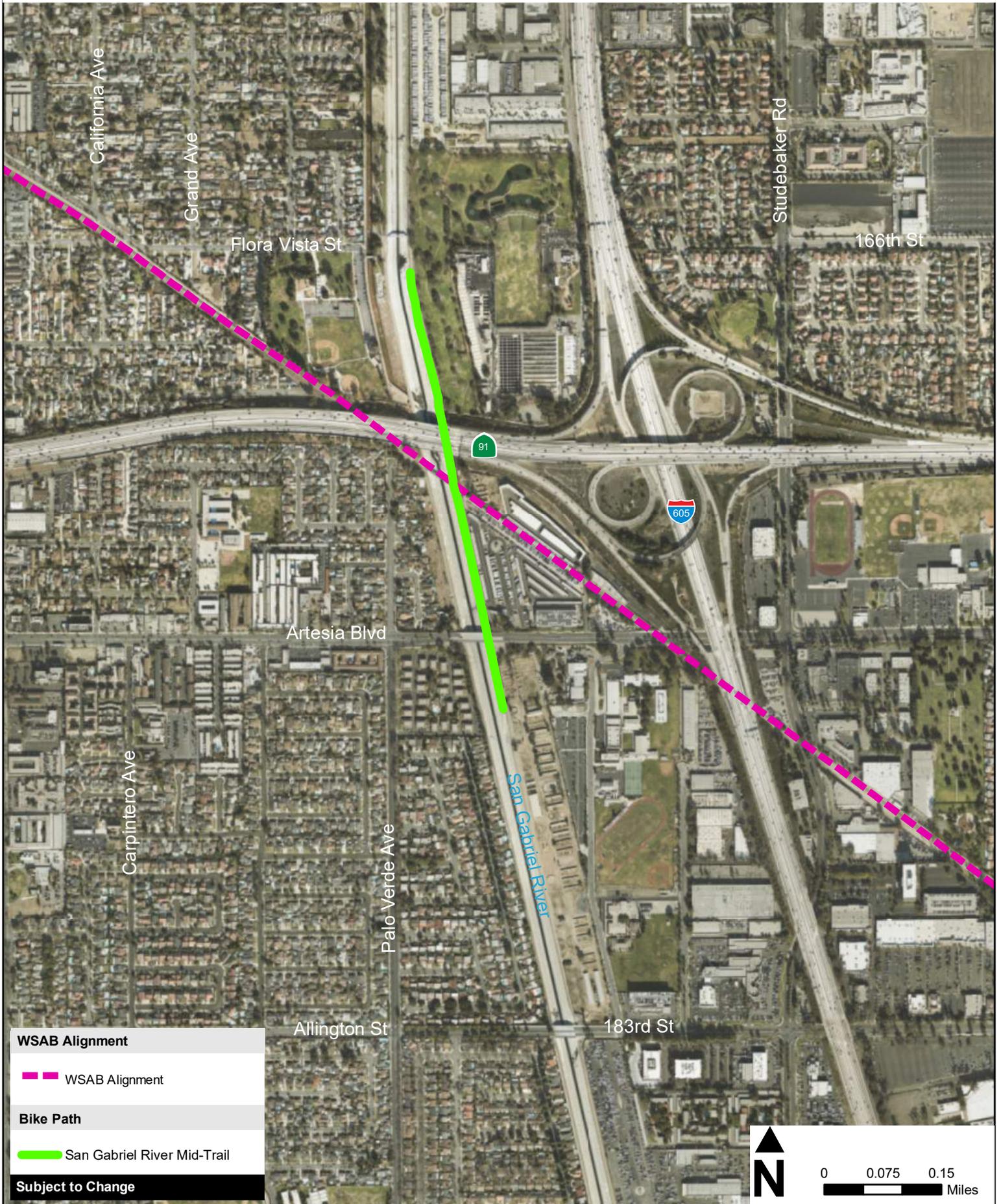
Attachment 2: Identified Section 4(f) Property



Attachment 2: Identified Section 4(f) Property



Attachment 2: Identified Section 4(f) Property





Mark Pestrella, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

February 27, 2020

IN REPLY PLEASE

REFER TO FILE: **TPP-3**

Ms. Meghna Khanna
Senior Director, Countywide Planning and Development
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza Mail Stop 99-22-7
Los Angeles, CA 90012

Dear Ms. Khanna:

WEST SANTA ANA BRANCH TRANSIT CORRIDOR PROJECT ENVIRONMENTAL SECTION 4(F) CONSULTATION

Thank you for the opportunity to comment on the West Santa Ana Branch Transit Corridor project (WSAB). Public Works (PW) has jurisdiction over the bike paths referenced by the Los Angeles County Metropolitan Transportation Authority (LACMTA) and Federal Transit Administration (FTA) with the following affirmative responses:

- PW confirms it has jurisdiction over the listed resources and the official with jurisdiction over the resources is Director Mark Pestrella; and
- The identified resources are of local significance accessible to the public; and
- The area shown on the enclosed letter from LACMTA dated January 29, 2020, included figures which accurately represents PW's area of jurisdiction that function as a recreational facility.

Please also note the following:

1. If the proposed activities lead to project(s) within the Los Angeles County Flood Control District (LACFCD) right-of-way, the applicant shall consult with the appropriate PW Watershed Manager responsible for the Districts project planning regarding potential collaborative opportunities or to avoid potential conflicts. See enclosed Watershed Planners map and contact (626) 458-4300 to be connected to the proper staff.

Ms. Meghna Khanna
February 27, 2020
Page 2

2. PW is currently developing the Rio Hondo Confluence Area project in the vicinity of the WSAB's crossing of the Rio Hondo Channel and the Rio Hondo Bike Path. Many other agencies and partners, such as the State, are also evaluating the creation of new multiuse projects in this area. PW also understands that LACMTA is considering a light rail station near the Rio Hondo's confluence with the Los Angeles River. PW requests continued close coordination with LACMTA so that all efforts in this area are developed in a unified manner. Contact the Rio Hondo Channel and Lower Los Angeles River Watershed Manager at PW.
3. PW encourages LACMTA to monitor, consider, and/or coordinate with PW and the Lower Los Angeles River Working Group where possible, if the planning and design areas for the WSAB line overlap with any proposed improvement areas identified by the Los Angeles County LA River Master Plan or the Lower Los Angeles River Revitalization Plan. Contact the Lower Los Angeles River Watershed Manager at Public Works.
4. LACMTA shall confer with the Department of Parks and Recreation as the WSAB alignment intersects with the Department of Parks and Recreation's existing and planned multiuse trails (i.e., the proposed Los Angeles River Trail extension, Rio Hondo River Trail, and the San Gabriel River Trail) that are not identified in the project or exhibits. See enclosure for locations. Please contact Ms. Michelle O'Connor at moconner@parks.lacounty.gov.

If you have any questions, please contact Ms. Elaine Kunitake, Transportation Planning and Programs Division, at (626) 458-3922 or ekunitake@pw.lacounty.gov.

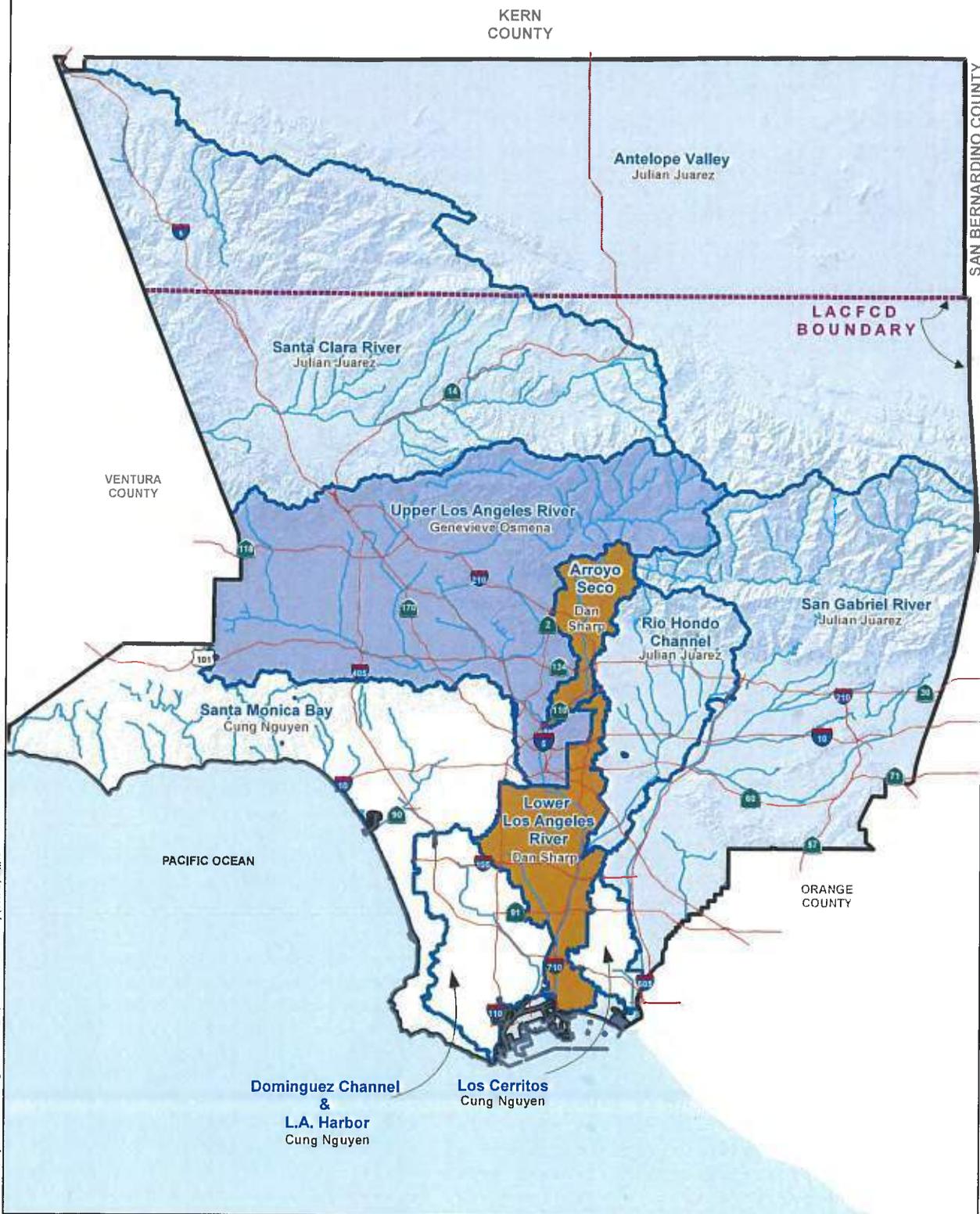
Very truly yours,

MARK PESTRELLA
Director of Public Works



for DAVID B. MACGREGOR
Assistant Deputy Director
Transportation Planning and Programs Division

