

MARSH PARK MITIGATED NEGATIVE DECLARATION COMMENTS AND RESPONSES

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15072 and CEQA Section 21091, the Mountains Recreation and Conservation Authority (MRCA) provided Notice of Intent to Adopt/Notice of Availability (NOI/NOA) a Mitigated Negative Declaration to the public, responsible agencies, trustee agencies and the County Clerk. The NOI/NOA was published in the Los Angeles Times and a copy of the Notice was posted on the MRCA's website. A copy of the MND was also posted on the MRCA website. Copies of the NOI/NOA were mailed to neighboring jurisdictions and applicable local agencies. In addition, the MRCA mailed copies of the NOI/NOA to approximately 70 residents in the project vicinity living on Marsh Street, Gleneden Street, and Rosanna Street.

The NOI/NOA, MND and a Notice of Completion (NOC) were also sent to the State Clearinghouse for circulation to responsible agencies. The State Clearinghouse has assigned the MND the following State Clearinghouse Number: 2012071039.

Although CEQA Guidelines Section 15105(b) specifies a review period of not less than 30 days for an MND sent to the State Clearinghouse, the MRCA circulated the MND for a longer period to provide concerned residents with more time for public review. The MND was thus circulated for 36 days, beginning July 13, 2012 and ending at 5:00 p.m. on August 17, 2012.

In addition, although not required by CEQA, the MRCA held a public hearing on the MND to afford the public additional ability to comment on the document. The public hearing was held on Tuesday, August 7, 2012, at the Pacific Youth Lodge Services, 4900 Serrania Avenue, Woodland Hills, at 1:30 p.m.

The following letters, emails and comments were received on the project and MND:

Comment Document:

1. Letter, State Clearinghouse, August 13, 2012
2. Letter, Native American Heritage Commission, July 18, 2012
3. Letter, No Effect Determination, California Department of Fish and Game, July 31, 2012.
4. Email, Oliver DelGado, Field Deputy, Office of Councilmember Eric Garcetti, August, 6, 2012.
5. Letter – Written Comments on MND, Rosanna Street Neighborhood Alliance, August 16, 2012.

6. Petition – Requests from the RSNA, August 16, 2012.
7. Email, Mary Whitecloud, August 17, 2012.
8. Email, Joyce Dillard, August 17, 2012.
9. Hearing Comments, Mary Whitecloud, August 7, 2012.
10. Hearing Comments, Paul Ibusuki, August 7, 2012.
11. Hearing Comments, Joanne Paratore, August 7, 2012.
12. Letter Packet containing chronology documents, Mary Whitecloud, August 1, 2012.

CEQA requires that:

21091(d)(1): The lead agency shall consider comments it receives on a draft environmental impact report, proposed negative declaration, or proposed mitigated negative declaration if those comments are received within the public review period.

21091(f): Prior to carrying out or approving a project for which a negative declaration has been adopted, the lead agency shall consider the negative declaration together with comments that were received and considered pursuant to paragraph (1) of subdivision (d).

A copy of all written communication received during the public comment period is included in this section for MRCA Board consideration. Although not required by CEQA, responses to each of the written comments received on the MND are provided following each comment document.¹ The written responses “describe the disposition of each significant environmental issue that is raised by commenters.”² For ease of response, each of the substantive environmental comments in each document has been numbered.

Since the purpose of this document is to address the potential environmental effects of the project, responses are not provided to comments on the project or its design as part of the MND. However, project and design comments are included for consideration by the MRCA Board.

¹ It should be noted that CEQA requires the preparation of written responses to comments received on Environmental Impact Reports (EIRs) [see CEQA Section 21091(d)(2)(A)]. However, there is no such requirement for the preparation of responses to comments on an MND [See Guidelines Section 15070 to 15075].

² This is consistent with the requirements for responses to comments on an EIR [see CEQA Section 21091(d)(2)(B) and Guidelines Section 15088.]



