

properties. The samples were analyzed for aromatic hydrocarbons, benzene, toluene, ethylbenzene, total xylenes (BTEX), methyl tertiary butyl ether (MTBE), and chlorinated compounds. None of the analyzed compounds were detected in any of the 24 soil samples.

- CAPE also conducted a soil-sampling program at the two properties, including: sampling adjacent to the concrete pad where an electrical transformer was formerly located (no PCBs were detected); boring in six locations, including areas of patched asphalt and the former location of an underground storage tank (UST) and former location of a two-stage clarifier. The results of the soil-sampling program found no significant environmental impact in the shallow subsurface soils at the site. Low concentrations of TPH-cc in the motor oil range were detected in two of the soil samples collected, but at levels below cleanup standards normally applied by regulatory agencies. One of the samples with the elevated TPH-cc concentrations was from the former location of an UST on the Rosanna Street property. Based on the information from the tank report, the two soil gas-sampling points and the two soil borings drilled at the former UST location, CAPE concluded that no additional assessment was required of the former UST area.
  - CAPE inspected the hazardous materials storage and disposal practices of the Janel Glass Company. Hazardous materials use is limited to glass coolant, waste oil, compressed cylinders of propane, oxygen, sulfur dioxide and a product called Syntilo 9930. CAPE found that all of these materials appeared to be stored and used in a proper fashion.
  - CAPE collected and analyzed the water in Janel's sump system and determined based on the test results that sampling of the soils adjacent to the sumps was not necessary.
  - CAPE reviewed the Los Angeles City Building Department records for the properties and documented the prior uses on the site.
  - CAPE performed a pre-demolition hazardous building material survey of the two buildings located on the Marsh Street property. This was updated by SCA Environmental in 2010.
3. Summary Report: Pre-Demolition Bulk Asbestos and Lead-Based Paint Survey, Mountains Recreation and Conservation Authority – Gleneden Property, 2944 Gleneden Street, Los Angeles, CA 90039,

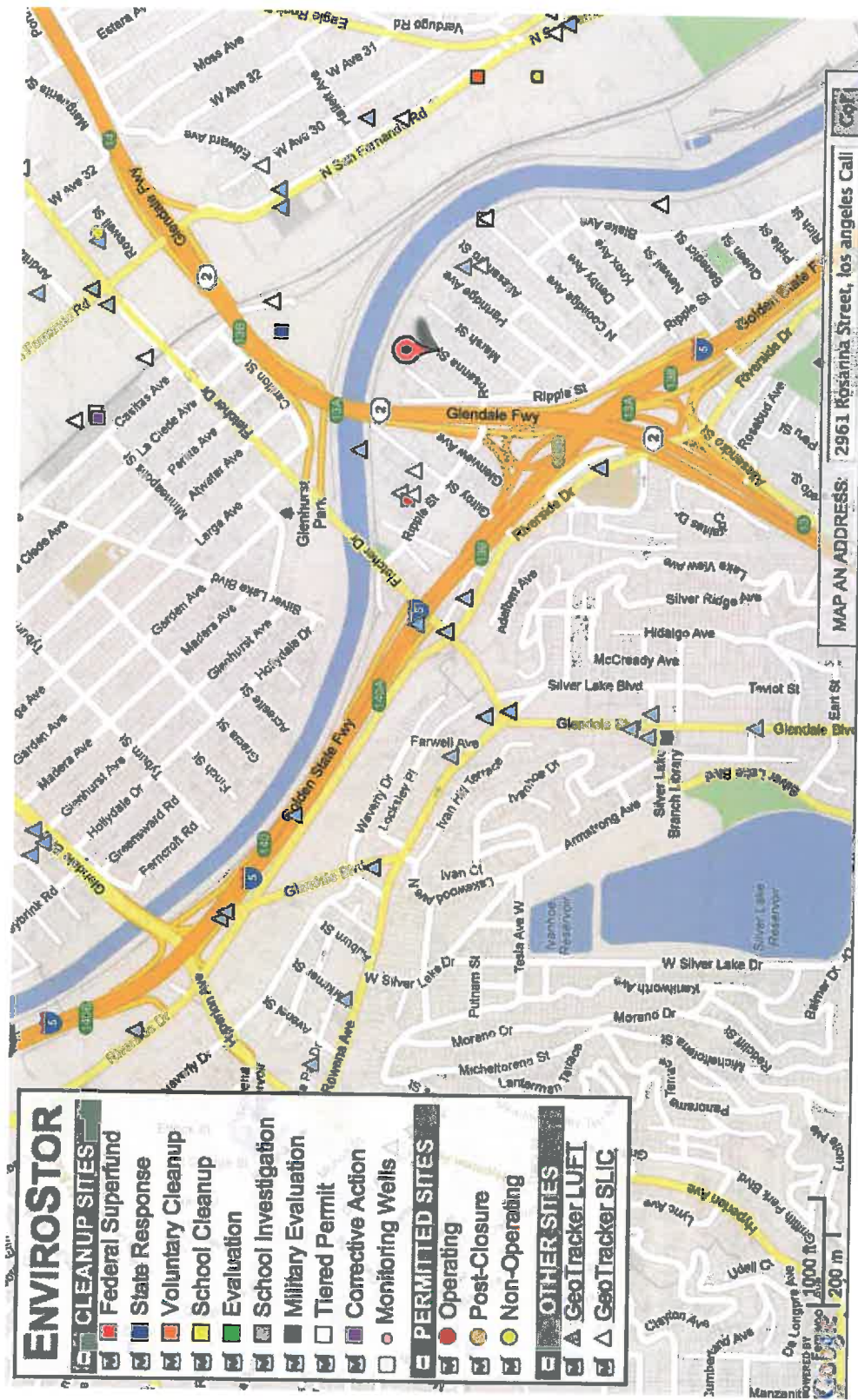
prepared by SCA Environmental, Inc., September 2010. (MND Reference 7, MND page 11).