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Major Channel

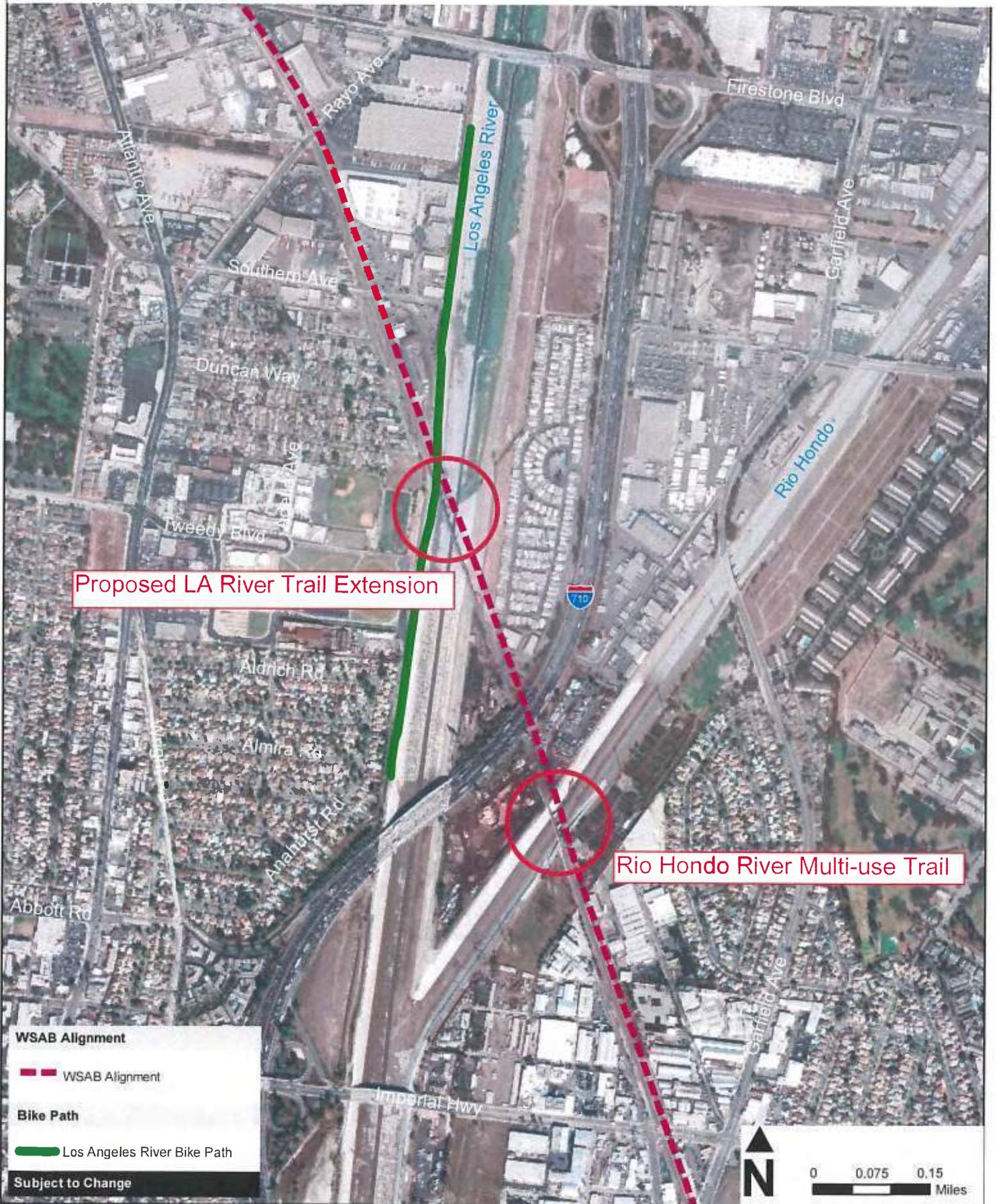
County of Los Angeles WATERSHED PLANNERS



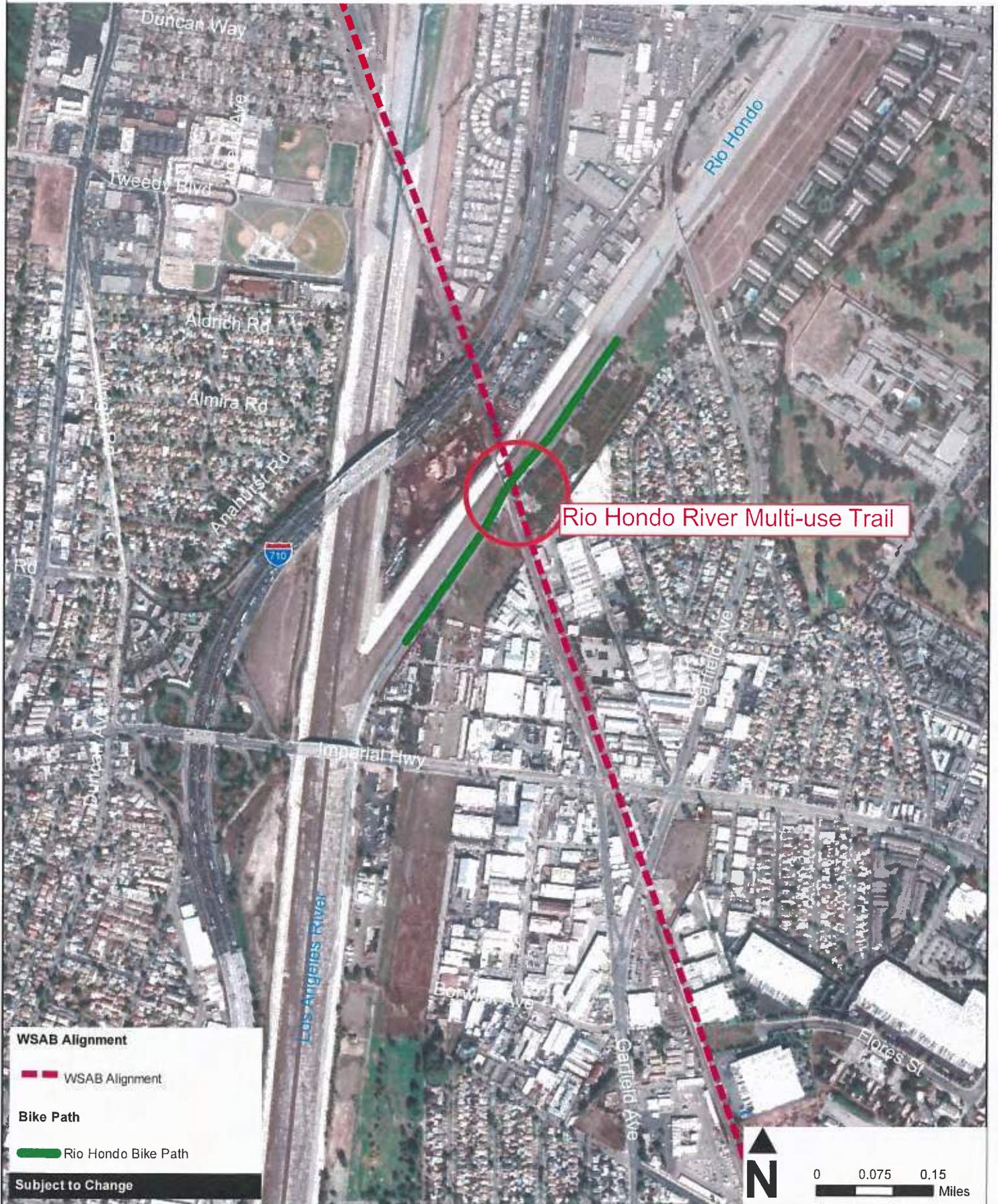
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|--|--|--|--|
| North & East Watersheds
Julian Juarez | Upper L A River
Genevieve Osmena | Coastal Watersheds
Cung Nguyen | Lower L A River
Dan B. Sharp |
| -San Gabriel River
-Rio Hondo Channel
-Santa Clara River
-Antelope Valley | -Upper Los Angeles River | -Santa Monica Bay
-Los Cerritos
-Dominguez Channel &
L A Harbor | -Arroyo Seco
-Lower Los Angeles River |

