

5.7 DEPARTMENT OF TRANSPORTATION SECTION 4(f) RESOURCES AND LAND AND WATER CONSERVATION ACT, SECTION 6(f) RESOURCES¹

This section evaluates the potential impacts of the Sponsor's Proposed Project and its alternatives on the Section 4(f) resources including public parks, recreation areas, open space areas, wildlife areas and historic resources described in Section 4.6, *Department of Transportation Section 4(f) Resources and Land and Water Conservation Act, Section 6(f) Resources*, of this EIS. No lands subject to Section 6(f) of the Land and Water Conservation Act would be converted to non-recreational use under any alternative, and therefore Section 6(f) lands are not discussed further in this EIS.

5.7.1 REGULATORY SETTING

The Federal statute that governs impacts in this category is commonly known as the Department of Transportation (DOT) Act of 1966, as amended, Section 4(f) provisions. Section 4(f) of the DOT Act, which is codified and renumbered as Section 303(c) of 49 USC, provides that the Secretary of Transportation will not approve any program or project that requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the officials having the jurisdiction thereof, unless there is no feasible and prudent alternative to the use of such land and such program, and the project includes all possible planning to minimize harm resulting from the use.

The FAA has made the determination that the Sponsor's Proposed Project and its alternatives would not significantly impact any Section 4(f) resources as described in more detail in the remainder of this section. As described in Section 5.8, the FAA has also completed consultations with California State Historic Preservation Officer in accordance with the National Historic Preservation Act, Section 106, that found the Sponsor's Proposed Project would have no effect on historic resources on or eligible for the National Register of Historic Places.

5.7.2 APPLICABILITY OF SECTION 4(f)

The Sponsor's Proposed Project and its alternatives and the No Action Alternative would not require the constructive use, physical taking, or conversion of land of any historic site, park, or recreation area within the GSA. **Table 5.7-1**, identifies the parks and recreational areas located within the GSA and provides a summary of the facilities and uses at each location. **Exhibit 5-7.1, Section 4(f) Resources**, depicts the location of all of the Section 4(f) resources to be assessed for impacts.

¹ Section 4(f) of the Department of Transportation Act of 1966 is currently codified as 49 USC § 303(c). Consistent with FAA Order 1050.1E, Appendix A, paragraph 6.1a, Section 303(c) will be referred to as Section 4(f).

**Table 5.7-1
SECTION 4(f) RESOURCES IN THE GENERAL STUDY AREA
Gross Field Airport**

NAME	OPERATOR	FACILITIES/USE
Bahia Mini Parks	City of Novato	Residential use; picnic areas and playground equipment
Black Point Boat Launch	Marin County	Public boat launch onto the Petaluma River
Burdell Unit of the California Department of Fish and Game Petaluma Marsh Wildlife Area	California Department of Fish and Game	Open Space Preserve
Deer Island	Marin County	Open Space Preserve
Hamman Field	City of Novato	Public baseball field
Mount Burdell	Marin County	Open Space Preserve
Pansy Tong Lo Park	City of Novato	Residential use; playground equipment
Rancho Olompali State Historic Park	State of California	Hiking and horseback riding trails; picnic areas
Rush Creek	City of Novato	Open Space Preserve
Slade Park	City of Novato	Residential use; picnic areas and playground equipment