This report fulfills CET Environmental Services recommendation for further study of the potential asbestos-containing materials by a certified asbestos consultant for the buildings to be demolished. The results of this study are detailed in VIII(b) of the MND Checklist Judgments (see pages 35-37 of the MND). Mitigation Measures 7-1 to 7-6 contain the report's recommended measures for ensuring impacts are "Less Than Significant."

As noted on MND page 12, copies of the information sources listed on page 11 of the MND, including the hazardous materials reports, "are available for review in the offices of the MRCA, at the L.A. River Center & Gardens, 570 West Avenue 26, Suite 100, Los Angeles, California 90065 or at the web addresses provided."

RSNA is correct: one 5,000-gallon underground storage tank (UST), formerly containing gasoline, was once located on the site. It was removed by Whitaker Concrete Corporation in March of 1989. At that time soil samples were collected from below the tank invert. The samples detected low concentrations of TRPH by U.S. EPA Method 418.1 at concentrations below 100 mg/kg. Based on the information from the tank report, the two soil gas-sampling points, and two soil borings drilled at the former UST location, the Phase II Environmental Assessment by CAPE concluded that no additional assessment was required. (Phase II Environmental Assessment at page 7).

A State of California Department of Toxic Substances Control EnviroStor hazardous materials database search was also conducted as part of the preparation of the MND. No leaking underground storage tanks (LUFTs) are reported in the site vicinity in the EnviroStor Database as shown on the two figures that follow:







- 5-3 The basis for the MND's conclusion that Hazardous Materials issue VIII(b) is "Less Than Significant With Mitigation" is detailed on pages 35-37 of the MND. As detailed in VIII(b), the MND includes Mitigation Measures 7-1 to 7-6 which convert the recommendations of the Pre-Demolition Bulk Asbestos and Lead-Based Paint Survey prepared by SCA Environmental, Inc. (September 2010, MND Reference 7, MND page 11) into enforceable mitigation measures.

A detailed Noise Impact Analysis for the project was prepared by Noise Consultant Giroux & Associates (see MND Appendix B). Based on the finding of the Noise Analysis, the MND includes Mitigation Measure 12-1 which is designed to ensure that construction noise impacts are "Less Than Significant With Mitigation" (see MND XII(a), MND pages 44-49).