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Revised Date 5/1/2019

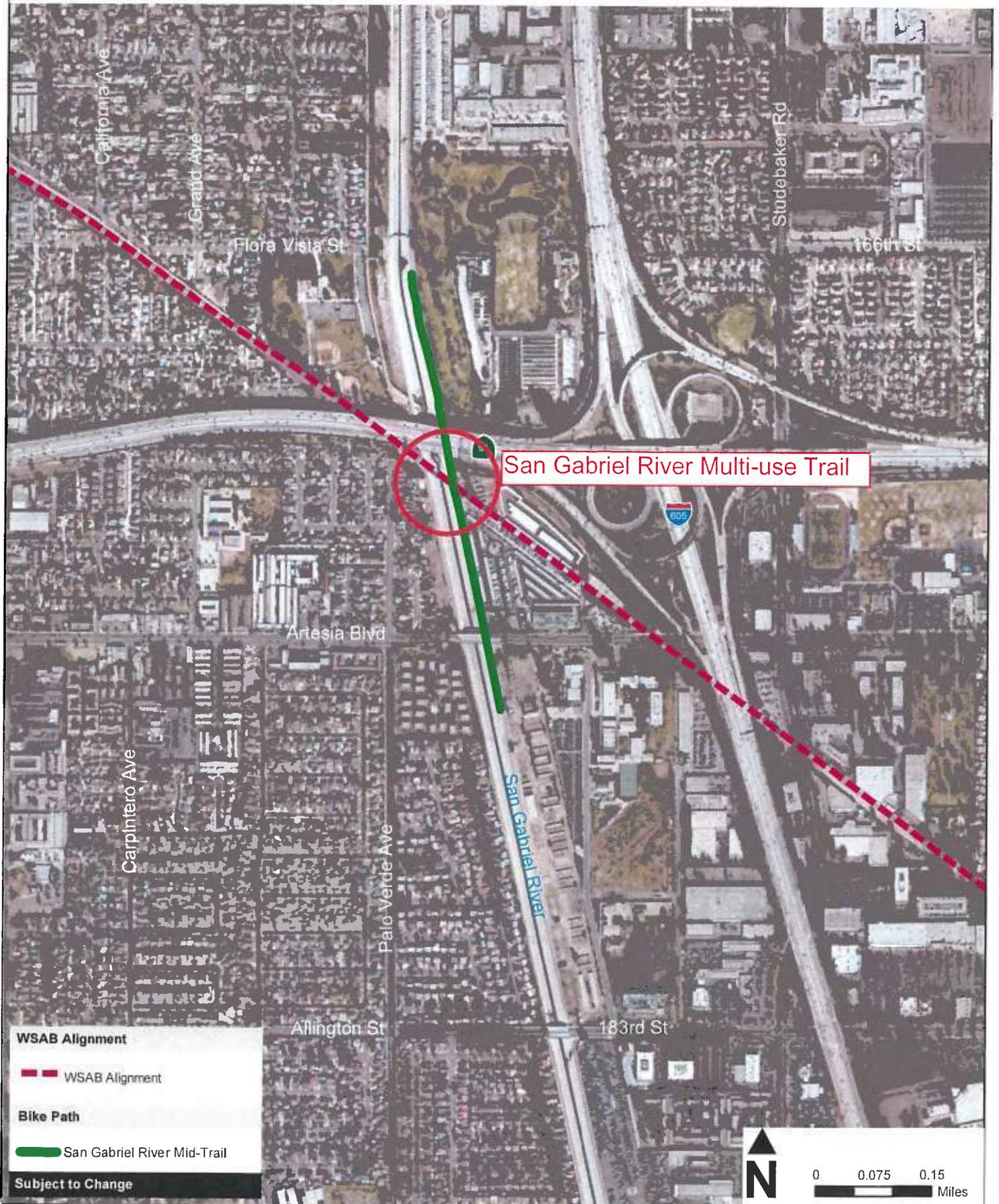
Attachment 2: Identified Section 4(f) Property



Attachment 2: Identified Section 4(f) Property



Attachment 2: Identified Section 4(f) Property





Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

September 13, 2023

David Johnson
Director, City of Paramount Community Services Department
15300 Downey Avenue
Paramount, CA 90723

Subject: Request for Concurrence on Section 4(f) Determination for the West Santa Ana Branch Transit Corridor Project

Dear Mr. Johnson:

The Los Angeles County Metropolitan Transportation Authority (Metro), in coordination with the Federal Transit Administration (FTA), is conducting consultation under Section 4(f) of the U.S. Department of Transportation Act (as codified under 49 United States Code 303 and with implementing regulations under 23 Code of Federal Regulations [CFR] Part 774) for the West Santa Ana Branch (WSAB) Transit Corridor (Project).

Paramount Park at 14400 Paramount Boulevard in the City of Paramount is a Section 4(f) recreational resource under the city's jurisdiction that will be affected by the Project. Although the Los Angeles Department of Water and Power (LADWP) owns the portion of the park that the Project will affect, as described further in this letter, the City of Paramount Community Services Department has been identified as the agency with jurisdiction for this Section 4(f) consultation because the city owns the majority, maintains, and administers Paramount Park. Per 23 CFR 774.5(b) and 23 CFR 774.13(d), this letter requests the City of Paramount's concurrence with the Section 4(f) determination of a use with de minimis impact on the portion of LADWP property that functions as part of Paramount Park and application of a temporary occupancy exception for associated construction activities.

Project Description

The Project is a proposed new light rail transit line. The July 2021 Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) and corresponding technical studies included evaluation of a No Build Alternative, four Build Alternatives, two design options, and two site options for a maintenance and storage facility (MSF):

- Alternative 1: Los Angeles Union Station to Pioneer Station; the northern terminus would be located underground at Los Angeles Union Station (LAUS) Forecourt
 - Design Option 1: Locate the northern terminus station box at the LAUS Metropolitan Water District (MWD) east of LAUS and the MWD building, below the baggage area parking facility
 - Design Option 2: Addition of Little Tokyo Station
- Alternative 2: 7th St/Metro Center to Pioneer Station; the northern terminus would be located underground at 8th Street between Figueroa Street and Flower Street near the 7th Street/Metro Center Station

- Alternative 3: Slauson/A Line (Blue) to Pioneer Station; the northern terminus would be located just north of the intersection of Long Beach Avenue and Slauson Avenue in the City of Los Angeles, connecting to the current A (Blue) Line Slauson Station
- Alternative 4: I-105/C Line (Green) to Pioneer Station; the northern terminus would be located at I-105 in the City of South Gate, connecting to the C (Green) Line along the I-105
- Paramount MSF site option
- Bellflower MSF site option

In January 2022, the Metro Board of Directors identified Alternative 3 as the Locally Preferred Alternative (LPA), which will extend approximately 14.5 miles from the northern terminus in the City of Los Angeles/Florence-Firestone community of Los Angeles County to the southern terminus in the City of Artesia. Alternative 3 was refined after the circulation of the Draft EIS/EIR to address stakeholder coordination and comments on the Draft EIS/EIR. Design refinements relevant to this Section 4(f) consultation regarding Paramount Park include replacing the previously proposed pedestrian undercrossing with a pedestrian bridge at Paramount High School that will span the entire rail right-of-way.

Background on Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 provides 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 officials having jurisdiction over the park, area, refuge, or site).

As defined in 23 CFR §774.17, a “use” of Section 4(f) property occurs:

1. When land is permanently incorporated into a transportation facility;
2. When there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in 23 CFR §774.13(d); or
3. When there is a constructive use of a Section 4(f) property as determined by the criteria in 23 CFR §774.15.

Under 23 CFR §774.3(2)(b), it may be determined that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures), will have a de minimis impact, as defined in 23 CFR §774.17, on the property. For parks, recreation areas, and wildlife and waterfowl refuges, a de minimis impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).

The first form of use, permanent incorporation/easement of a Section 4(f) property, occurs when the property is acquired outright for a transportation project or a property interest that allows permanent access onto the property, such as a permanent easement for maintenance or other transportation-related purpose.

The second form of use is commonly referred to as temporary use or temporary occupancy. A temporary occupancy of a Section 4(f) resource occurs when there is a temporary occupancy of the

property that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. Examples of temporary occupancy of Section 4(f) land include right-of-entry, project construction, a temporary easement, or other short-term arrangement. 23 CFR 774.13(d) outlines conditions under which temporary occupancies of land are so minimal as to not constitute a use within the meaning of Section 4(f). This is also referred to as a temporary occupancy exception. A temporary occupancy will not constitute a Section 4(f) use when all of the conditions listed in 23 CFR 774.13(d) are satisfied:

- 1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
- 2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- 3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- 4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- 5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

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. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished (23 CFR 774.15[a]).

Description of Section 4(f) Resource

Paramount Park at 14400 Paramount Boulevard covers a land area of approximately 15 acres, of which approximately 9.9 acres is owned by the City of Paramount. The primary public use of Paramount Park is for active recreation, with uses including playgrounds, handball courts (lighted), baseball diamonds (lighted), basketball court (lighted), picnic shelters/barbecues, gymnasium, walking path, restrooms, and a pool with onsite parking. Paramount Park, inclusive of the adjacent LADWP right-of-way, meets the definition of a Section 4(f) resource as it is a publicly owned park and recreation area; however, by the lease terms described in License Agreement A000604, the separate parcel leased from Metro is not a Section 4(f) resource.

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). 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 the return of and occupancy of the Metro lease area.