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

August 13, 2012

LETTER 1

Laura Saltzman
Mountains Recreation and Conservation Authority
570 West Avenue 26, Suite 100
Los Angeles, CA 90065

Subject: Marsh Park
SCH#: 2012071039

Dear Laura Saltzman:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 10, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

1-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012071039
Project Title Marsh Park
Lead Agency Mountains Recreation and Conservation Authority

Type MND Mitigated Negative Declaration

Description The proposed project consists of the construction and operation of an approximately 3-acre community park. The proposed park includes: a free play meadow; a landscaped walking and nature trail; health and fitness stations along the trail; an approximately 3,528 sf (882 sf) open-air picnic tables; community gathering/outdoor classroom area; bioswales; restrooms; storage shed; and, 43 car parking lot.

Lead Agency Contact

Name Laura Saltzman
Agency Mountains Recreation and Conservation Authority
Phone 323 221 9944 x186 **Fax**
email
Address 570 West Avenue 26, Suite 100
City Los Angeles **State** CA **Zip** 90065

Project Location

County Los Angeles
City
Region
Lat / Long 34° 6' 24.32" N / 118° 14' 52.70" W
Cross Streets Rosanna Street/Ripple Place/Ripple Street
Parcel No. 5442-031-902, 5442-031-901, 5442-029-900
Township **Range** **Section** **Base**

Proximity to:

Highways I-5, SR-2
Airports No
Railways Yes
Waterways Los Angeles River
Schools Yes
Land Use 0.192 acres = RD3-1VL; remainder OS-1XL; ZI (East LA Enterprise Zone, and LA River Revitalization Master Plan)

Project Issues Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received 07/12/2012 **Start of Review** 07/12/2012 **End of Review** 08/10/2012

1. Responses To Letter, State Clearinghouse, August 13, 2012

Response

- 1-1 The MRCA thanks the State Clearinghouse for submitting the Mitigated Negative Declaration to the Department of Conservation, Department of Fish and Game, Department of Parks and Recreation, Department of Water Resources, California Highway Patrol, Caltrans District 7, Regional Water Quality Control Board, Department of Toxic Substances Control, Native American Heritage Commission, Public Utilities Commission and State Lands Commission for review.

One comment letter from these agencies was received: a letter from the Native American Heritage Commission (Letter 2).

NATIVE AMERICAN HERITAGE COMMISSION

815 CAPITOL MALL, ROOM 384
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5380
 Web Site www.nahc.ca.gov
de_nahc@pacbell.net

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LETTER 2

July 18, 2012

Ms. Laura Saltzman, ASLA

Mountains Recreation and Conservation Authority

570 Avenue 26, Suite 100; LA Rivercenter
 Los Angeles, CA 90065



Re: SCH#2012071039; CEQA Notice of Completion: proposed Mitigated Negative Declaration for the Marsha Park Project, (a Three-acre Community Park); located in the Silver Lake-Echo Park-Elysian Park Community Plan Area of the City of Los Angeles; Los Angeles County, California.

Dear Ms. Saltzman:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9

2-1

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that the lead agency request that the NAHC do a Sacred Lands File search as part of the careful planning for the proposed project.

2-2

The NAHC 'Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

2-3

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural

significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

2-3
cont.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

2-4

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

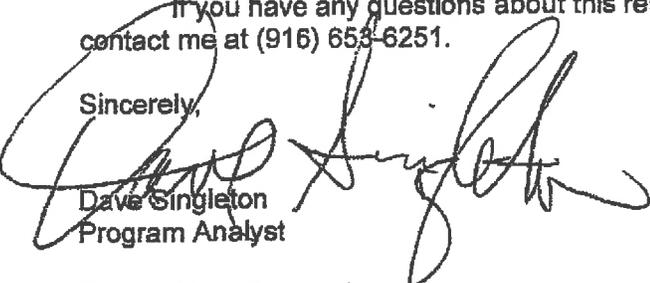
2-5

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

2. Responses To Letter, Native American Heritage Commission, July 18, 2012

Response

- 2-1 Comment noted. The MRCA thanks the Native American Heritage Commission for its standard comment letter.
- 2-2 As detailed in MND Checklist Answer V(b) on MND page 27, the MRCA assessed whether the project would have an adverse impact on historical or archeological resources within the area of potential effect, and determined that the potential for impacts was less than significant for the following reasons:

There are no known prehistoric or historic archeological sites on the project site. If archaeological resources once existed on-site, it is likely that previous grading, construction, and modern use of the site have either removed or destroyed them. Consequently, surficial soils on the project site are devoid of archaeological resources. Development of the proposed project would involve minor grading, and installation of infrastructure and park facilities. The proposed grading is minor and is unlikely to encroach into undisturbed soils. Therefore, the proposed project is not anticipated to result in any impacts to archaeological resources. However, the proposed project will be subject to the following standard mitigation measure related to the protection of unanticipated archeological resources:

Mitigation 5-1: If archaeological resources are encountered during project construction, all construction activities in the vicinity of the find shall halt until an archeologist certified by the Society of Professional Archeologists examines the site, identifies the archaeological significance of the find, and recommends a course of action. Construction shall not resume until the site archeologist states in writing that the proposed construction activities will not significantly damage unique archaeological resources. Copies of the archeological survey, study or report shall be submitted to the UCLA Archaeological Information Center.

The potential for significant impacts is therefore less than significant and a Sacred Sites file search is not necessary for the project. The potential for impacts is less than significant and the MND includes a mitigation

measure to address any unanticipated impacts to ensure that impacts remain less than significant.

2-3 Comment noted.

2-4 The proposed project is not subject to the National Environmental Policy Act (NEPA).

2-5 Comment noted.



State of California -The Natural Resources Agency
 DEPARTMENT OF FISH AND GAME
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
 www.dfg.ca.gov

EDMUND G. BROWN, JR., Governor
 CHARLTON H. BONHAM, Director



LETTER 3

CEQA Filing Fee No Effect Determination

Applicant Name and Address: Mountains Recreation and Conservation Authority, L.A. River Center & Gardens, 570 West Avenue 26, Suite 100, Los Angeles, CA 90065

CEQA Lead Agency: Mountains Recreation and Conservation Authority

Project Name: Marsh Park

CEQA Document Type: Mitigated Negative Declaration

State Clearing House Number and/or local agency ID number: SCH#2012071039

Project Location: The approximately 3-acre project site is located in the County of Los Angeles, within the Silver Lake-Echo Park-Elysian Valley Community Plan Area of the City of Los Angeles. The project site includes Assessor Parcel Number (APN) 5442-031-902 and portions of APNs 5442-031-901 (2944 Gleneden Street) and 5442-029-900 (2960 Marsh Street).

Brief Project Description: The proposed project consists of the construction and operation of an approximately 3-acre community park by the Mountains Recreation and Conservation Authority (MRCA). The proposed park includes: a free play meadow; a landscaped walking and nature trail; health and fitness stations along the trail; an approximately 3,528 square foot (±882 square feet) open-air picnic shelter; picnic tables; a community gathering/outdoor classroom area; bioswales; restrooms; storage shed; and a 43-car parking lot. Project construction will include demolition of the two existing on-site buildings, site grading, park construction and landscaping.

Determination: Based on a review of the project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees (Fish and Game Code [FGC] Section 711.4(c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

3-1

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at time of filing of the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Office of Planning and Research (State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to FGC Section 711.4(c)(3).

DFG Approved By: Leslee Newton-Reed Date: 07/31/2012

Title: Environmental Scientist

3. Response To Letter, No Effect Determination, California Department of Fish and Game, July 31, 2012

Response

- 3-1 The MRCA thanks the California Department of Fish and Game for its review of the MND and for its No Effect Determination.

Laura Saltzman

From: Oliver DelGado [oliver.delgado@lacity.org]
Sent: Monday, August 06, 2012 5:11 PM
To: Laura Saltzman
Cc: Alejandra Marroquin; Melissa Guerrero
Subject: Update: Rosanna Street resident meeting

LETTER 4

Categories: High Priority

Hello Laura,

Just wanted to pass along an update. Our office met with Rosanna Street Neighborhood Alliance members along with Northeast PD Captain Murphy and Inspector Dallas. After Capt. Murphy and Inspector Dallas shared their points, residents have accepted and "signed off" on the Rosanna entrance whether it be for emergencies and/or public access. This another win for the project and we're glad to see it moving forward.