See Response 5-4 regarding ground-borne vibration.

As noted on page 57 of the MND, intersections in the project vicinity are currently operating at LOS A, indicating existing traffic volumes are low and the intersections are functioning well. The proposed project is small in scale and the existing street system has adequate capacity to handle project construction traffic. In general, project construction activities are likely to result in an average of approximately 5 truck round trips per day during demolition (1 month) and grading and site preparation (2.5 months). As noted on page 8 of the MND, there are two small buildings on site that would be demolished of the course of about a month: an approximately 14,300 square foot metal warehouse and an approximately 3,000 square foot warehouse. This will result in limited truck traffic, most likely on Gleneden Street, over the course of a one-month period. As noted on page 8 of the MND, site grading will then require the import of approximately 3,841 cubic yards of soil. This equates to a total of approximately 256 truck round-trips over the course of the 2.5-month grading and site preparation phase. This equates to approximately 26 truck round trips per week, or an average of five truck trips per day. Fewer average daily truck trips would be required during the seven-month infrastructure and construction phase. The City of Los Angeles limits construction activities to the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on any Saturday. Construction is not permitted on any national holiday or on any Sunday. Construction truck trips will mostly occur during the hours when most people are at work. Although truck traffic to the site may pose a short-term inconvenience for residents, given the small total and daily number of trips, traffic impacts are anticipated to be less than significant.

The RSNA comment does not provide any evidence, other than belief, to support the RSNA's contention that impacts would be potentially significant.

5-4 MND Checklist Judgment discussion XII(b) on MND page 49 and the Noise Analysis in Appendix B explain that:

Perceptible ground-borne vibration is typically associated with blasting operations and the use of pile drivers, neither of which would be used during construction of the proposed project. The vibration level of a small dozer that may be used is a peak particle velocity (PPV) of 0.003 inches/second (IPS) (FTA Handbook, 2006) at 25 feet. The damage threshold for extremely sensitive structures is 0.12 IPS. The vibration level from a small dozer is 40 times less than the most stringent damage threshold.

Maximum vibration would result during brief uses of a jackhammer to break up demolished structure foundations. The stated PPV for jackhammers is 0.035 IPS at 25 feet. This is still three times lower than any threshold of even possible minor damage. As such, no excessive ground-borne vibration would be created by the proposed project, and; therefore, impacts due to project-generated ground-borne vibrations are less than significant.

The basis for MND Checklist Judgment XII(c) that the project's impact on ambient noise will be "Less Than Significant With Mitigation", is detailed in XII(a) on pages 44-49 of the MND. As noted on page 10 of the MND, the hours of operation for the proposed park are from sunrise to sunset, seven days and week, except for special events. The facility will be locked, outside of normal hours, except for special events. Mitigation Measures 12-2 to 12-4 are designed to ensure that noise impacts from park operation will be "Less Than Significant."

Mitigation Measure 12-2 specifies that: groups with more than 50 planned attendees shall be required to obtain a special events permit from the MRCA. The MRCA shall include in their Special Event Guidelines for Marsh Park a statement that operation of any radio, video, musical instrument or other noise-generating device at a level which is audible beyond 150 feet from the park boundary is prohibited. The reservation form for the event shall identify limitations on number of attendees, event timing and noise control features such as orientation of any voice/music amplification.

Mitigation Measure 12-3 specifies that an MRCA staff monitor shall be present for any nighttime event to ensure that the event does not generate noise levels that would disturb the peace, quite and comfort of the neighbors.

Mitigation Measure 12-4 specifies that the MRCA shall post a sign on-site which provides a phone number for contacting the agency.