The city-owned parkland is separated from the rail right-of-way by a 110-foot-wide LADWP right-of-way (see Attachment 1, Figure 1). The approximately 166,000-square-foot (3.8-acre) LADWP right-of-way is adjacent to the rail right-of-way. Separately, the city has an agreement for use of this LADWP right-of-way. While the primary use of the LADWP 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 and the property is considered as functioning as part of Paramount Park.

An existing grade-separated pedestrian crossing is located between the Paramount High School east and west campuses that occupies a portion of the Metro and LADWP rights-of-way. This crossing is exclusively for Paramount High School students and faculty and is not open for public use. Therefore, the pedestrian crossing is not considered a Section 4(f) resource. See Figure 1 in Attachment 1 for a map of the property and ownership.

Section 4(f) Evaluation

The Draft EIS/EIR and Draft Section 4(f) Evaluation indicated that the Project would result in permanent incorporation of land into a transportation facility and temporary occupancy within portions of LADWP property that function as a part of Paramount Park. As described above, after circulation of the Draft EIS/EIR, Alternative 3 was selected as the LPA and refined in response to comments on the Draft EIS/EIR and stakeholder coordination. These design refinements included changing the proposed undercrossing connecting the east and west campuses of Paramount High School and Paramount Park to a bridge that would be owned by the school district. The change from a pedestrian undercrossing to a pedestrian bridge was discussed with the City of Paramount in meetings during 2022. This refinement resulted in a reduction of the land area needed for the replacement pedestrian bridge on the portion of LADWP property that functions as Paramount Park, compared to the land area needed for the proposed undercrossing described in the Draft EIS/EIR.

The at-grade track and aerial easements needed to implement the LPA will require termination of the lease agreement between Metro and the City of Paramount for the 40-foot-wide section of Metro right-of-way that is not subject to Section 4(f). The reversion of the leased area to accommodate the track alignment does not include acquisition of property within the Paramount Park boundary and does not constitute Section 4(f) use.

As discussed above, the Project includes construction of a replacement grade-separated pedestrian crossing between the Paramount High School east and west campuses on LADWP property that functions as a portion of Paramount Park. The new overcrossing will replace an existing overcrossing in the same location, but will require additional space compared to the existing footprint of the pedestrian bridge to upgrade the crossing to meet Americans with Disabilities Act accessibility requirements. Although the new bridge is being constructed by Metro, 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 remain in LADWP ownership after construction is complete and the bridge will continue to be owned by the Paramount Unified School District. The LPA will not require any acquisition of parkland in City of Paramount ownership.

The replacement bridge will be located in part of an open grassy area adjacent to the park's fenced 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 approximately 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 new footprint of the replacement bridge will not adversely affect the activities, features, or attributes qualifying the 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 the portion of LADWP property that functions as Paramount Park.

The LPA will also require a temporary construction easement on approximately 6,540 square feet of land from the LADWP property to construct the replacement pedestrian crossing. The temporary construction easement meets the conditions under 23 CFR 774.13(d) for a temporary occupancy as follows:

1. Duration is temporary

The approximately 6,540 square feet of LADWP property that functions as a portion of Paramount Park will be closed during the demolition and replacement of the pedestrian crossing. The specific duration of this work is expected to be 2 to 3 years, which is less than the total duration of construction for the Project (approximately 8 years, not including testing).

2. Scope of work is minor

The construction area for the replacement bridge will constitute a very small (about 1 percent) portion of the total land area of Paramount Park.

3. 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 construction area for the replacement bridge is an open space, landscaped area and 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).

4. The land being used will be fully restored

The land area of the temporary construction easement will be fully restored to the pre-construction condition or better.

5. There must be documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions

The purpose of this letter is to confirm that the City of Paramount Community Services Department concurs with the assessment of temporary occupancy.

The FTA and Metro also evaluated the potential for a constructive use. No constructive use of the park property (noise level increase, impairment of aesthetic features, restricted access, vibration impacts, or ecological intrusion) will occur as a result of implementation of the LPA as defined in 23 CFR 774.15

because there will be no substantial impairment to recreational use of the park as documented in Section 5.4.2.1 of the Draft EIS/EIR.

Previous Consultation

Consistent with 23 CFR 774.5(b) and as part of the preparation of the Draft Section 4(f) Evaluation for the Draft EIS/EIR for the Project, Metro previously consulted with the City of Paramount through a letter dated January 29, 2020 (see Attachment 2). The letter identified Paramount Park as a Section 4(f) resource and described the potential impacts to this resource under Section 4(f). The City of Paramount did not provide a response to the letter.

The FTA and Metro published the Draft EIS/EIR, including the Section 4(f) Evaluation, for public review in July 2021 for 45 days, which was then extended to a 60-day public review period through September 28, 2021. FTA and Metro received comments from the City of Paramount on the Draft EIS/EIR and met with the city on May 4, 2022, July 19, 2022, September 26, 2022, January 4, 2023, and January 19, 2023, to discuss the comments and updates to the Project since circulation of the Draft EIS/EIR. The City did not include comments related to Paramount Park or the WSAB Project Section 4(f) Evaluation.

No public or agency comments related to Paramount Park or FTA's preliminary Section 4(f) determination for Paramount Park were received during the Draft EIS/EIR comment period.

Metro is also coordinating with LADWP regarding the temporary construction easement needed for the LPA, as discussed above.

Request for Concurrence on the Section 4(f) Determination

Per 23 CFR 774.5(b) and 23 CFR 774.13(d), the FTA and Metro seek written concurrence with the following Section 4(f) determinations:

- Use with de minimis impact for replacement pedestrian bridge in LADWP-owned portion of Paramount Park
- Temporary occupancy exception for associated pedestrian bridge construction activities

In the signature box below, please sign to acknowledge that the City of Paramount Community Services Department, which has jurisdiction over Paramount Park, concurs with the above Section 4(f) determination of use with de minimis impacts and application of the temporary occupancy exception. Please return the concurrence to Ms. Meghna Khanna at the address listed below, or send a copy by email to KhannaM@metro.net.

The coordination requirements in 23 CFR 774.5 and 23 CFR 774.13 must be completed before the FTA may make Section 4(f) approvals under this section. Per 23 CFR 774.5(a), comments or concurrence are requested within 45 days from the receipt of this letter. If comments are not received within 15 days after the comment deadline, the FTA may assume a lack of objection and proceed with the action.

If you have any questions, please contact Ms. Khanna at (213) 922-3931 or Ms. K.C. Kelly, FTA Environmental Protection Specialist, at kathleen.kelly@dot.gov or (202) 366-9469.

Sincerely,

Meghna khanna

Meghna Khanna, AICP
Los Angeles County Metropolitan Transportation Authority
Senior Director, Countywide Planning & Development
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012

CC: John Moreno, City of Paramount City Manager
Martin Adams, Los Angeles Department of Water and Power

The City of Paramount, as the Official with Jurisdiction for Paramount Park, concurs that the West Santa Ana Branch Transit Corridor Project will have a use with de minimis impact, as defined in 23 CFR 774.17, to Paramount Park and the temporary construction easement meets the requirements of a temporary occupancy exception as defined in 23 CFR 774.13(d).

David Johnson
Director, Community Services Department
City of Paramount

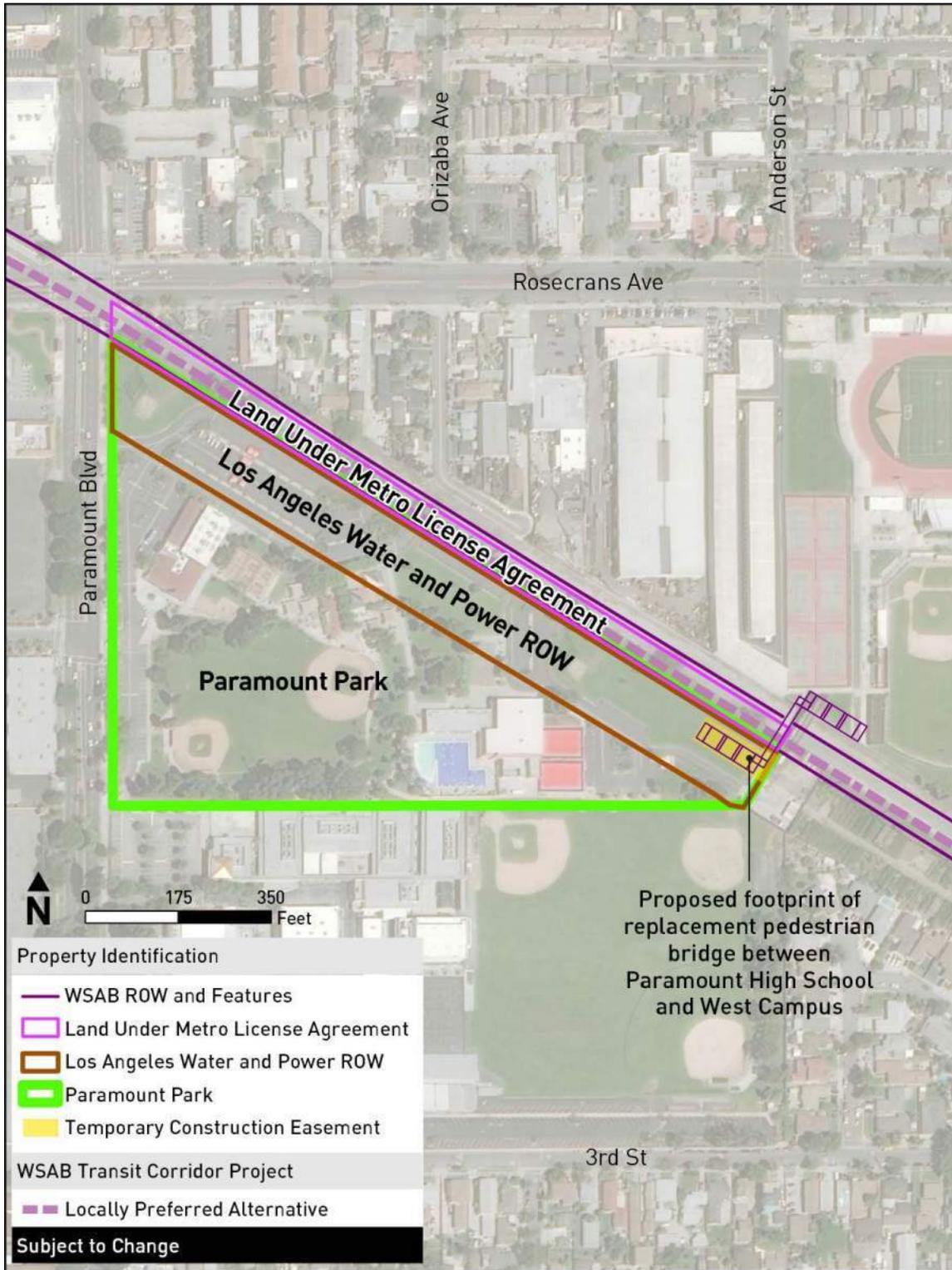
Date

Attachments:

Attachment 1: Figure 1: Locally Preferred Alternative Alignment near Paramount Park

Attachment 2: Copy of January 29, 2020 letter from Metro to City of Paramount

Attachment 1: Figure 1: Locally Preferred Alternative Alignment near Paramount Park





Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

January 29, 2020

John Moreno
City Manager
City of Paramount
16400 Colorado Avenue
Paramount, CA 90723

Subject: WSAB Project: Environmental Section 4(f) Consultation

Dear Mr. Moreno:

The Los Angeles County Metropolitan Transportation Authority (LACMTA), in coordination with the Federal Transit Administration (FTA), is preparing a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the West Santa Ana Branch (WSAB) Transit Corridor Project. The FTA serves as the Federal lead agency under the National Environmental Policy Act (NEPA). LACMTA is the local lead agency under the California Environmental Quality Act (CEQA). The purpose of this letter is to conduct consultation with agencies of jurisdiction per Section 4(f) of the Department of Transportation Act of 1966 (as codified under 49 United States Code [USC] 303 and with implementing regulations under 23 Code of Federal Regulations [CFR] Part 774).

Project Description

Metro is evaluating a new light rail transit (LRT) line that would connect southeast LA County to downtown Los Angeles, serving the cities and communities of downtown Los Angeles, unincorporated Florence-Graham community of LA County, Vernon, Huntington Park, Bell, Cudahy, South Gate, Downey, Paramount, Bellflower, Cerritos and Artesia. Metro is evaluating four Build Alternatives. Attachment 1 includes the current description of the WSAB Transit Corridor Project and project alignment map. Additional information may be found at www.metro.net/wsab.

Background on Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 provides 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 officials having jurisdiction over the park, area, refuge, or site).

As defined in 23 CFR §774.17, a “use” of Section 4(f) property occurs:

1. When land is permanently incorporated into a transportation facility;
2. When there is a temporary occupancy of land that is adverse in terms of the statute's reservation purpose as determined by the criteria in 23 CFR §774.13(d); or
3. When there is a constructive use of a Section 4(f) property as determined by the criteria in 23 CFR §774.15.

Under 23 CFR §774.3(2)(b), it may be determined that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures), will have a *de minimis* impact, as defined in 23 CFR §774.17, on the property. For parks,

recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).

Permanent incorporation/easement of a Section 4(f) property is acquired outright for a transportation project or a property interest that allows permanent access onto the property such as a permanent easement for maintenance or other transportation-related purpose. The second form of use is commonly referred to as temporary. A temporary use of a Section 4(f) resource occurs when there is a temporary occupancy of the property that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. 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. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished (23 CFR 774.15[a]).

Identification of Section 4(f) Resources

LACMTA and FTA have identified the park below as being a publicly owned and publicly accessible park near the WSAB Transit Corridor Project, as shown in Attachment 2. LACMTA is analyzing potential use of this park or resource under Section 4(f).

Park or resource	Location
Paramount Park	14400 Paramount Blvd. Paramount

The City of Paramount Community Services and Recreation Department has been identified as an agency with jurisdiction over the resource. LACMTA and FTA are requesting the following information:

- a) Confirm that your agency has jurisdiction over the resource and identify the official with jurisdiction over the resource.
- b) Whether your agency identifies the resource as a public park of national, state, or local significance that is accessible to the public.
- c) That the area shown on the attached figure accurately represents the area within your jurisdiction that functions as a significant public park or recreational facility.
- d) That the City of Paramount Community Services and Recreation Department understands License Agreement A000604 executed November 10, 1993 between LACMTA and the City of Paramount that authorizes park expansion, parking, landscaping, and lighting until LACMTA requires the land for transportation. The agreement includes the clause “[LAC]MTA shall have the right to terminate this Agreement [...] by delivering thirty (30) days prior written notice to Licensee, provided that [LAC]MTA, in its sole, reasonable judgment, determines that it then may require possession of the License Property for its primary, transportation-related purposes.”

In the context of this agreement, LACMTA and FTA recognizes the boundary of the Section 4(f)-protected property as the area of the park within City of Paramount land ownership, and the portion within LACMTA ownership and covered by license agreement as a temporary permitted use of right of way. LACMTA may require all or part of the land covered in the license agreement for completion of the WSAB Transit Corridor Project. At this time, LACMTA has not identified potential temporary and/or permanent impact beyond the right of way that is in temporary use for park expansion, parking, landscaping, and lighting, but requires this information for analysis of the WSAB Transit Corridor Project. Also, please include any comments or concerns related to the WSAB Transit Corridor Project potential effects to the park.

Please direct any questions to Ms. Meghna Khanna at KhannaM@metro.net or (213) 922-3931. Please respond to Ms. Khanna by e-mail or by letter at the address below or to Ms. Mary Nguyen, FTA Environmental Protection Specialist, at Mary.Nguyen@dot.gov or (213) 202-3960. If we have not received a response within 30 days, LACMTA will continue the analysis under the assumption that the City of Paramount Community Services and Recreation Department is the agency with jurisdiction and that the resources are significant public parks or recreational resources. LACMTA will continue to coordinate with your agency through the environmental review process.

Sincerely,

Meghna khanna

Meghna Khanna, AICP
LA Metro
Senior Director, Countywide Planning & Development
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012

Attachments:

Attachment 1: Project Factsheet

Attachment 2: Identified Section 4(f) Property

Attachment 2: Identified Section 4(f) Property





Metro

Los Angeles County
Metropolitan Transportation Authority

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September 13, 2023

Martin Adams
General Manager and Chief Engineer, Los Angeles Department of Water and Power
PO Box 51111
Los Angeles, CA 90051-0100

Subject: Paramount Park Coordination for West Santa Ana Branch Transit Corridor Project

Dear Martin Adams:

The Los Angeles County Metropolitan Transportation Authority (Metro), in coordination with the Federal Transit Administration (FTA), is conducting an environmental review for the West Santa Ana Branch Transit Corridor (Project), a proposed new light rail transit (LRT) line. In January 2022, the Metro Board of Directors approved the Locally Preferred Alternative (LPA) for the Project, which will extend LRT approximately 14.5 miles from the northern terminus in the City of Los Angeles/Florence-Firestone community of Los Angeles County to the southern terminus in the City of Artesia.

In the City of Paramount, the LPA will affect a small portion of the 110-foot-wide Los Angeles Department of Water and Power (LADWP) right-of-way that separates Paramount Park at 14400 Paramount Boulevard from the LPA, as shown in Figure 1 in Attachment 1.

The Project includes construction of a replacement grade-separated pedestrian crossing between the Paramount High School east and west campuses on LADWP property. The new overcrossing will replace an existing overcrossing in the same location, but it will require additional space compared to the existing footprint to upgrade the crossing to meet Americans with Disabilities Act accessibility requirements. Although the new bridge is being constructed by Metro, 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 remain in LADWP ownership after construction is complete. The LPA will also require a temporary construction easement on approximately 6,540 square feet of land from the LADWP property to construct the bridge.

Paramount Park is a recreational resource protected by Section 4(f) of the U.S. Department of Transportation Act (as codified under 49 United States Code 303 and with implementing regulations under 23 Code of Federal Regulations Part 774). Metro and FTA are consulting with the City of Paramount to obtain concurrence regarding the Section 4(f) determinations for the Project. The purpose of this letter is to inform LADWP about the status of this ongoing Section 4(f) process because the consultation is inclusive of the right-of-way owned by LADWP.

Please see Attachment 2 for a copy of the letter to the city requesting its concurrence on the Section 4(f) determination for Paramount Park, including additional details on the property ownership, potential impacts, and background on Section 4(f) regulations.

Metro is coordinating separately with LADWP regarding the property acquisition associated with the LPA. If you have any questions about the Section 4(f) process, please contact Ms. Meghna Khanna at KhannaM@metro.net or (213) 922-3931 or Ms. K.C. Kelly, FTA Environmental Protection Specialist, at kathleen.kelly@dot.gov or (202) 366-9469.

