

PART II - SECTION 4(F) EVALUATION

1.0 Summary

Since the circulation of the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) for the Crenshaw/Los Angeles International Airport (LAX) Transit Corridor Project, advanced conceptual engineering has been completed and the area of potential effects (APE) for the Project has been refined to reflect the locally preferred alternative (LPA). Impacts for historic resources and parklands were already evaluated for all alternatives in the DEIS/DEIR. Concerns expressed during the circulation of the DEIS/DEIR, resulted in the Metro Board, as part of its actions on the Project, removing from further consideration the maintenance facility sites that were originally evaluated in the DEIS/DEIR. Four additional maintenance site alternatives have advanced through a screening process and are being evaluated in Part I of this SDEIS/SDEIR. Part II of this SDEIS/SDEIR presents the evaluation of resources protected under Section 4(f) of the Department of Transportation Act of 1966, as amended (hereinafter referred to as Section 4(f) resources, for the refined APE. Section 4(f) protects publicly-owned land of parks, recreational areas, and wildlife refuges. Section 4(f) also protects historic sites of National, State, or Local significance located on public or private land. The preliminary Section 4(f) finding is that the Project would cause a de minimis use of one Section 4(f) resource, the Broadway Department Store. The final Section 4(f) finding will be presented in the Final Section 4(f) Evaluation after further consultation and concurrence by the State Historic Preservation Office (SHPO).

2.0 Proposed Project

The proposed Crenshaw/LAX Transit Corridor Project (Project) involves a light rail transit (LRT) alignment that would extend approximately 8.5 miles from the Metro Green Line Aviation/LAX Station to the Exposition LRT line (under construction) at the Exposition/Crenshaw Boulevards intersection. The LRT alignment would be double-tracked and would be comprised of at-grade street, at-grade railroad, aerial, and below-grade sections. The development of a new maintenance facility in connection with the Crenshaw/LAX Transit Corridor Project is essential to the successful implementation of the Project. Moreover, there is a lack of adequate capacity at Metro's existing light rail maintenance facilities and logistical issues require that a new maintenance facility be constructed. For a full description of the Project, refer to Chapter 2.0 of the DEIS/DEIR.

3.0 Section 4(f) Evaluation

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

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

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

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

3.1 Section 4(f) "Use" Definitions

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

3.2 Direct Use

A direct use of a Section 4(f) resource occurs when property is permanently incorporated into a proposed transportation project (23 CFR Section 774.17). This may occur as a result of partial or full acquisition of the Section 4(f) property, permanent easements, or temporary easements that exceed regulatory limits noted below.

3.3 Temporary Occupancy

A temporary use of a Section 4(f) resource occurs when there is a temporary occupancy of property (direct use) that is considered adverse in terms of the preservationist purpose of the Section 4(f) statute. Under the FTA regulations (23 CFR Section 774.13), a temporary occupancy of property does not constitute a use of a Section 4(f) resource when all the following conditions are satisfied:

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



3.4 De Minimis Impacts

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

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

3.5 Constructive Use

A constructive use of a Section 4(f) resource occurs when a transportation project does not permanently incorporate land from a resource, but the proximity of the project results in impacts (e.g., noise, vibration, visual, and property access) that, including mitigation, are so severe that the protected activities, features, or attributes that qualify the resource for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only if the protected activities, features, or attributes of the resource are substantially diminished (23 CFR 774.15).

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

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

¹Federal Transit Administration. 2006. *Transit Noise and Vibration Assessment*.

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

3.6 Avoidance Alternatives

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

3.7 Measures to Minimize Harm

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

3.8 General Agency Coordination and Consultation

All property owners adjacent to the Project alignment were notified of public workshops and meetings conducted for the Crenshaw/LAX Transit Corridor Project and were provided an opportunity to provided comments on the Project. As documented in Chapter 6.0 of the DEIS, an extensive public involvement program has been implemented for the Project. No objections have been received regarding Project-related impacts to Section 4(f) properties. Public involvement is ongoing, and any comments received on this draft Section 4(f) Evaluation will be addressed in the FEIS/FEIR and Final Section 4(f) Evaluation.