The RSNA has two options for seeking assistance in enforcing City of Los Angeles and MRCA park-related noise rules: MRCA Rangers and the LAPD. As explained in Checklist Judgment XII(a):

Section 3.15 of the MRCA's *Ordinance Establishing Park Rules and Regulations and Prescribing The Punishment For Violation Thereof* addresses disruptive conduct, including noise. It states: "No person shall willfully disturb another person by loud and unreasonable noise, or any other activity which maliciously and willfully disturbs the peace of another person. Violation of this section is punishable pursuant to § 5.0(a) and §6.2.1(b)(2)." Section 5.0(a) of the Ordinance provides that: "(a) Unless otherwise specified, any violation of any provision of this Ordinance shall be a misdemeanor punishable by a maximum fine of one thousand dollars (\$1,000), or imprisonment in the county jail for six months, or both such fine and imprisonment, pursuant to Public Resources Code § 5786.17." Section 6.2.1(b)(2) of the MRCA's ordinance provides additional details on misdemeanor offenses under the Ordinance. MRCA park rangers are empowered to issue citations for violations of the Ordinance.

The MRCA park rangers are empowered to enforce park rules and Mitigation Measure 12-4 requires the posting of a sign with the MRCA's phone number. In addition, as detailed in the explanation of Checklist Judgment XIV(b), The Los Angeles Police Department (LAPD) serves the project site from the Northeast Community Police Station, which is located at 3353 San Fernando Road.

- 5-5 See Responses 5-2 to 5-4. 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.

5-6 As detailed in Responses 5-1 to 5-5, the RSNA has not provided substantial evidence that the impacts are greater than described in the MND or that the mitigation measures are inadequate to reduce potentially significant impacts to a level considered less than significant.



**The following are requests from the RSNA.**

**The RSNA would like the MRCA to consider having a joint meeting in which we could create the Marsh Park plans so that the plans together that are acceptable to all parties involved.**

**According to a letter dated July 5, 2002 from Chuck Arnold, the original project analyst for MRCA, states: "The project is part of State, County and City plans to create a river parkway system, and funding of the park comes from State Proposition 12 funds. These funds specifically exclude project elements of skateboard parks and playgrounds among others. Involvement from the entire community in this project is essential and immediately adjacent neighbors need to be part of this process." The RSNA has gone to every meeting and our requests have never been met.**

6-1

**RSNA sees that an exception was made for the skate park on Marsh Street. If MRCA made an exception for the skate park, why is it not considered to make an exception to build an easement from Marsh Street entrance along the property line of the skate park into the main park? This easement and access to the park could include spaces, which already exist there. We would like to add once again, the sign for the park is here at this entrance. THIS IS MARSH PARK NOT ROSANNA PARK. You could also build a parking lot in the northwest corner of your property away**

**from ALL homes near the proposed picnic shelter. The picnic shelter does not have to be in this location. This shelter could be moved east and it would still be near a parking area.**

6-1  
Cont.

**Further more, it is the RSNA's knowledge that a simple affidavit can be made with their own tenant i.e. Janel, to use this small strip of land. This also brings to our attention that originally the Janel Glass company was suppose to be demolished first before a park was built. The funds allotted to the MRCA should initially go to the destruction of the Janel building before a park is considered. Especially since the Janel structure could be used to develop the original atrium area which was initially proposed in the original plans. We still would like to know who would want to visit a RIVER PARK when all the patrons will be looking at an old unsightly glass factory, that smashes glass in order to transport offsite. This would be going on while people are taking nature walks. In addition, the factory operates extremely loud forklifts that beep regularly during the day, causing noise pollution to the area. Has this been considered? We are also aware that the MRCA collects rent from Janel. These monies allow the MRCA to continue to collect rents. The RSNA believes that this allows income for the MRCA so why would you ask them to leave?**

6-2

6-3

**Regarding fire hydrants, the RSNA would like to question, since the MRCA is going through the expense of building an elaborate park, why isn't it being considered to install additional fire hydrants on park grounds? As it stands, it's extremely dangerous to put in a 3-acre park with just a few fire hydrants in the neighborhood, not even onsite.**

6-4

**Parking lots and picnics areas and classrooms are for gathering. These areas should be kept far away from people's homes.**

6-5

**The free play meadow area cannot be constructed as a flat surface. A flat area attracts soccer games, which the RSNA would not like to encourage. Once again, this is supposed to be a nature park, not a full on activity field.**

**It's important that we are assured there will be absolutely no access to Marsh Park after hours and that the gates are locked EVERY day and the area is secure and watched 24/7.**