Sincerely,

Meghna khanna

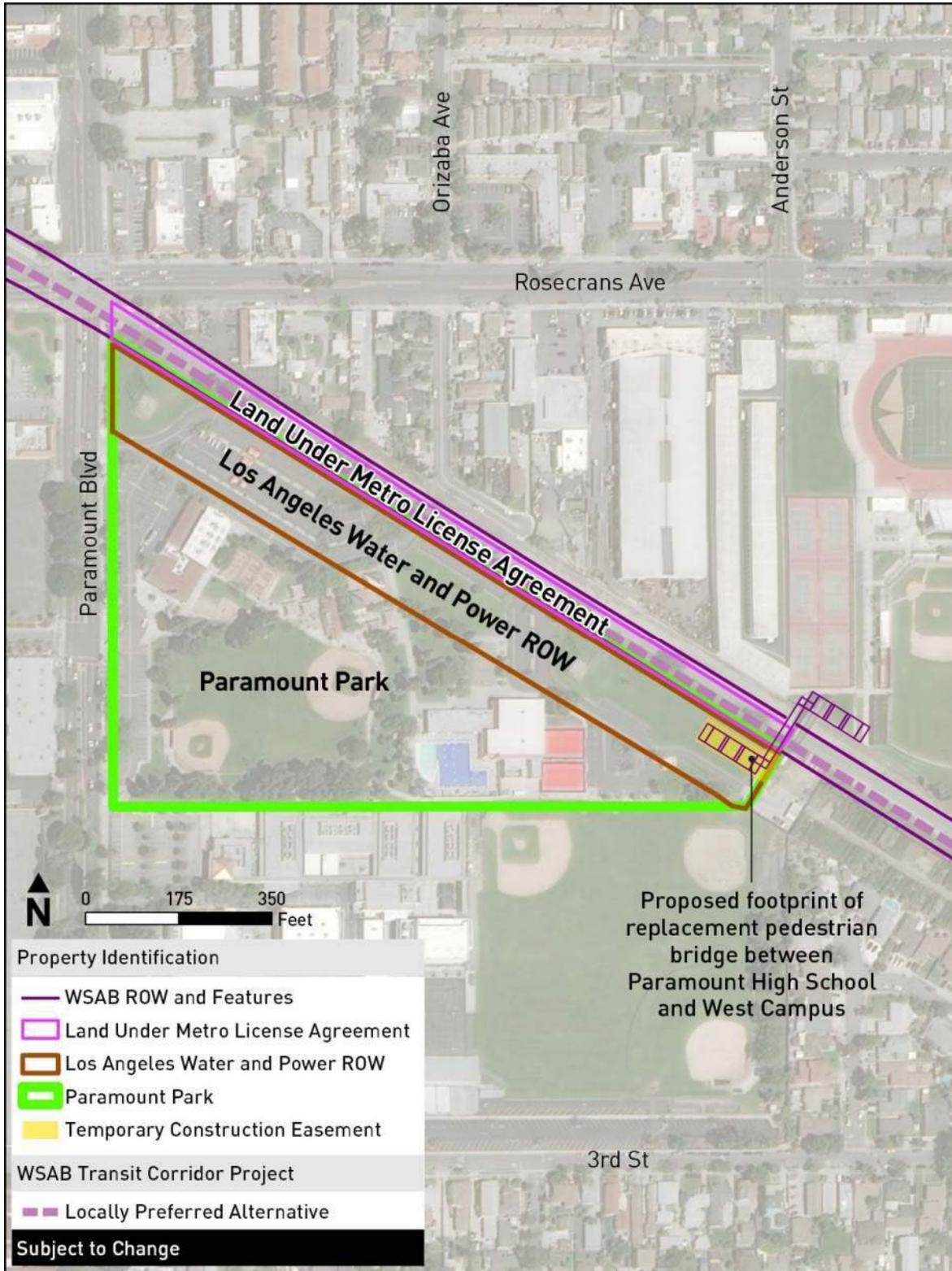
Meghna Khanna, AICP
Los Angeles County Metropolitan Transportation Authority
Senior Director, Countywide Planning & Development
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012

Attachments:

Attachment 1: Figure 1: Locally Preferred Alternative Alignment near Paramount Park

Attachment 2: Copy of letter to City of Paramount

Attachment 1: Figure 1: Locally Preferred Alternative Alignment near Paramount Park





Metro

Los Angeles County
Metropolitan Transportation Authority

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September 13, 2023

David Johnson
Director, City of Paramount Community Services Department
15300 Downey Avenue
Paramount, CA 90723

Subject: Request for Concurrence on Section 4(f) Determination for the West Santa Ana Branch Transit Corridor Project

Dear Mr. Johnson:

The Los Angeles County Metropolitan Transportation Authority (Metro), in coordination with the Federal Transit Administration (FTA), is conducting consultation under Section 4(f) of the U.S. Department of Transportation Act (as codified under 49 United States Code 303 and with implementing regulations under 23 Code of Federal Regulations [CFR] Part 774) for the West Santa Ana Branch (WSAB) Transit Corridor (Project).

Paramount Park at 14400 Paramount Boulevard in the City of Paramount is a Section 4(f) recreational resource under the city's jurisdiction that will be affected by the Project. Although the Los Angeles Department of Water and Power (LADWP) owns the portion of the park that the Project will affect, as described further in this letter, the City of Paramount Community Services Department has been identified as the agency with jurisdiction for this Section 4(f) consultation because the city owns the majority, maintains, and administers Paramount Park. Per 23 CFR 774.5(b) and 23 CFR 774.13(d), this letter requests the City of Paramount's concurrence with the Section 4(f) determination of a use with de minimis impact on the portion of LADWP property that functions as part of Paramount Park and application of a temporary occupancy exception for associated construction activities.

Project Description

The Project is a proposed new light rail transit line. The July 2021 Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) and corresponding technical studies included evaluation of a No Build Alternative, four Build Alternatives, two design options, and two site options for a maintenance and storage facility (MSF):

- Alternative 1: Los Angeles Union Station to Pioneer Station; the northern terminus would be located underground at Los Angeles Union Station (LAUS) Forecourt
 - Design Option 1: Locate the northern terminus station box at the LAUS Metropolitan Water District (MWD) east of LAUS and the MWD building, below the baggage area parking facility
 - Design Option 2: Addition of Little Tokyo Station
- Alternative 2: 7th St/Metro Center to Pioneer Station; the northern terminus would be located underground at 8th Street between Figueroa Street and Flower Street near the 7th Street/Metro Center Station

- Alternative 3: Slauson/A Line (Blue) to Pioneer Station; the northern terminus would be located just north of the intersection of Long Beach Avenue and Slauson Avenue in the City of Los Angeles, connecting to the current A (Blue) Line Slauson Station
- Alternative 4: I-105/C Line (Green) to Pioneer Station; the northern terminus would be located at I-105 in the City of South Gate, connecting to the C (Green) Line along the I-105
- Paramount MSF site option
- Bellflower MSF site option

In January 2022, the Metro Board of Directors identified Alternative 3 as the Locally Preferred Alternative (LPA), which will extend approximately 14.5 miles from the northern terminus in the City of Los Angeles/Florence-Firestone community of Los Angeles County to the southern terminus in the City of Artesia. Alternative 3 was refined after the circulation of the Draft EIS/EIR to address stakeholder coordination and comments on the Draft EIS/EIR. Design refinements relevant to this Section 4(f) consultation regarding Paramount Park include replacing the previously proposed pedestrian undercrossing with a pedestrian bridge at Paramount High School that will span the entire rail right-of-way.

Background on Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 provides 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 officials having jurisdiction over the park, area, refuge, or site).

As defined in 23 CFR §774.17, a “use” of Section 4(f) property occurs:

1. When land is permanently incorporated into a transportation facility;
2. When there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in 23 CFR §774.13(d); or
3. When there is a constructive use of a Section 4(f) property as determined by the criteria in 23 CFR §774.15.

Under 23 CFR §774.3(2)(b), it may be determined that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures), will have a de minimis impact, as defined in 23 CFR §774.17, on the property. For parks, recreation areas, and wildlife and waterfowl refuges, a de minimis impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).

The first form of use, permanent incorporation/easement of a Section 4(f) property, occurs when the property is acquired outright for a transportation project or a property interest that allows permanent access onto the property, such as a permanent easement for maintenance or other transportation-related purpose.

The second form of use is commonly referred to as temporary use or temporary occupancy. A temporary occupancy of a Section 4(f) resource occurs when there is a temporary occupancy of the

property that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. Examples of temporary occupancy of Section 4(f) land include right-of-entry, project construction, a temporary easement, or other short-term arrangement. 23 CFR 774.13(d) outlines conditions under which temporary occupancies of land are so minimal as to not constitute a use within the meaning of Section 4(f). This is also referred to as a temporary occupancy exception. A temporary occupancy will not constitute a Section 4(f) use when all of the conditions listed in 23 CFR 774.13(d) are satisfied:

- 1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
- 2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- 3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- 4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- 5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

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. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished (23 CFR 774.15[a]).

Description of Section 4(f) Resource

Paramount Park at 14400 Paramount Boulevard covers a land area of approximately 15 acres, of which approximately 9.9 acres is owned by the City of Paramount. The primary public use of Paramount Park is for active recreation, with uses including playgrounds, handball courts (lighted), baseball diamonds (lighted), basketball court (lighted), picnic shelters/barbecues, gymnasium, walking path, restrooms, and a pool with onsite parking. Paramount Park, inclusive of the adjacent LADWP right-of-way, meets the definition of a Section 4(f) resource as it is a publicly owned park and recreation area; however, by the lease terms described in License Agreement A000604, the separate parcel leased from Metro is not a Section 4(f) resource.

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). 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 the return of and occupancy of the Metro lease area.