The methodology for determining eligibility of properties for listing on the National Register of Historic Places and determining the effects of the Project on eligible resources was guided by the California State Historic Preservation Office (SHPO). Metro has coordinated with SHPO through meetings and correspondence to resolve issues on methodology, APE definition, and documentation content throughout the Project. Metro and its consultant team met with SHPO personnel to further discuss the proposed undertaking, methods for identification of historic properties, and documentation standards. Coordination and consultation with SHPO and the relevant agencies with jurisdiction over the 4 (f) resources is ongoing. SHPO concurrence will be required on the assessment of effects to verify that the Project is unlikely to substantially impair the features and attributes of the 4(f) uses evaluated below. This concurrence will take place prior to completion of the FEIS/FEIR for the Project. For direct uses of historic resources that are determined to be de minimis, written concurrence of a de minimis effect from the agency with jurisdiction over the resource will be submitted to SHPO, prior to their review of the findings.

3.9 Determination of Properties Eligible for the National Register of Historic Places

Figure 3-1 and Table 3-1 and Table 3-2 show the parklands or recreational facilities within the APE for the Project and the properties that are determined to be eligible for the National Register of Historic Places or are parklands or recreational facilities. The effects of the proposed project are evaluated against this list to determine what resources are to undergo 4(f) evaluation.

Figure 3-1. Location of Nationally Eligible Properties and Parklands



Source: SWCA, 2011.

Table 3-1. Parklands and Recreational Facilities within the Project APE

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

Table 3-2. Properties Determined or Eligible for National Register of Historic Places

Name	NR Status Code	Distance to Alignment	Location	Jurisdiction	Preliminary Section 106 Determination
Properties Eligible for National Register of Historic Places					
Proud Bird	3S	250 feet	11022 Aviation Blvd., Los Angeles	SHPO	No Adverse Effect
Merle Norman	3S	Adjacent	9130 Bellanca Ave, Los Angeles	SHPO	No Adverse Effect
Veteran's Memorial Building, Centinela (Edward Vincent Jr.) Park	2S2 & 1CS	Adjacent	700 Warren Ln, Inglewood	City of Inglewood Parks and Recreation, SHPO	No Adverse Effect
Inglewood Park Cemetery	3S	150	720 E Florence Ave, Inglewood	SHPO	No Adverse Effect
Harrison Ross Mortuary	3S	50 feet	4601 Crenshaw Blvd., Los Angeles	SHPO	No Adverse Effect
Maverick's Flat	3S	25 feet	4225 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
Broadway Department Store (Walmart)	3S	Adjacent	4101 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
May Company (Macy's)	2S2	80	4005 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
Department of Water and Power	3S	25 feet	4030 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
Angelus Funeral Home	3S	100 feet	3887 Crenshaw Blvd, Los Angeles	SHPO	No Adverse Effect
Los Angeles Sentinel	3S	75 feet	3800 Crenshaw Blvd., Los Angeles	SHPO	No Adverse Effect

Eligibility: National Register (NR) Criteria for eligibility for listing on the National Register are 1D- Contributor to a district or multiple resource property listed in NR by the Keeper; 1CS- - Listed in the CR as individual property by the SHRC; 2S2-Individual property determined eligible for NR by a consensus through Section 106 process; 3S- Appears eligible for NR as an individual property through survey evaluation.
Source: SWCA, 2011.

For each resource with a Section 4(f) use, the individual evaluations of Section 4(f) properties discuss coordination specific to that resource.

3.10 Individual Evaluations of Section 4(f) Properties

The project would not result in the direct use of any parklands or recreational areas identified in Table 3-1. Three of the four parklands are evaluated for potential constructive use based on the nature of the use and their proximity to the alignment. The Project would result in the direct use of one Nationally-Eligible properties identified in Table 3-2 and individual 4(f) evaluation is required. The preliminary finding under section 106 is that the project would not adversely affect the remaining ten Nationally-Eligible properties. Under the FHWA Section 4(f) Policy Paper, if there is no adverse effect determination under Section 106, there is no constructive use and Section 4(f) requirements do not apply. Therefore, the remaining ten Nationally-Eligible properties do not require Section 4(f) Evaluation. There are no wildlife or waterfowl refuges in the Project area.