6-6

**We would like to remind MRCA that the RSNA completely is opposed to the gate for Marsh Park at the end of our street, Rosanna Street, along with the parking lots. We ask MRCA once for all, PLEASE GO BACK TO THE ORIGINAL PLANS WHICH WE APPROVED.**

6-7

**Currently, we'd like to bring to your attention that the weeds in this empty lot have once again, become overgrown and are a fire threat. Is there any chance of this being taking care of in the very near future? This is a public safety issue that needs attention ASAP. Temperatures are ideal for a fire at this time of year.**

**Thank you for your consideration concerning all these matters.**

**The RSNA (Rosanna Street Neighborhood Alliance)**

**Mary Whitecloud VP – resident next to proposed parking lot**

**Kenneth A. Webb /Project Coordinator (resident next to proposed parking lot)**

**Paul Ibusuki /Project Coordinator (resident next to proposed parking lot)**

**Joanne Paratore/Project Coordinator**

**Josephine Alviar Project Coordinator**

**Camille Frigillana/Project Coordinator**

**Sachiko Ibusuki/Senior Citizen and resides in the house by the proposed parking lot. (resident for 54 years).**

**Bruce Ibusuki/resident next to proposed parking lot**

**Elsa Palomino/Project Coordinator**

**Kyrene Flores**

**Juvenal Flores/Project Coordinator**

**Kelly Flores**

**Alfonso Flores**

**Gabriel Flores**

**Raquel Mora**

**Michael J Landon**

**M.S. Landon**

**Mary Landen**

**Nohely Thomas**

**Edgar Zeped**

**Sergio Zeped**

**Claudia Huevo**

**Ben Carlo Galinda**

**Arsenio M. Jacob**

**U. Rosal**

**Cecilia Uturlo**

**Jose Utulo**

**Herbert Carlson**

**Leandro Vasquez**

**Jenny Olivas**

**Aaron Tondi**

**Meredith Riley**

**Tony Garcia**

**Jeffrey Beltran**

**D Felia Zepeda**

**Sergio Zepeda**

**Helen Thomas**

**Consuelo Barajas**

**Edward San Luis**

**Jean Wong**

**Joseph Rosal**

**Gloria Asgia**

**Angelina B Saldana**

**Carlos Altoa**

**Marisol Ochoa**

**Brenda Barre**

**Nicholson Nicolus**

**Clara Jordan**

**Marcelino Zepeda**

**Celia Zepeda**

**Telma Ezire**

**Nidya Montano**

**Rafael Alterio**

**Shin Wong**

**Narcio Onozco**

**Rosanne Flores**

**Jonathan B Utulo**

**Marian B Utulo**

**Cigia Halprin**



## **6. Responses To Petition – Requests from the RSNA, 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 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.

### **Response**

- 6-1 Comment noted. 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 such as Comment 6-1 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.
- 6-2 As detailed in the Noise Analysis contained in MND Appendix B, on-site noise measurements were taken at three locations on the project site. The location of the readings is shown on page 7 of MND Appendix B. The noise analysis took account of existing noise levels in the project vicinity.
- 6-3 Comment noted. 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 such as Comment 6-1 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.
- 6-4 Project plans are subject to review by the Los Angeles Fire Department before issuance of any construction-related permits as explained in the explanation of MND Checklist Judgment XIV(a) on MND page 51: "The proposed location of project access and fire hydrants are subject to review and approval by the LAFD to ensure that fire protection for the site is sufficient to meet fire safety requirements." Consistent with standard practice, in the event that the Fire Department feels that additional fire hydrants are needed within park grounds, this will be made a project requirement.

6-5 Comment noted. 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 such as Comment 6-1 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.

6-6 Comment noted. As described in the MND, park gates will be locked outside of normal park hours, except during special events.

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 such as Comment 6-1 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.

6-7 Comment noted. 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 such as Comment 6-1 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.

LETTER 7

From: Mary [<mailto:whiteclouddesigns@earthlink.net>] Sent: Friday, August 17, 2012 3:03 PM To: [laura.Saltzman@mrca.ca.gov](mailto:laura.Saltzman@mrca.ca.gov) Subject: Marsh Street Park

Dear Laura, Please note on the document that From the Rosanna Street Neiborhood Alliance that I brought you today that there are 3 [three] fire hydrants on Marsh Street, one on either end (one directly at the Marsh Street entrance to the Marsh Street Park) and one in front of 2914 Marsh Street. This should be the proper fire acess entrance as there is adequate space for large fire trucks to enter and turn around and a very large already paved parking lot.