However, RSNA members asked if 1) the 43 parking spots could moved to Gleneden entirely? 2) If not, can the spaces off Rosanna be reduced? 3) If "operation hours" signage could be placed at Rosanna/Ripple Street intersection. They feel this could minimize the amount of traffic coming down Rosanna after the park is closed. These questions are from RSNA members and not from our council office. We recommend that answers are relayed directly to RSNA and help establish a stronger line of communication with your team.

4-1

Points of contact by snail mail:

Mary Whitecloud
2919 Rosanna Street
LA, CA 90039

or via email:

Joanne Paratore
<jtparatore@aol.com>

Thank you and see you at tomorrow's hearing!

Best,

Oliver

Oliver DelGado, Field Deputy
Office of Councilmember Eric Garcetti
Los Angeles City Council District 13
5500 Hollywood Blvd. 4th Floor
Los Angeles, CA 90028
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4. Responses To Email, Oliver DelGado, Field Deputy, Office of Councilmember Eric Garcetti, August, 6, 2012

Response

- 4-1 The MRCA thanks the Office of Councilmember Eric Garcetti for its assistance in reviewing the project and for facilitating a meeting between the Rosanna Street Neighborhood Alliance (RSNA) members and Northeast Police Department Captain Murphy and Inspector Dallas. The MRCA notes Field Deputy DelGado's representation that "residents have accepted and 'signed off' on the Rosanna entrance whether it be for emergencies and/or public access."

Since the purpose of this document is to address the potential environmental effects of the project, responses are not provided herein to comments on the project, or it's design, as part of the MND. Project and design comments, questions and suggestions will be addressed outside the environmental process as part of the Board's project consideration. Any design comments, questions and suggestions included in the comment letter are hereby transmitted to the MRCA Board for their consideration.

From RSNA

August 16, 2012

RE: Written Comments on MND – Mitigated Negative Declaration

Attn: MRCA, Laura Saltzman

The following are points the RSNA (Rosanna Street Neighborhood Alliance) are in disagreement.

- 1. Page 9, Parking. The Institute of Transportation Engineers (ITE) published an observed parking rate of 5.1 parked vehicles per acre for a City Park. This section states that the three-acre Marsh Street Park would need APPROXIMATELY 15 parking spaces (ONLY). MRCA plans to make 43 new spaces. The RSNA disagrees with this. We have requested for over 10 years to use parking spaces that already exist on this three -acre lot. There are 60 spaces available on property owned by Janel in which only 8 to 12 are in use. There is absolutely no reason why parking spaces should be made and moved to the end of Rosanna with all these spaces already available in addition to the fact that only 15 spaces are required for a three-acre lot. Even if the MRCA doubles the amount of spaces that would be more than ample parking. As the current plans stand now, it shows 1/3 of the proposed park is for parking. RSNA find this to be a waste of green space and there is no need for the abundance of parking that the MRCA continues to include in the plans.**
- 2. Page 13. Environmental Factors and DETERMINATION. MRCA checked box 2. The RSNA disagree. Box 3 should be checked.**