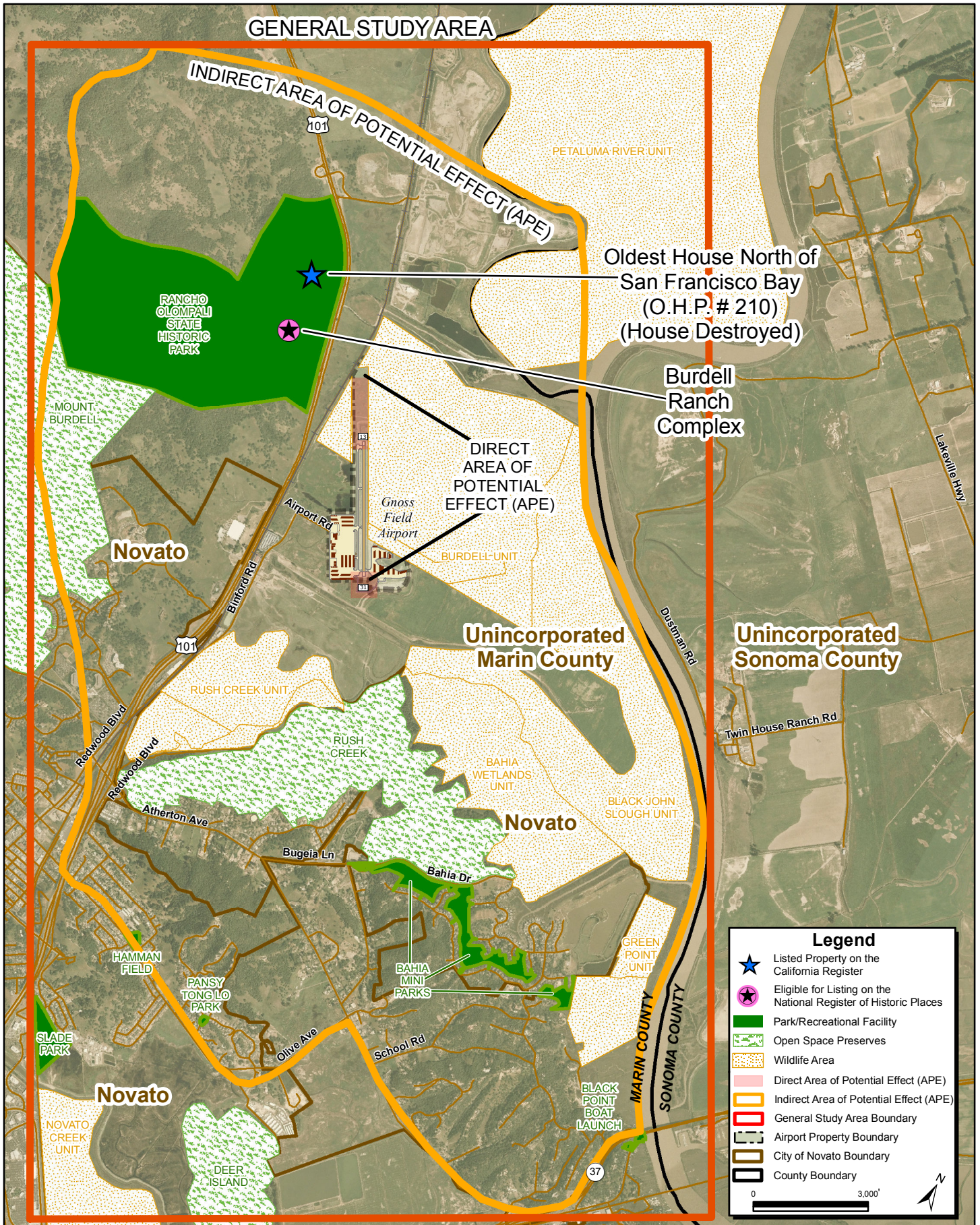
Source: Landrum & Brown, 2009.

5.7.3 EXISTING CONDITIONS

FAA land use compatibility guidelines (see Table 5.2-1) considers most parks and recreation areas compatible with noise levels at or below the 70 decibel Community Noise Equivalent Level (CNEL). Only those parks and recreation areas that have regular performances such as music or theater performances, or where a naturally quiet environment regularly exists, are considered non-compatible with noise levels between 65 and 70 CNEL. Parks and recreation areas exposed to noise levels below 65 CNEL are considered to be compatible unless there is some extenuating circumstance related to its use, such as a national park.

None of the parks and recreation areas listed above contains uses that would require a threshold below 70 CNEL for land use compatibility. One historic property, the Olompali Burdell Ranch Complex, which is NRHP eligible, is located within the GSA. While the original use of the ranch complex was residential, it is no longer being used for residential purposes and is part of the Olompali State Historic Park. The uses of Olompali State Historic Park range from horseback riding, to hiking, and picnicking. These uses are compatible with noise levels up to 70 CNEL.

GENERAL STUDY AREA



Legend

- Listed Property on the California Register
- Eligible for Listing on the National Register of Historic Places
- Park/Recreational Facility
- Open Space Preserves
- Wildlife Area
- Direct Area of Potential Effect (APE)
- Indirect Area of Potential Effect (APE)
- General Study Area Boundary
- Airport Property Boundary
- City of Novato Boundary
- County Boundary

0 3,000'

One of the ten parks and recreation areas identified in the GSA (Burdell Unit of Petaluma Marsh Wildlife Area) is exposed to noise levels above 70 CNEL from the Airport under Existing Conditions (2008). Under existing conditions the 70 CNEL contour includes approximately 9.6 acres of the site, which represents roughly 1.49 percent of the entire area designated as the Burdell Unit. This area is located immediately adjacent to the Airport.

5.7.4 FUTURE CONDITIONS: 2018

Alternative A: No Action

Under 2018 Alternative A, no Section 4(f) resources would be directly used because there would be no construction activities. A portion of the a Section 4(f) resource identified in the GSA, the Burdell Unit of the California Department of Fish and Game (CDFG) Petaluma Marsh Wildlife Area is exposed to noise levels above 70 CNEL from the Airport under Existing Conditions (2008). Under Alternative A, the 70 CNEL contour, which includes approximately 11.8 acres of the site and approximately 1.83 percent of the entire area designated as the Burdell Unit, would remain in its current location. This area is located immediately adjacent to the Airport and the projected noise levels would not substantially impair the current use of the property. No other Section 4(f) properties would be exposed to noise levels above 65 CNEL as a result of implementing Alternative A. The 65 CNEL is below the 70 CNEL noise level considered compatible for the Section 4(f) resources present in the GSA. See Exhibit 5.1-1 for a map depicting the CNEL noise contour for 2018 Alternative A. As no physical changes to the Airport would occur, implementation of Alternative A would not result in a direct or constructive use of Section 4(f) resources.

Alternative B: Extend Runway to the Northwest by 1,100 Feet (Sponsor's Proposed Project)

Currently, an unpaved road outside the Airport perimeter fence enters Airport property north of the existing runway and levee system and runs in a west to east direction before exiting Airport property on the east side of the Airport. This road is located behind a locked gate and provides the CDFG motor vehicle access to the Burdell Unit of the CDFG Petaluma Marsh Wildlife area. Under 2018 Alternative B (Sponsor's Proposed Project), construction of the runway extension would sever that unpaved road across Airport property. To provide an alternative access for the CDFG under this alternative, as the unpaved road nears Airport property on the west side of the Airport, it would rise to the top of the levee and turn north. The unpaved road would then follow the levee north of the runway before turning south to reconnect at its current location on the east side of the Airport. Both of these connection sites would require construction and grading to reconnect the access road. Under Alternative B approximately 0.23 acre would be disturbed in order to reconnect the road to the existing road.

These relatively small areas of disturbance are immediately adjacent to Airport property. Marin County would work with the CDFG to grade and re-vegetate the disturbed areas to bring them as close to the original conditions as possible. Due to the relatively small size of disturbance and the commitment to work with the CDFG to return the sites back to their natural conditions, no significant impact would occur and no substantial impairment of the Burdell Unit would occur. No other Section 4(f) resources would be directly impacted because there would be no construction activities that would affect those resources.

A portion of the Burdell Unit of Petaluma Marsh Wildlife Area is exposed to noise levels above 70 CNEL from the Airport under Existing Conditions (2008). Under Alternative B, the 70 CNEL contour would include approximately 15.7 acres of the site, which represents roughly 2.44 percent of the entire area designated as the Burdell Unit. This is approximately 3.9 acres more than under Alternative A. This area is located immediately adjacent to the Airport and the increased area exposed to 70 CNEL noise levels would not substantially impair the use the property or result in a constructive use of the property.