7-1

## **7. Responses To Email, Mary Whitecloud, August 17, 2012**

### **Response**

- 7-1 The following comment is noted: “there are 3 [three] fire hydrants on Marsh Street, one on either end (one directly at the Marsh Street entrance to the Marsh Street Park) and one in front of 2914 Marsh Street. This should be the proper fire access entrance as there is adequate space for large fire trucks to enter and turn around and a very large already paved parking lot.”

The design of park access is subject to review by the Los Angeles Fire Department to ensure that access is adequate for fire fighting apparatus. Pursuant to standard procedures, construction permits will not be issued unless the site access is deemed acceptable by the Fire Department. The Fire Department has not expressed any concerns with the current design of the park, which provides access from both Rosanna and Gleneden Streets.

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 such as Comment 7-1 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:** Joyce Dillard [<mailto:dillardjoyce@yahoo.com>] **Sent:** Friday, August 17, 2012 3:03 PM **To:** Laura Saltzman **Subject:** Comments to MRCA Marsh Park MND due 8.17.2012

You have omitted the State Clearinghouse Number. Has this been circulated to the State agencies. 8-1

Health complaints are numerous. School children are nearby, effected by the environmental issues. 8-2

You have not addressed this impact from Metrolink on your project. We assume you will have children and elderly using the park, but you mention no concern for their Public Health and Safety. 8-3

Please include a Plan to reduce impacts on the Park for continuous Air Quality emissions and constant Noise. 8-4

What contaminants emitted that land on your property will be mitigated before any landscaping runoff or stormwater runoff contributes to the Los Angeles River Watershed Total Daily Maximum Loads. 8-5

What testing methods, schedules and reporting will occur? Have you tested the soils and geology for infiltration? 8-6

Also, what aspects of a Health Emergency will you address such as breathing equipment, ear coverings/earmuffs or heart defibrillater. 8-7

What consideration for wildlife, birds and plants are given for this increased residual contamination. 8-8

Joyce Dillard

P. O. Box 31377

Los Angeles, CA 900321

## **8. Responses To Email, Joyce Dillard, August 17, 2012**

### **Response**

8-1 The NOI/NOA, MND and a Notice of Completion (NOC) were sent to the State Clearinghouse for circulation to responsible agencies. The State Clearinghouse has assigned the MND the following State Clearinghouse Number: 2012071039. The State Clearinghouse submitted 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).

Pursuant to CEQA the State Clearinghouse number for an MND is assigned when the Notice of Completion (NOC) and MND are sent to the State Clearinghouse for distribution to State Agencies. This is different than the process for an EIR. The State Clearinghouse assigns a Clearinghouse number for an EIR at the time the Notice of Preparation (NOP) for the EIR is sent to the Clearinghouse.

8-2 Please see the discussion in the MND for Checklist item III(d) on MND pages 23 to 25 which addresses the potential air quality-related health impacts associated with the proposed project and explains why health-related air quality impacts were determined to be "Less Than Significant." Please also see the discussion under Checklist items VIII(a)-(h) on MND pages 35 to 39, which details why hazardous materials-related health impacts were determined to be "Less Than Significant" or "Less Than Significant With Mitigation."

8-3 The Notice of Completion for the MND notes that the project is within two miles of rail facilities. As its closest point, the Metrolink line is located approximately 880 feet from the project boundary, on the other side of the Los Angeles River, screened by the Janel Building. It is approximately 950 feet from the portion of the project site that is not screened by the Janel Building. As noted in the explanation of MND Checklist Item III(d): The California Environmental Protection Agency (CalEPA) and the California Air Resources Board (CARB) have made recommendations on the siting of new sensitive land uses in the Report: "Air Quality and Land Use Handbook: A Community Health Perspective." The Report (see MND Reference 11 at page 4) recommends that agencies: