



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: September 18, 2012

SUBJECT: **Agenda Item X: Consideration of resolution authorizing adopting Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Marsh Street Park project.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing adopting Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Marsh Street Park project.

Background: Marsh Park is located in the community of Elysian Valley in the City of Los Angeles, adjacent to the Los Angeles River. Improvements to the three-acre site will include an open-air picnic shelter, landscaped walking and nature trails with health and fitness stations, a restroom building and storage shed, a free play meadow, picnic tables, a community gathering/outdoor classroom area, bioswales, and parking for forty-three cars. Project construction will include demolition of the two existing on-site buildings, site grading, park construction and landscaping.

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations §15000 et seq.), an Initial Study (IS) was prepared to support the adoption of a Mitigated Negative Declaration (MND) for the Marsh Park project. The IS/MND evaluated the potential environmental impacts associated with project implementation and identified the mitigation measures that would reduce or avoid the project's significant adverse impacts on the environment. There will be no significant environmental effect from this project. Anything that could have been a significant impact will be reduced to less than significant because mitigation measures will be required of the general contractor and/or MRCA.

The Mountains Recreation and Conservation Authority (MRCA) will be responsible for the approval and construction of the Marsh Park project, as well as for its long-term maintenance. The MRCA is serving as the Lead Agency for the proposed project and is therefore responsible for complying with CEQA and the CEQA Guidelines.

The mitigation measures are fully described in the attached Mitigation Monitoring and Reporting Program and reflect standard practices for this type of project. The proposed mitigation measures for Marsh Park include construction practices to reduce emissions and noise, protection of nesting birds, geologic requirements, and procedures for the abatement of asbestos, lead paint, and fluorescent light fixtures. Mitigation measures are also specified for procedures the contractor must follow in the event that archaeological or paleontological resources are encountered. Furthermore, once the park is open, restrictions shall be placed on groups using the site for special events, including being subject to a special event permit which will limit noise and require a parking management plan to prevent impacts to the surrounding neighborhood.

The public review period for the IS/MND was from July 13, 2012 through August 17, 2012. A public hearing was held by the Governing Board on August 7, 2012 regarding both the adequacy and completeness of the environmental documentation. Notice to the public of the IS/MND was given via several methods. The Notice of Availability/Notice of Intent (NOA/NOI) was sent to local agencies, filed with the County Clerk, posted on MRCA's website and mailed to all residents within 700 feet (73 residences). A notice was published in the Los Angeles Times on July 13, 2012, and the NOA/NOI and copies of the document were sent to the State Clearinghouse. MRCA staff attended a meeting of the Elysian Valley Riverside Neighborhood Council on July 19, 2012, to brief the council on the project and the public comment process for the MND.

Per CEQA Guidelines Section 15074, the Governing Board shall adopt the proposed mitigated negative declaration "...only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis."

MRCA received nine written letters or e-mails during the public review and comment period and three oral comments during the public hearing. The commenting parties are listed in the attached "Comments and Responses" document. Comments that did not pertain to the potential environmental effects of the project are discussed below.

While not an evaluation of the environmental documentation, the State Department of Fish and Game determined that for purposes of the assessment of CEQA filing fees, 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. That fee is \$2,101.50 as of January 1, 2012.

Written responses were prepared to address each environmental concern raised, and this “Comments and Responses” document shall become part of the final MND along with the Mitigation Monitoring Reporting Plan. The Comments and Responses and the Mitigation Monitoring Reporting Plan documents are attachments to this report, and the IS/MND is posted on MRCA’s website at www.mrca.ca.gov. Any changes to any of these documents made at the September 18, 2012 meeting shall also become part of the final MND with no further action required of the Governing Board. Once the MND is adopted by the Governing Board, the Governing Board must approve the project, and the final step is to file a Notice of Determination with the State Clearinghouse and Los Angeles County Clerk.