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5-2

RSNA believes that these environmental factors would be potentially affected by the Marsh Park project: Land Use/Planning, Transportation/Traffic, Hazards & Hazardous Material, Air Quality, Geology/Soils, Noise. Determination was never completed by a Lead Agency. The RSNA believes box 3 should be checked, stating, the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. The RSNA demands an EIR is required. Over the years, the soil has been trashed with oil, trash, broken glass and waste for decades, which has been contributed by companies that have occupied this space (see below). The RSNA feels that a study has never been done to review past businesses that have occupied this 3 acre lot which may have impacted the environmental condition of the this land. According to letter dated June 3, 2012 addressed to Eric Garcetti, the RSNA, includes a list with a of CONDITIONS AND BUSINESSES THAT THE RESIDENTS ON ROSANNA HAVE BEEN FACED WITH: Industrial size tent rental business (circus tents), Mayflower moving vans, Auto impound lot, Distribution for Los Angeles city trash containers, Toyota surplus car storage, Florentino Trucking, Truck washing facilities and gas pumps. All these companies have left hazardous waste in the ground. Regarding the gas pumps. Gas pumps have gas tanks below the ground to store gasoline. We have no knowledge of whether the tanks have been removed from the ground or still remain in the ground. If they are still in the ground, a bulldozer could create an explosion. Does the MRCA know if these tanks still exist in the ground?

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Cont.

- 3. Page 35 VIII HAZARDS AND HAZADOUS MATERIALS. BOX B should be checked as Potentially Significant Impact. According to VIII (b), a preliminary Environmental Assessment of the project site was conducted for the Trust for Public Land in 1998, prior to MRCA's purchase of the site, potential for the presence of asbestos-containing material in the buildings at 2944 Gleneden Street that would be demolished prior to project construction. RSNA believes that the demolition of this property would greatly effect the environmental living conditions of the residents in this area,**

5-3

causing air and noise pollution, and possible ground shaking destruction to people's homes, i.e. cracks, and would also create high volumes of truck traffic during this time frame.

5-3
Cont.

4. **Page 44 XII NOISE box b and c should be checked. Regarding B, -Potentially Significant Impact should be checked. Which states Exposure of persons to or generation of excessive ground borne vibration or ground born noise levels. The residents of this neighborhood near Marsh Park already suffered a great deal during the demolition of the structure at the end of Ripple Place few years ago when the asphalt was broken up to put in condos, which still have not been constructed. Ground shook for days and homes suffered internal structural cracks during this period of time. The air quality was compromised as well. If and when Marsh Park gets constructed, our homes will undoubtedly be shaking for days and we will be subjected to unlimited discomfort that would include shaking of our homes which could cause possible destruction to the foundation of our homes, not to mention the air quality will be compromised, and we will be breathing this air on a daily basis. We will also have to put up with noise pollution due to machinery, vehicles and all the heavy equipment needed to undergo such a project. We also experienced the ground shaking when the asphalt removal and ground clearing was done at the end of Rosanna Street. Regarding Box C: The box that should be checked is Potentially Significant Impact. With parking lots constructed at the end of Rosanna Street, the residents would be subjected to inviting existing gangs so they can hang out in the parking lot, along with other people that may be visiting the park who could potentially be drinking, using foul language, executing possible lewd behavior, usage of drugs and also will have their powerful autos' stereo systems at excessive levels. We the residents have already witnessed this kind of behavior and we should not be responsible to be forced to police YOUR property on our time to protect our own safety. We have already policed our area for the past 20 years to cease and control the behavior that the RIVER area attracts which is connected to YOUR PROPERTY, where the proposed Marsh Park is suppose to be constructed. With a**

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park, or parking lots at the end of Rosanna Street, this activity will now creep towards our homes, closer to us, in fact right next to us!!!! Would you want to live here? We ask you? Are you trying to make us move and depreciate our property?

5-4
Cont.

- 5. Page 53 XVI TRANSPORTATION/TRAFFIC. The RSNA believes Box D should be checked as Potentially Significant Impact. The RSNA DEMANDS NO GATE or public access on Rosanna Street is to be included in the Parks' design. Building parking lots or entrances at the end of Rosanna only brings traffic to our street. We prefer the gate to be closed or no access what so ever. This includes no walk in access. Once again, parking lots, especially in the Elysian Valley area, encourage hangouts and loud or lewd behavior, which we have witnessed. We do not wish to encourage any traffic coming down our street to visit a park, nor do we wish an excessive amount of parking spaces constructed at the end of our street. Further more, there are existing easements that already exist. Marsh Park gates are currently closed. We demand the reopening of these gates and access to the parking spaces available in this area. The existing easement on Ripple Place, which never seems to be considered by the MRCA IS and WILL ALWAYS BE THE BEST entrance for the park. It's already in place and is open wide. In fact, the easement should run from Ripple place straight to Marsh along the fence, near the river right through the park. This gives the fire department easy access and two ways in.**