The city-owned parkland is separated from the rail right-of-way by a 110-foot-wide LADWP right-of-way (see Attachment 1, Figure 1). The approximately 166,000-square-foot (3.8-acre) LADWP right-of-way is adjacent to the rail right-of-way. Separately, the city has an agreement for use of this LADWP right-of-way. While the primary use of the LADWP 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 and the property is considered as functioning as part of Paramount Park.

An existing grade-separated pedestrian crossing is located between the Paramount High School east and west campuses that occupies a portion of the Metro and LADWP rights-of-way. This crossing is exclusively for Paramount High School students and faculty and is not open for public use. Therefore, the pedestrian crossing is not considered a Section 4(f) resource. See Figure 1 in Attachment 1 for a map of the property and ownership.

Section 4(f) Evaluation

The Draft EIS/EIR and Draft Section 4(f) Evaluation indicated that the Project would result in permanent incorporation of land into a transportation facility and temporary occupancy within portions of LADWP property that function as a part of Paramount Park. As described above, after circulation of the Draft EIS/EIR, Alternative 3 was selected as the LPA and refined in response to comments on the Draft EIS/EIR and stakeholder coordination. These design refinements included changing the proposed undercrossing connecting the east and west campuses of Paramount High School and Paramount Park to a bridge that would be owned by the school district. The change from a pedestrian undercrossing to a pedestrian bridge was discussed with the City of Paramount in meetings during 2022. This refinement resulted in a reduction of the land area needed for the replacement pedestrian bridge on the portion of LADWP property that functions as Paramount Park, compared to the land area needed for the proposed undercrossing described in the Draft EIS/EIR.

The at-grade track and aerial easements needed to implement the LPA will require termination of the lease agreement between Metro and the City of Paramount for the 40-foot-wide section of Metro right-of-way that is not subject to Section 4(f). The reversion of the leased area to accommodate the track alignment does not include acquisition of property within the Paramount Park boundary and does not constitute Section 4(f) use.

As discussed above, the Project includes construction of a replacement grade-separated pedestrian crossing between the Paramount High School east and west campuses on LADWP property that functions as a portion of Paramount Park. The new overcrossing will replace an existing overcrossing in the same location, but will require additional space compared to the existing footprint of the pedestrian bridge to upgrade the crossing to meet Americans with Disabilities Act accessibility requirements. Although the new bridge is being constructed by Metro, 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 remain in LADWP ownership after construction is complete and the bridge will continue to be owned by the Paramount Unified School District. The LPA will not require any acquisition of parkland in City of Paramount ownership.

The replacement bridge will be located in part of an open grassy area adjacent to the park's fenced 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 approximately 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 new footprint of the replacement bridge will not adversely affect the activities, features, or attributes qualifying the 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 the portion of LADWP property that functions as Paramount Park.

The LPA will also require a temporary construction easement on approximately 6,540 square feet of land from the LADWP property to construct the replacement pedestrian crossing. The temporary construction easement meets the conditions under 23 CFR 774.13(d) for a temporary occupancy as follows:

1. Duration is temporary

The approximately 6,540 square feet of LADWP property that functions as a portion of Paramount Park will be closed during the demolition and replacement of the pedestrian crossing. The specific duration of this work is expected to be 2 to 3 years, which is less than the total duration of construction for the Project (approximately 8 years, not including testing).

2. Scope of work is minor

The construction area for the replacement bridge will constitute a very small (about 1 percent) portion of the total land area of Paramount Park.

3. 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 construction area for the replacement bridge is an open space, landscaped area and 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).

4. The land being used will be fully restored

The land area of the temporary construction easement will be fully restored to the pre-construction condition or better.

5. There must be documented agreement of the official(s) having jurisdiction over the Section 4(f) resource regarding the above conditions

The purpose of this letter is to confirm that the City of Paramount Community Services Department concurs with the assessment of temporary occupancy.

The FTA and Metro also evaluated the potential for a constructive use. No constructive use of the park property (noise level increase, impairment of aesthetic features, restricted access, vibration impacts, or ecological intrusion) will occur as a result of implementation of the LPA as defined in 23 CFR 774.15

because there will be no substantial impairment to recreational use of the park as documented in Section 5.4.2.1 of the Draft EIS/EIR.

Previous Consultation

Consistent with 23 CFR 774.5(b) and as part of the preparation of the Draft Section 4(f) Evaluation for the Draft EIS/EIR for the Project, Metro previously consulted with the City of Paramount through a letter dated January 29, 2020 (see Attachment 2). The letter identified Paramount Park as a Section 4(f) resource and described the potential impacts to this resource under Section 4(f). The City of Paramount did not provide a response to the letter.

The FTA and Metro published the Draft EIS/EIR, including the Section 4(f) Evaluation, for public review in July 2021 for 45 days, which was then extended to a 60-day public review period through September 28, 2021. FTA and Metro received comments from the City of Paramount on the Draft EIS/EIR and met with the city on May 4, 2022, July 19, 2022, September 26, 2022, January 4, 2023, and January 19, 2023, to discuss the comments and updates to the Project since circulation of the Draft EIS/EIR. The City did not include comments related to Paramount Park or the WSAB Project Section 4(f) Evaluation.

No public or agency comments related to Paramount Park or FTA's preliminary Section 4(f) determination for Paramount Park were received during the Draft EIS/EIR comment period.

Metro is also coordinating with LADWP regarding the temporary construction easement needed for the LPA, as discussed above.

Request for Concurrence on the Section 4(f) Determination

Per 23 CFR 774.5(b) and 23 CFR 774.13(d), the FTA and Metro seek written concurrence with the following Section 4(f) determinations:

- Use with de minimis impact for replacement pedestrian bridge in LADWP-owned portion of Paramount Park
- Temporary occupancy exception for associated pedestrian bridge construction activities

In the signature box below, please sign to acknowledge that the City of Paramount Community Services Department, which has jurisdiction over Paramount Park, concurs with the above Section 4(f) determination of use with de minimis impacts and application of the temporary occupancy exception. Please return the concurrence to Ms. Meghna Khanna at the address listed below, or send a copy by email to KhannaM@metro.net.

The coordination requirements in 23 CFR 774.5 and 23 CFR 774.13 must be completed before the FTA may make Section 4(f) approvals under this section. Per 23 CFR 774.5(a), comments or concurrence are requested within 45 days from the receipt of this letter. If comments are not received within 15 days after the comment deadline, the FTA may assume a lack of objection and proceed with the action.

If you have any questions, please contact Ms. Khanna at (213) 922-3931 or Ms. K.C. Kelly, FTA Environmental Protection Specialist, at kathleen.kelly@dot.gov or (202) 366-9469.

Sincerely,

Meghna khanna

Meghna Khanna, AICP
Los Angeles County Metropolitan Transportation Authority
Senior Director, Countywide Planning & Development
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012

CC: John Moreno, City of Paramount City Manager
Martin Adams, Los Angeles Department of Water and Power

The City of Paramount, as the Official with Jurisdiction for Paramount Park, concurs that the West Santa Ana Branch Transit Corridor Project will have a use with de minimis impact, as defined in 23 CFR 774.17, to Paramount Park and the temporary construction easement meets the requirements of a temporary occupancy exception as defined in 23 CFR 774.13(d).

David Johnson
Director, Community Services Department
City of Paramount

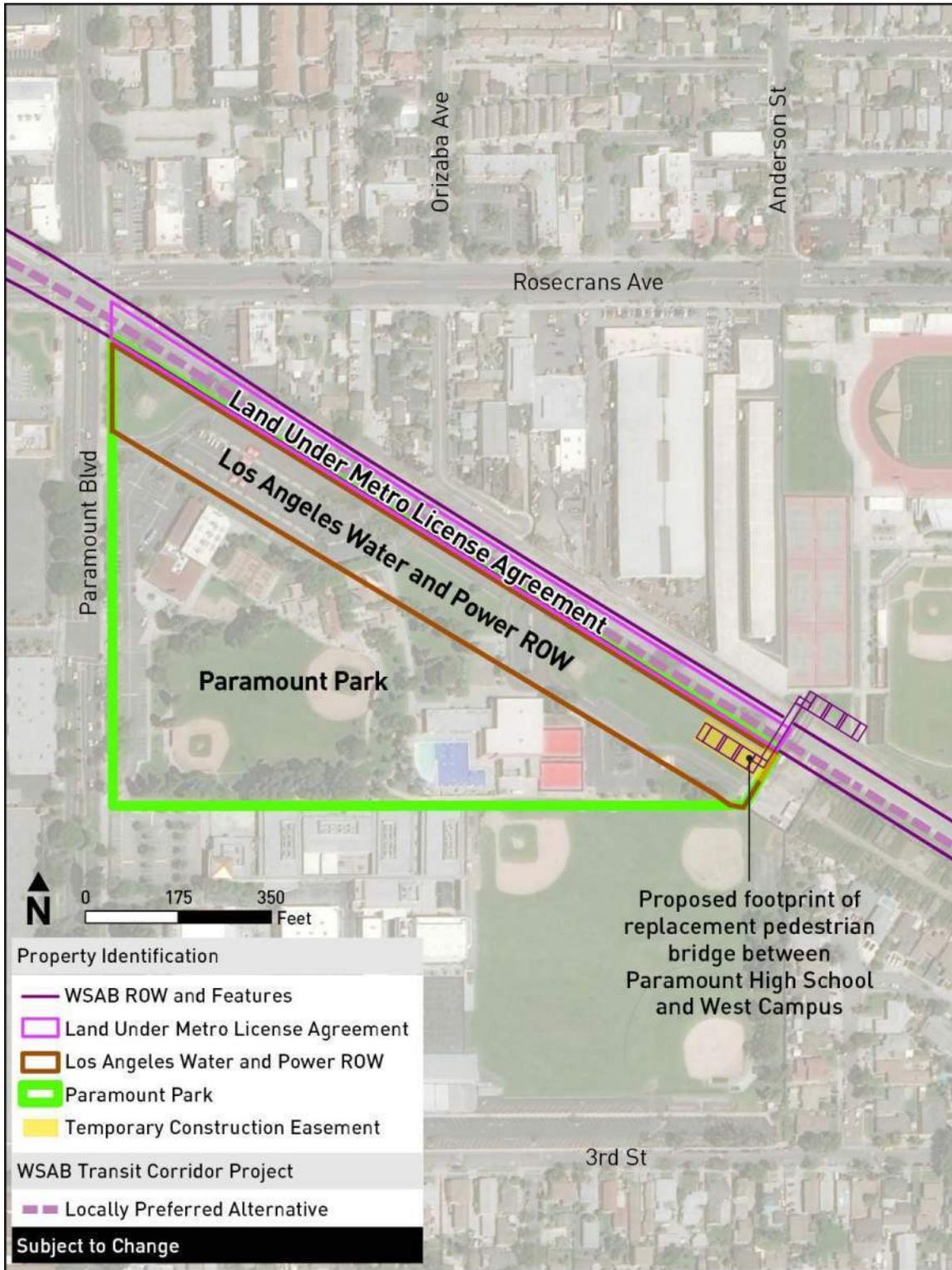
Date

Attachments:

Attachment 1: Figure 1: Locally Preferred Alternative Alignment near Paramount Park

Attachment 2: Copy of January 29, 2020 letter from Metro to City of Paramount

Attachment 1: Figure 1: Locally Preferred Alternative Alignment near Paramount Park



The City of Paramount, as the Official with Jurisdiction for Paramount Park, concurs that the West Santa Ana Branch Transit Corridor Project will have a use with de minimis impact, as defined in 23 CFR 774.17, to Paramount Park and the temporary construction easement meets the requirements of a temporary occupancy exception as defined in 23 CFR 774.13(d).



David Johnson
Director, Community Services Department
City of Paramount

Date

11/16/23

Attachments:

Attachment 1: Figure 1: Locally Preferred Alternative Alignment near Paramount Park

Attachment 2: Copy of January 29, 2020 letter from Metro to City of Paramount



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

January 29, 2020

John Moreno
City Manager
City of Paramount
16400 Colorado Avenue
Paramount, CA 90723

Subject: WSAB Project: Environmental Section 4(f) Consultation

Dear Mr. Moreno:

The Los Angeles County Metropolitan Transportation Authority (LACMTA), in coordination with the Federal Transit Administration (FTA), is preparing a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the West Santa Ana Branch (WSAB) Transit Corridor Project. The FTA serves as the Federal lead agency under the National Environmental Policy Act (NEPA). LACMTA is the local lead agency under the California Environmental Quality Act (CEQA). The purpose of this letter is to conduct consultation with agencies of jurisdiction per Section 4(f) of the Department of Transportation Act of 1966 (as codified under 49 United States Code [USC] 303 and with implementing regulations under 23 Code of Federal Regulations [CFR] Part 774).

Project Description

Metro is evaluating a new light rail transit (LRT) line that would connect southeast LA County to downtown Los Angeles, serving the cities and communities of downtown Los Angeles, unincorporated Florence-Graham community of LA County, Vernon, Huntington Park, Bell, Cudahy, South Gate, Downey, Paramount, Bellflower, Cerritos and Artesia. Metro is evaluating four Build Alternatives. Attachment 1 includes the current description of the WSAB Transit Corridor Project and project alignment map. Additional information may be found at www.metro.net/wsab.

Background on Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 provides 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 officials having jurisdiction over the park, area, refuge, or site).

As defined in 23 CFR §774.17, a “use” of Section 4(f) property occurs:

1. When land is permanently incorporated into a transportation facility;
2. When there is a temporary occupancy of land that is adverse in terms of the statute's reservation purpose as determined by the criteria in 23 CFR §774.13(d); or
3. When there is a constructive use of a Section 4(f) property as determined by the criteria in 23 CFR §774.15.

Under 23 CFR §774.3(2)(b), it may be determined that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures), will have a *de minimis* impact, as defined in 23 CFR §774.17, on the property. For parks,

recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).

Permanent incorporation/easement of a Section 4(f) property is acquired outright for a transportation project or a property interest that allows permanent access onto the property such as a permanent easement for maintenance or other transportation-related purpose. The second form of use is commonly referred to as temporary. A temporary use of a Section 4(f) resource occurs when there is a temporary occupancy of the property that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. 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. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished (23 CFR 774.15[a]).

Identification of Section 4(f) Resources

LACMTA and FTA have identified the park below as being a publicly owned and publicly accessible park near the WSAB Transit Corridor Project, as shown in Attachment 2. LACMTA is analyzing potential use of this park or resource under Section 4(f).

Park or resource	Location
Paramount Park	14400 Paramount Blvd. Paramount

The City of Paramount Community Services and Recreation Department has been identified as an agency with jurisdiction over the resource. LACMTA and FTA are requesting the following information:

- a) Confirm that your agency has jurisdiction over the resource and identify the official with jurisdiction over the resource.
- b) Whether your agency identifies the resource as a public park of national, state, or local significance that is accessible to the public.
- c) That the area shown on the attached figure accurately represents the area within your jurisdiction that functions as a significant public park or recreational facility.
- d) That the City of Paramount Community Services and Recreation Department understands License Agreement A000604 executed November 10, 1993 between LACMTA and the City of Paramount that authorizes park expansion, parking, landscaping, and lighting until LACMTA requires the land for transportation. The agreement includes the clause “[LAC]MTA shall have the right to terminate this Agreement [...] by delivering thirty (30) days prior written notice to Licensee, provided that [LAC]MTA, in its sole, reasonable judgment, determines that it then may require possession of the License Property for its primary, transportation-related purposes.”

In the context of this agreement, LACMTA and FTA recognizes the boundary of the Section 4(f)-protected property as the area of the park within City of Paramount land ownership, and the portion within LACMTA ownership and covered by license agreement as a temporary permitted use of right of way. LACMTA may require all or part of the land covered in the license agreement for completion of the WSAB Transit Corridor Project. At this time, LACMTA has not identified potential temporary and/or permanent impact beyond the right of way that is in temporary use for park expansion, parking, landscaping, and lighting, but requires this information for analysis of the WSAB Transit Corridor Project. Also, please include any comments or concerns related to the WSAB Transit Corridor Project potential effects to the park.

Please direct any questions to Ms. Meghna Khanna at KhannaM@metro.net or (213) 922-3931. Please respond to Ms. Khanna by e-mail or by letter at the address below or to Ms. Mary Nguyen, FTA Environmental Protection Specialist, at Mary.Nguyen@dot.gov or (213) 202-3960. If we have not received a response within 30 days, LACMTA will continue the analysis under the assumption that the City of Paramount Community Services and Recreation Department is the agency with jurisdiction and that the resources are significant public parks or recreational resources. LACMTA will continue to coordinate with your agency through the environmental review process.

Sincerely,

Meghna khanna

Meghna Khanna, AICP
LA Metro
Senior Director, Countywide Planning & Development
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012

Attachments:

Attachment 1: Project Factsheet

Attachment 2: Identified Section 4(f) Property

Attachment 2: Identified Section 4(f) Property





MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 29, 2023

IN REPLY PLEASE

REFER TO FILE: **TPP-0**

Ms. Meghna Khanna, AICP, Senior Director
Countywide Planning & Development
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza (Mail Stop 99-22-7)
Los Angeles, CA 90012

Dear Ms. Khanna:

WEST SANTA ANA BRANCH TRANSIT CORRIDOR PROJECT SECTION 4(F) RESOURCES CONCURRENCE

This is in response to your enclosed letter, dated September 13, 2023, requesting concurrence from Public Works on Section 4(f) determination by Metro and the Federal Transit Administration for the West Santa Ana Branch Transit Corridor project.

Public Works concurs with the Section 4(f) temporary occupancy exception determination for the Los Angeles River Bike Path, Rio Hondo Bike Path, and the San Gabriel River Mid-Trail.

Please note that the Los Angeles River Bike Path, Rio Hondo Bike Path, and the San Gabriel River Mid-Trail are located on levees owned by the Los Angeles County Flood Control District and operated by Public Works on behalf of the District for flood risk management purposes. The concurrence expressed in this letter is not intended and should not be construed to include any approval of the project on behalf of the District. A separate evaluation of the project's impacts on the District's flood risk management operations and a separate permit from the District is required to authorize the use of the levees for the project.

Please note that the September 13, 2023, letter requests concurrence on behalf of the County of Los Angeles' Department of Parks and Recreation. To clarify, Public Works, not Parks and Recreation, is the agency with jurisdiction over the above-referenced Section 4(f) resources and we have already informed Mr. Brian Lam from Metro. Mr. Lam indicated that Metro would update the information accordingly.

Ms. Meghna Khanna
November 29, 2023
Page 2

If you have any questions, please contact Mr. Hank Hsing, Transportation Planning and Programs Division, at (626) 458-3929 or hhsing@pw.lacounty.gov.

Very truly yours,

MARK PESTRELLA, PE
Director of Public Works



MARY E. REYES
Assistant Deputy Director
Transportation Planning and Programs Division

AC:yr
C230296
TPPP-TPS/SBAndGCUnt/CoyoteCreek/0Q950I5MLSection4fCoordinationLetterforCoyoteCreekBikeway

Enc.