No other Section 4(f) properties would be exposed to noise levels above 65 CNEL as a result of implementing Alternative B. The 65 CNEL is below the 70 CNEL noise level considered compatible for the Section 4(f) resources present in the GSA. See Exhibit 5.1-2 for a map depicting the CNEL noise contour for 2018 Alternative B.

Implementation of Alternative B would not result in the physical taking, constructive use, or conversion of any Section 4(f) resource to other purposes, impair the use of any Section 4(f) property, or subject any Section 4(f) property to incompatible noise levels. Therefore, implementation of Alternative B would not result in a significant impact on Section 4(f) resources.

Alternative D:

Extend Runway to the Southeast by 240 Feet and to the Northwest by 860 Feet

Currently, an unpaved road outside the Airport perimeter fence enters Airport property north of the existing runway and levee system and runs in a west to east direction before exiting Airport property on the east side of the Airport. This road is located behind a locked gate and provides the CDFG motor vehicle access to the Burdell Unit of the CDFG Petaluma Marsh Wildlife area. Under 2018 Alternative D (Sponsor's Proposed Project), construction of the runway extension would sever that unpaved road across Airport property. To provide an alternative access for the CDFG under this alternative, as the unpaved road nears Airport property on the west side of the Airport, it would rise to the top of the levee and turn north. The unpaved road would then follow the levee north of the runway before turning south to reconnect at its current location on the east side of the Airport. Both of these connection sites would require construction and grading to reconnect the access road. Under Alternative D approximately 0.23 acre would be disturbed in order to reconnect the road to the existing road.

These relatively small areas of disturbance are immediately adjacent to Airport property and are currently being used to provide motor vehicle access for the CDFG to the Burdell Unit. Marin County would work with the CDFG to grade and re-vegetate the disturbed areas to bring them as close to the original conditions as possible. Due to the relatively small size of disturbance and the commitment to work with the CDFG to return the sites back to their natural conditions, and no substantial impairment of the Burdell Unit would occur. No other Section 4(f) resources would be directly impacted because there would be no construction activities that would affect those resources.

The Burdell Unit is exposed to noise levels above 70 CNEL from the Airport under Existing Conditions (2008). Under Alternative D, the 70 CNEL contour includes approximately 14.0 acres of the site, which represents roughly 2.17 percent of the entire area designated as the Burdell Unit. This is approximately 2.2 acres more than under Alternative A. This area is located immediately adjacent to the Airport and the increased area exposed to 70 CNEL noise levels would not substantially impair the use of the property or result in a constructive use of the property.

No other Section 4(f) properties would be exposed to noise levels above 65 CNEL as a result of implementing Alternative B. The 65 CNEL is below the 70 CNEL noise level considered compatible for the Section 4(f) resources present in the GSA. See Exhibit 5.1-3 for a map depicting the CNEL noise contour for 2018 Alternative D.

Implementation of Alternative D would not result in the physical taking, constructive use, or conversion of any Section 4(f) resource to other purposes, impair the use of any Section 4(f) property, or subject any Section 4(f) property to incompatible noise levels. Therefore, implementation of Alternative D would not result in a significant impact on Section 4(f) resources.

5.7.5 OTHER POTENTIAL IMPACTS

Due to the location of the public parks and recreational facilities in relationship to the project area, there would be no other impacts to these facilities related to water resources, wetlands, floodplains, or light emissions.

5.7.6 CONCLUSION

Alternative B (Sponsor's Proposed Project) and the project alternatives would not result in the direct taking of any 4(f) or 6(f) resources. Also, since none of the alternatives would substantially increase the existing noise levels at the applicable 4(f) resources, there is no substantial impairment, constructive use, or taking of the Section 4(f) resources. No Section 4(f) resources would be significantly impacted, substantially impaired, or directly or indirectly taken by the Sponsor's Proposed Project or its alternatives.

THIS PAGE INTENTIONALLY LEFT BLANK