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- 6. Page 66 XVIII MANDATORY FINDING OF SIGNIFICANCE, c. The first box should be checked, Potentially Significant Impact.**

5-6

5. Letter – Written Comments on MND, Rosanna Street Neighborhood Alliance, August 16, 2012

Since the purpose of this document is to address the potential environmental effects of the project, responses are not provided herein to comments on the project or its design as part of the MND. Project and design comments, questions and suggestions will be addressed outside the environmental process as part of the Board's project consideration. Any design comments, questions and suggestions included in the comment letter are hereby transmitted to the MRCA Board for their consideration. The following responses address any environmental issues raised by the commenter:

Response

5-1 Comment noted. This is a design, rather than an environmental comment.

The 43 parking spaces are intended to ensure that normal park use will not result in users parking in the surrounding neighborhood and to serve special event parking for groups using the picnic shelter and/or community gathering/outdoor classroom area. As noted on page 9 of the MND: the park plan provides 28 spaces more than anticipated to be needed for normal park use. Special event park use will be subject to MRCA Special Event Guidelines for the facility. Special Events of more than 50 persons or events occurring outside of normal park hours will be required to obtain an Event Permit from the MRCA. This requirement is designed to ensure that park parking will not occur in the surrounding neighborhood and to provide the MRCA with notification of events for monitoring purposes. Events larger than 50 persons during normal park hours will be required to have a Parking Management Plan. The threshold for requiring a Parking Management Plan during hours when the park is open for other users is based on an average vehicle occupancy of 1.75 persons and use of the 28 additional spaces, beyond the spaces needed for normal park use, for the special event ($28 \times 1.75 = 49$). The full 43 spaces would be available for special, by reservation only, events outside normal park hours, or when the park is closed to other users. These events will be subject to MRCA Special Event Guidelines for the facility, which will include requirements for a Parking Management Plan for events larger than 75 persons, to ensure that there is no spill-over parking into the residential neighborhood. The threshold for requiring a Parking Management Plan during hours when the park is closed to other users is based on average vehicle occupancy of 1.75 persons, with vehicles using the 43 spaces ($43 \times 1.75 = 75.25$).

- 5-2 The basis of the MRCA's determination that an MND is the appropriate environmental document for the project is documented in the MRCA's responses the Checklist questions.

The RSNA's feeling, that a study has never been done to review past businesses that have occupied the 3-acre lot, is inaccurate. Three environmental assessments have been done for the project site and provide much of substantial evidence for the conclusions in the MND that potential hazardous materials impacts a either "Less Than Significant" or can be reduced to "Less Than Significant" through implementation of the specified mitigation measures. The three reports are:

1. A Phase I Environmental Assessment titled, Preliminary Environmental Assessment, Marsh Street Property, 2944 Gleneden Street, Los Angeles, California, prepared by CET Environmental Services, Inc., July 1998. (MND Reference 9, MND page 11). The Phase I work included:

- Reconnaissance of the site;
- Review of historical documents including previous site assessment and groundwater monitoring reports;
- Review of historical and aerial photographs;
- Review of regional geology and hydrogeology;
- Review of current and historical use, storage and disposal of hazardous materials and wastes; and,
- Review of available regulatory agency lists of regional environmental issues.

CET Environmental Services report indicates that, other than the need for further study of the potential asbestos-containing materials by a certified asbestos consultant, "evidence or indication of recognized environmental concerns and conditions have not been revealed."

2. A Phase II Environmental Assessment titled, Phase II Environmental Site Assessment Report 2960/2961 Marsh Street and 2940/2961 Rosanna Street, prepared by CAPE Environmental Management Inc, November 2000.
 - CAPE conducted a soil gas survey consisting of 12 points on the Marsh Street properties and 12 points on the Rosanna Street