Project Design History

In 2006, the first phase of improvements for Marsh Park was completed and planning and outreach began for Phase II. That design and outreach process continued until late 2008, and included seven community meetings. The public was invited to attend and participate in all meetings which ultimately examined numerous design iterations. This broad-based community outreach effort included not only neighborhood residents, but members of the regional community, activists focused on the revitalization of the Los Angeles River, and several local community-based organizations. The project’s broad support is demonstrated in the attached letters and petitions supporting the expansion of the park.

Locations of the park’s features were determined by balancing community requests with the site topography, ecological goals, and design practicality. Residents asked for a community gathering area that took advantage of the views of the Los Angeles River, and this was located near the park’s edge closest to the River. Since the picnic shelter is expected to be used for family functions and birthday parties, the residents asked that it be placed close to the restroom and conveniently located along a path from the parking lot. The parking lot was located where it made the least aesthetic, safety, and environmental impact. The park’s design layout also allows for water conservation and provides clear sightlines and circulation, and ADA-compliant access to all features.

A few weeks after the conceptual design was completed in 2008, the State of California suspended the use of bond funds and work on the project was halted. In late 2010, MRCA secured funds to complete design and construction of Phase II, and MRCA’s consultants (including Landscape Architects, Architects, Civil and Structural Engineers, Environmental specialists and Geotechnical consultants) began to refine the conceptual design and resolve technical aspects of the plan.

When the project resumed, staff reevaluated the project and site design. At that time

some revisions were made for ease of maintenance. MRCA's recent years of experience with Vista Hermosa Park has increased staff knowledge about how residents of Los Angeles utilize natural parks, and the park design was reevaluated from that perspective as well. The end result is that the picnic shelter was made larger to accommodate group events, and the number of parking spaces was increased for the same reason. The park's design is now more functional and will serve a greater variety of visitors.

Comments received on the design of Marsh Street Park

Some comments received during the comment period were questions regarding park design and planning. Such questions do not relate to the IS/MND or environmental impacts and as such they are not covered within the final environmental document. MRCA has taken the opportunity to respond to these design questions excluded from the MND. The questions and corresponding responses are provided below. The numbering of the questions is consistent with the Comments and Responses attachment.

4-1. "RSNA members asked if 1) the 43 parking spots could moved to Gleneden entirely? 2) If not, can the spaces off Rosanna be reduced?"

The parking lot hugs the southwestern edges of the property and is accessed from both Gleneden Street and Rosanna Street. Concrete block walls and wide landscape plantings will buffer the adjacent residences. This location preserves the greatest amount of space for public open space and amenities, results in the least amount of paving, eliminates any conflict between vehicles and park users, and retains the greatest amount of river frontage. The design successfully balances open spaces with the more developed ones and provides accessibility to all park amenities. The parking area will function effectively while not interfering with the nature experience offered in the park's interior spaces.

In December 2011, MRCA was ready to proceed with the next phase in design but was asked by Councilmember Garcetti to stop the design process and meet with a couple of residents in order to ask MRCA to make some revisions, specifically regarding vehicular traffic and parking. After a series of meetings MRCA made several significant concessions to move the project forward. As a result of that process, a vehicular turnaround was removed from the plan, seven parking spots on the Rosanna Street edge were eliminated from the plan (14% reduction), and the size of the landscape buffer between the parking and adjacent residences on Rosanna was increased to a minimum of 23'. The number of spaces now proposed near Rosanna Street is already reduced from MRCA's preferred plan in response

to concerns from Rosanna Street residents.

Site design goals for Marsh Park are to maximize the amount of natural parkland and wildlife habitat, provide access to the Los Angeles River Bikeway, infiltrate rainfall, and provide multiple areas where families and groups can gather. Locating parking toward the center of the site would compromise all of those goals, and the result would be that park visitors would always have a parking lot between themselves and the Los Angeles River. The City's proposed Los Angeles River Improvement Overlay District (LA-RIO) prohibits the construction of new parking lots from dominating the river corridor, and the project is in conformance with this guideline. A critical part of the MRCA mission is to provide and facilitate public access to our parklands and as one of the lead agencies working towards revitalization of the Los Angeles River, a key project goal is maximize access to the Los Angeles River via Marsh Park.