3.10.1 Rogers Park/Community Center

Description of the Property

Rogers Park/Community Center (Figure 3-2) is located at 400 West Beach Avenue, approximately 300 feet north of the Harbor Subdivision near Beach and Eucalyptus Avenues. This park is located in the City of Inglewood and has a 33,500-square-foot multipurpose recreation building. The park also has a playground, basketball court, two lighted tennis courts, a baseball field, a lighted football/soccer field and a wading pool. The City of Inglewood

Department of Parks and Recreation has jurisdiction over Rogers Park/Community Center.

Figure 3-2. Rogers Park/Community Center, Location and Photograph of Community Center



Source: TAHA, 2011

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

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

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

Temporary Construction Effects. The Project would not require the use of any property from the Rogers Park/Community Center during construction. Therefore, the Project would not result in a direct use of this resource.

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

Operation. Operation of the Project would not require the use of any property from the Rogers Park/Community Center. Therefore, the Project would not result in a direct use of this resource.

Operation of the Project would not restrict access, generate localized pollutant emissions, or create a visual impairment to the park. There is no direct line of sight from the park to the alignment. At a distance of 300 feet, operational activity would generate a vibration



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

Preliminary Section 4(f) Finding

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

3.10.2 Centinela (Edward Vincent Jr.) Park

Description of the Property

Centinela (Edward Vincent Jr.) Park is located north and adjacent to the Harbor Subdivision near Centinela and Florence Avenues (Figure 3-3). This park contains the Inglewood Veterans Memorial building and Centinela Springs. The park contains one recorded archaeological site (19-000181), one CHL (CHL 363 and 19-186555) and one historic structure (19-188002) located within the park. The Veteran’s Memorial Building was determined eligible for listing in the National Register under Criteria C (2S). The park also contains an outdoor amphitheater used primarily for public concerts and rallies.

Uses in this amphitheater occur infrequently (approximately two to three times a year)

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



and generally involve the use of amplified sound and the use of portable speakers. The City of Inglewood Department of Parks and Recreation has jurisdiction over Centinela (Edward Vincent Jr.) Park.

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

Temporary Construction Effects. The Project would not require the use of any property from Centinela (Edward Vincent Jr.) Park during construction. Therefore, the Project would not result in a direct use of this resource.

The sensitive structures in Centinela (Edward Vincent Jr.) Park are beyond the 21-foot criteria described previously and no adverse ground-borne vibration effects from general construction activity would occur. Therefore, the Project would not result in a constructive use of this resource.

Operation. Operation of the Project would not require the use of any property from Centinela (Edward Vincent Jr.) Park. Therefore, the Project would not result in a direct use of this resource.

Operation of the Project would not restrict access, generate localized pollutant emissions, or create a visual impairment to the park. Operational activity would generate a vibration level of 51 VdB at the Edward Vincent Park land uses. This would be less than the FTA significance criteria of 65 VdB for the most sensitive land uses. Therefore, operational activity would not result in adverse vibration levels. The FTA screening distance for LRT operational noise is 350 feet when considering unobstructed line of sight from a transit noise source. The nearest of sensitive land uses associated with Edward Vincent Park would be located no closer than 440 feet of the proposed LRT alignment. Thus, the sensitive uses within Edward Vincent Park are located outside of the operational noise screening distance, and no further analysis is required. No substantial impairment of the use of the park features would occur. Therefore, the Project would not result in a constructive use of this resource.

Preliminary Section 4(f) Finding

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

3.10.3 Leimert Plaza Park

Description of the Property

Leimert Plaza Park (Figure 3-4) is a one-acre park located to the south of Leimert Park Village at the northeast corner of the Crenshaw Boulevard/Vernon Avenue intersection. This park contains picnic tables, benches and a decorative water fountain. This park is one of the most heavily used parks in Los Angeles and is a center of political and cultural activity in the local surrounding community, holding events such as the 4th of July Jazz Festival, Kwanza Parade, Martin Luther King Jr. Parade and Festival, and Christmas Toy Giveaway. The City of Los Angeles Department of Parks and Recreation has jurisdiction over this resource.