4-1. (continued) "RSNA members asked 3) If "operations hours" signage could be placed at Rosanna/Ripple Street intersection."

MRCA's practice is to post signs with park rules near entrances, on our property. MRCA and the City of Los Angeles are currently working on a new wayfinding signage plan for the Elysian Valley area of the Los Angeles River Bikeway, and may be able to add these signs when that effort is funded.

5-1. "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."

The rationale for including more than fifteen (15) parking spaces is to ensure that normal park use will not result in visitors parking in the surrounding neighborhood,

and to accommodate groups using the picnic shelter and gathering areas. In December 2011, MRCA worked with Councilmember Garcetti's staff to address concerns from the Rosanna Street neighbors. As a result of that process, seven parking spots on the Rosanna Street edge were eliminated from the plan, a 14% reduction. The number of spaces has already been reduced by MRCA.

The question states that sixty (60) spaces are available on adjacent property. The MRCA currently leases this property exclusively to a tenant for their sole use. It is not part of the Phase II park project area and access from Marsh Street to the project area is not possible. The full extent of the leased area is used by the tenant for their parking, loading, and storage needs. Relocating these uses would put them closer to residences.

5-5. "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."

Vehicular access to the Phase II area is not possible from Marsh Street because the land is leased to a tenant and there is no access from Marsh Street to the project area. Ripple Place is not contiguous to the Marsh Park property, therefore an entrance from Ripple Place is not possible.

Since working with the Councilmember's staff and Rosanna residents in December 2011, MRCA secured an access easement from the neighboring property to the northwest, which will allow two-way vehicular traffic at the Gleneden entrance as well as Rosanna. This compromise ensures that the impact of park visitation is

balanced between all the neighboring residences, not borne solely by the residents of any one street.

As noted in the MND responses, the plans are subject to review by the Los Angeles Fire Department and MRCA will comply with their requirements. Benefits of having multiple entrances for vehicles, pedestrians, and cyclists are increased visibility, multiple routes through the park, and multiple access points.

6-1. “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.”

When the conceptual design for the Phase II improvements was being developed in 2007-2008, seven (7) meetings with the community were conducted. At least four (4) meetings were held with residents in 2011-2012 to discuss the park design, focusing on vehicular access and parking.

The MRCA has worked extensively to foster relationships with the community surrounding Marsh Park since acquiring the property in 2001. Staff have met with the users of the first phase, and learned from them about the needs of potential users of this next phase of the park. MRCA staff have met in groups as well as in one-on-one meetings to learn about the recreational and park needs. Further partnership activities have included working closely with the Los Angeles Neighborhood Land Trust (LANLT) on the construction and operation of the existing skate park portion of the park. LANLT assisted MRCA with a door-to-door campaign to encourage participation in park planning meetings.

Since Marsh Park is one of the larger projects along the Los Angeles River, groups involved in the various revitalization efforts for the River have followed the development of this Project closely. MRCA has conducted tours of and received input on the park from U.S. Army Corps of Engineers, Assemblymember Kevin de Leon, County Supervisor Gloria Molina, staff from the Office of Mayor Antonio Villaraigosa, Office of Councilman Eric Garcetti, Office of Councilman Ed Reyes, Department of Public Works Bureau of Engineering - River Project Office, Los Angeles Department of Transportation Bikeways Section, City of Los Angeles Planning Department's River coordinator, and Department of Planning staff. MRCA has also worked with representatives from local community-based organizations including Friends of the Los Angeles River, North East Trees, Latino Urban Forum, Elysian Valley United, Alianza de los Pueblos del Rio, Los Angeles County Bicycle Coalition, and the Council for Watershed Health. All of these groups gave significant input on the Project and helped with outreach to their constituents to increase

awareness about the Project and encourage community members to participate in the community meeting process.

A comprehensive list of public meetings regarding the design of Marsh Park follows. Input from all of the meetings was considered during design development.

DATE	LOCATION	LEAD	NOTES / SUBJECT	ATTENDANCE
2006	Various	MRCA	MRCA held multiple meetings to kick off outreach for Marsh Park Phase II	
12/8/2007	Community Meeting–Marsh Park, 2960 Marsh Street LA, CA 90039	MRCA + Council President Garcetti	Marsh Park Phase II - Share Ideas	
12/12/2007	Community Meeting–Marsh Park, 2960 Marsh Street, Los Angeles, CA 90039	MRCA	Marsh Park Phase II - Identify & Prioritize	26
2/28/2008	Community Meeting–Elysian Valley United Community Services Center, 2812 Newell St. Los Angeles, CA	MRCA + Council President Garcetti	Marsh Park Phase II - Identify & Prioritize	24
7/8/2008	Community Meeting–Marsh Park, 2960 Marsh Street LA, CA 90039	MRCA	Marsh Park Phase II - Identify & Prioritize & Select	64
8/12/2008	Community Meeting–Elysian Valley Recreation Center, 1811 Ripple St. Los Angeles, CA 90039	MRCA	Marsh Park Phase II - Identify & Prioritize & Select	20
9/6/2008	Community Meeting–Marsh Park, 2960 Marsh Street, LA, CA	MRCA	Marsh Park Phase II - Prioritize & Select	18
11/10/2008	Santa Monica Mountains Conservancy Board Meeting–Los Angeles River Center and Gardens, 570 W. Ave. 26 Los Angeles, CA 90065	MRCA	Marsh Park Phase II - Presentation of Concept Design	10
7/26/2011	Los Angeles River Center and Gardens, 570 W. Ave. 26 Los Angeles, CA 90065	MRCA	Marsh Park Phase II - Parking Lot Discussion	16
8/3/2011	Council President	Council President	Marsh Park Phase II -	5

	Garcetti's office	Garcetti	Parking Lot Discussion	
8/17/2011	Los Angeles City Hall	Council President Garcetti	Marsh Park Phase II - Parking Lot Discussion - Mtg with Council President's Staff	4
8/18/2011	Project Site, Rosanna Street entrance	Council President Garcetti	Marsh Park Phase II - Parking Lot Discussion	8
7/19/2012	Neighborhood Council Meeting–Elysian Valley Recreation Center, 1811 Ripple St. Los Angeles, CA 90039	Elysian Valley- Riverside Neighborhood Council	Project Update - CEQA Public Comment Period Announcement	25 +/-
8/6/2012	Los Angeles River Center and Gardens, 570 W. Ave. 26 Los Angeles, CA 90065	Anahuak Youth Soccer Association	Project Update - CEQA Public Comment Period Announcement	45 +/-
8/7/2012	MRCA Board Meeting–Pacific Youth Lodge Services, 4900 Serrania Avenue, Woodland Hills, California	MRCA	Public Hearing on CEQA document	10 +/-

The project's broad support, a direct result of MRCA's outreach efforts, is demonstrated in the attached letters and petitions supporting the expansion of the park.

In addition to the outreach efforts specifically held for the design process, MRCA also went to extra lengths during the current CEQA process. The basic noticing requirements were met by sending the NOA/NOI to the County Clerk and State Clearinghouse, and publishing in a local newspaper. MRCA chose to exceed the requirements, however, and held an extended comment period (36 days instead of 30), conducted a public hearing, mailed notices to residents, and posted all documents on MRCA's web site. Furthermore, staff attended a Neighborhood Council meeting at the beginning of the comment period to reach even more people. All of these extra efforts were done in order to ensure that all interested parties would be aware of the project and have the opportunity to comment.

6-1 (continued) "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.

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.”

MRCA's funding was not used to develop the skate park. The skate park is an example of how MRCA has worked creatively to address community needs. When the first phase of Marsh Park was under development, there were requests from the community for active recreation options, specifically a skateboarding park. MRCA's funding did have a restriction that prevented its use for such an amenity, and so a partnership with the Los Angeles Neighborhood Land Trust (LANLT) was established in order to provide that amenity for the community. LANLT obtained funds for the skate park through a Community Development Block Grant provided by the U.S. Dept. of Housing and Urban Development, made the improvements and continues to operate it.

See discussions above regarding location of the parking lot and vehicular access.

6-1 (continued) “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.”

The MRCA currently leases this property exclusively to our tenant for their sole use. It is not part of the Phase II park project area. The funding available for park improvements is insufficient to demolish three structures and develop the entire

parcel, and it cannot be extended indefinitely. Therefore, the proposed project only converts a portion of the property to public parkland.

The long-term vision for the Los Angeles River is a continuous, linked system of multi-use trails and parkland, native habitat, and responsible watershed management. Completion of Marsh Park will make tangible progress toward that goal. The location of industrial uses on the river and next to parkland is not ideal, however it is not feasible to relocate every business before restoration of the river's natural and recreational resources.

6-3. “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?”

The funding available for park improvements is insufficient to demolish three structures and develop the entire parcel, and it cannot be extended indefinitely. Therefore, the proposed project only converts a portion of the property to public parkland. The MRCA is committed to the continued development of parkland along the river and actively pursues funding sources for these purposes. When adequate funding becomes available, MRCA will pursue future phases of this park development.

6-5. “Parking lots and picnics areas and classrooms are for gathering. These areas should be kept far away from people's homes.”

The gathering spaces of the park are already located away from neighboring properties. The construction of block walls and wide (23'+) landscape plantings will provide additional buffer for the adjacent residences. The picnic areas and other amenities have been carefully planned to take advantage of river views, open spaces and landscaped areas while still providing an adequate buffer from adjacent homes. As discussed in the Mitigated Negative Declaration, the park will be monitored by MRCA staff and signage with a contact number will be posted for anyone needing to report excessive noise or other public disturbances.

6-5 (continued) “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.”

The free play meadow is less than half the size of a minimum youth recreation field and is intended to accommodate casual recreation, in response to a need articulated by the community for a large, flexible area large enough for various activities at one time. In order to increase the project's sustainability, only the minimum necessary amount of soil will be brought onto the site to achieve ADA access and positive drainage. The addition of mounds would compromise those goals, increase the cost of construction, and result in more truck trips to import soil.

6-6. "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."

Unless there is a special event, no access to Marsh Park will be allowed after hours, which is a policy in effect for all MRCA parks. LAPD is available to respond to any incident in addition to MRCA Rangers. Residents should always call 911 in any emergency.

6-7. "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."

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."

MRCA staff completed brush clearance on the property September 14, 2012.

See discussions above regarding the location of vehicular access and the previous public outreach efforts.

10-1. The following comments are noted: "Was promised by Councilman Garcetti that the Rosanna St gate remain closed during park hours. Why not install a fire hydrant inside the park for safety. Please use Rosanna St entrance only for emergency and service entrance only."

See discussions above regarding the location of vehicular access and parking. As

noted in the MND responses, the plans are subject to review by the Los Angeles Fire Department and MRCA will comply with their requirements.

10-3. "Please move park lots to the north/west corner of the property, away from residents homes. In the area where the picnic shelter is currently located. The Free Play Meadow should be layed with gentle rolling mounds so it can't be used as a soccer field."

See discussions above regarding the location of parking and design of the free play meadow.

11-1. The following comments are noted: "Rosanna St gate remains closed during park hours. Access for emergencies only - speed bump entrance of park. Consider parking lots elsewhere not at end of our street; NW corner; Why not have entrance on Ripple Place/Gleneden or Marsh where there are already easements. Also - parking spaces? Why so many? Use existing parking spaces on lot already or move them and make smaller."

See discussions above regarding the location of vehicular access and parking.

12-2. "It is the residents' wish to revisit the original plan voted on. It is also the residents' wish to not have any vehicular entrance at Rosanna Street only a walk-in entrance which would be opened and closed at specific times of the day as previously promised to us."

See discussions above regarding the location of vehicular access and the previous public outreach efforts.