Figure 3-4. Leimert Plaza Park, Location and Photograph of Park Feature



Source: TAHA, 2011

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Temporary Construction Effects. The LPA in the vicinity of this resource would require the cut and cover excavation of a below-grade vertical alignment within the right-of-way of Crenshaw Boulevard. No parkland would be permanently acquired and the zone of construction, including safety fencing and tiebacks for the excavation would not extend into the park. Therefore no direct use of this resource would occur for the LPA.

Design Option 5. Design Option 5 for the Project involves the potential inclusion of an additional station at the Crenshaw Boulevard/Vernon Avenue intersection. This design option could involve a below-grade station in the Vernon Triangle, adjacent to the south of the park. This station configuration would require an underground easement for a tunnel boring machine to travel beneath the western half of the park to get back under the median of Crenshaw Boulevard, where it would continue north below grade. The underground easement required for Design Option 5 would not adversely affect the use of park. Per U.S. DOT Policy (USDOT 2005), Section 4(f) would only apply if the tunneling:

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

Design Option 5 would not meet any of these three criteria; therefore, Design Option 5 would not result in the direct use of Leimert Park.

There are no sensitive structures within the park that would be affected by construction vibration. Access to Leimert Park would be maintained, and all remaining potential effects of project construction (including fugitive dust, noise, and traffic) would be temporary and would not substantially impair this resource. Therefore, the Project would not result in a constructive use of this resource.

Operation. The Project would be located in a tunnel adjacent to Leimert Park for the LPA and underneath the park for Design Option 5. As described earlier, no direct use would occur.

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

Under Design Option 5, light rail operational activity in a tunnel beneath the park would generate a vibration level below 65 VdB at Leimert Park. This would be less than the FTA significance criteria of 65 VdB for the most sensitive land uses. Therefore, operational activity would not result in adverse vibration levels. The alignment is below-grade at Leimert Park and operational noise would not be audible at this land use. Other than a restroom building there are no occupied structures in the park and ground-borne noise would not be an impact consideration. No substantial impairment of the use of the park features would occur.

Therefore, the LPA and Design Option 5 for the Project would not result in a constructive use of this resource.

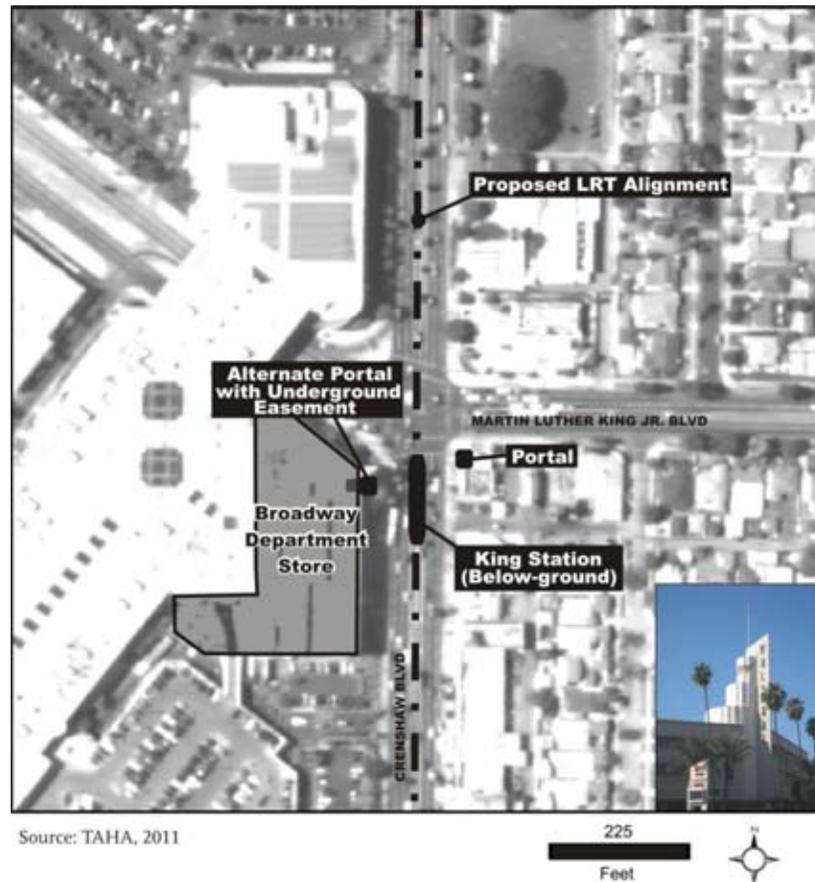
Preliminary Section 4(f) Finding

The Project would not cause a use of Leimert Park.

3.10.4 Broadway Department Store

Description and Significance of the Property

The Broadway Department Store (now Walmart) (Figure 3-5) was designed by architect Albert B. Gardner in the Streamline Moderne style, and constructed between 1945 and 1947. The Broadway Department Store was the largest in the nation at the time with 208,000 square feet of retail space and, combined with the adjacent retail stores and supermarket represented almost 550,000 square feet of enclosed space.

Figure 3-5. Broadway Department Store, Location and Photograph of Building Front


In the 1980s, all of the smaller and ancillary retail structures surrounding the Broadway store were demolished, and in the early 1990s, a new enclosed shopping mall was constructed immediately behind. While the setting has changed, the Broadway store still retains sufficient integrity to be eligible for listing in the NRHP. The property was determined eligible for listing on the National Register under Criteria 3S. The preliminary determination is that the Project would not adversely affect the Broadway Department Store. The SHPO must be coordinated with to conclude the effects determination for this resource.

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

There is an alternate portal location on the southwest corner of the Crenshaw Boulevard/Martin Luther King Jr. Boulevard intersection, in front of the Broadway building. The portal would be located on landscaped frontage that was originally a frontage road that ran in front of the historic Broadway building. A portal in this location could also involve an underground connection into the basement of the department

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

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The effects of this direct use would be de minimis, as this connection would not create an adverse effect on the structural integrity of the building nor would it affect the above ground features and attributes of this Section 4(f) resource.

Constructive Use

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

The alternative portal location adjacent to the Broadway building could also involve an underground connection into the basement of the department store, which would also constitute a direct use of the property, as a permanent underground easement would be required in order to facilitate this connection. This connection would not create an adverse effect on the structural integrity of the building nor would it affect the above ground features and attributes of this historic resource. Pending SHPO concurrence, FTA has preliminarily determined the effects of this direct use would be de minimis.

Construction activity would occur within the 21-foot criteria for vibration damage and could result in a constructive use. All other construction activity would be temporary and not substantially diminish the features or attributes of the resource.

Operation. Operation of the Project under the LPA would not require the use of any property from the Broadway building. Therefore, the Project would not result in a direct use of this resource.

The alternative portal location adjacent to the Broadway building could involve an underground connection into the basement of the department store, which would also constitute a direct use of the property, as a permanent underground easement would be required in order to facilitate this connection. This connection would not create an adverse effect on the structural integrity of the building nor would it affect the above ground features and attributes of this historic resource. Pending SHPO concurrence, FTA has preliminarily determined the effects of this direct use would be de minimis.

The alternative portal location adjacent to the Broadway building could also include a portal and associated kiosk structure adjacent to the Broadway Department Store building. This portal and associated kiosk structure will be designed to not visually obstruct or contrast with the features of the Broadway building. The portal and associated kiosk would not restrict access, generate pollutant emissions, or vibration or noise activity which would substantially impair the features of the Broadway building. Therefore, the alternate portal location would not result in a constructive use of the Broadway building.



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

Measures to Minimize Harm

The King Station has been designed with two possible station portal locations. As currently proposed, the station portal would be located on the southeast corner of the Crenshaw/Martin Luther King Jr. Boulevards intersection. The portal on the southwest corner of this intersection, adjacent to the historic building, is the alternate portal location. If the portal location adjacent to the Broadway building is selected, the structure for the portal will be designed to complement the Streamline Moderne style of the Broadway Department Store consistent with the Secretary of Interior Standards or as directed by agreement with SHPO.

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

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

Agency Coordination and Consultation

Metro has coordinated with the owners of the property, Capri Urban Baldwin, LLC and Capri Urban Crenshaw, LLC, who have expressed interest in the portal being located adjacent to their property. Metro is currently in the process of seeking SHPO consultation regarding the determination of de minimis use of the Broadway building.