

## 5.0 COMMENTS AND RESPONSES

### 5.1 INTRODUCTION

#### CEQA and Public Review

Per CEQA Guidelines Section 15070 (b), the adoption of a Mitigated Negative Declaration (MND) can occur when both of the following conditions are met: (1) the project or plan or proposals as agreed to by the applicant prior to public review of the proposed Negative Declaration has been revised to avoid significant effects or the effects have been mitigated down to a point where the effects are clearly insignificant and (2), there is no substantial evidence before the agency that the project as revised [mitigated] may have a significant effect.

The term *significance* within the context of an environmental review process such as the MND for the Bellevue Recreation Center Outdoor Improvements is predicated upon objective thresholds established and adopted by governing bodies. Potentially significant effects are those that exceed such thresholds and are supported with *substantial evidence* (facts, reasonable assumption(s) predicated upon facts, and/or expert opinion supported by facts) in light of the whole record. The CEQA process does not recognize significance based upon argument, speculation, or unsubstantiated opinion or narrative. As specified in Section 15204 (c):

*Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064 [Determining Significance of the Environmental Effects Caused by a Project], an effect shall not be considered significant in the absence of substantial evidence.*

While certain project effects may be perceived as annoying or displeasing to some individuals, the effects are not significant under CEQA when compared to the City's established thresholds and based on careful consideration of the substantial evidence in the record.

#### Public Review of the Proposed Project

The Draft MND for the proposed Bellevue Recreation Center Outdoor Improvements Project was made available for public review for a 30-day period beginning October 28, 2005. In addition, a public hearing was held to provide information on the proposed project and MND process and to receive additional comments. The public hearing was held on November 10, 2005, at the Bellevue Recreation Center. A copy of the hearing's transcript is in Appendix C. During the review period, a number of written comments were submitted to the lead agency.

Of the 255 written responses received, 143 responses expressed support for the project, while 112 raised

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<sup>1</sup> City of Los Angeles, Environmental Affairs Department. May 14, 1998. <http://www.lacity.org/ead/EADWeb-AQD/thresholdsguide.htm>.

issues of concern and expressed opposition to the project. A vast majority of those letters that highlighted concerns was presented in the format of a form letter. The issues raised can be summarized into the following main categories:

- A. Lighting
- B. Noise
- C. Parking & Traffic
- D. Miscellaneous – various other issues, such as loitering, trash, land use, and wildlife.

The Department has considered all comments submitted at the public hearing and by other written means during the comment period. Parties who submitted comments on the Draft MND during the public review period are listed in Table 5-1, and referenced by number in alphabetical order by last name. Responses to substantive comments to the MND follow in Section 5.2 and are referenced in Table 5-1 under the “Response Letter” column. To view the response(s) to each commentor’s letter, observe the Response Letter I.D. (A, B, C, or D) and refer to that I.D. topic in Section 5.2.

Following these categorical responses in Section 5.2 is response letter “E,” which separately addresses all comments raised by The Silverstein Law Firm in its letter that represents the concerns of the Bellevue Park Neighborhood Association. Copies of all letters received by the Department of Recreation and Parks are included in Section 5.3. Individual comments contained in the Silverstein letter have been sequentially numbered in the right margin and correspond to the numbered responses contained in response “E” in Section 5.2.

Due to the large number of form letters submitted and in an effort to minimize duplication, only one form letter in support and one form letter in opposition to the proposed project are included in Section 5.3 of this Chapter. All comment letters submitted are on file and available for viewing at the City of Los Angeles Department of Recreation and Parks, 1200 W. 7<sup>th</sup> Street, Suite 700, Los Angeles, CA 90017. Please contact Paul Davis at the Department of Recreation and Parks (213) 928-9137 if you would like to view the letters.

**Table 5-1: Comment Letters Received**

LETTER #	COMMENTOR		ADDRESS	DATE RECEIVED	PRIMARY COMMENT TOPIC (+, -)	RESPONSE LETTER
1	Abbott	Larry	3910 Melrose Ave.	11/28/2005	Field lighting (+)	A
2	Ackerman	Rachel	276 Tavistock Ave.	11/28/2005	Field lighting (+)	A
3	Ackerman	Sharon	955 Maltman ave	11/30/2005*	Lighting; Noise; Parking Increased park usage (-)	A, B, C, D
4	Ackerman	Sharon	955 Maltman ave	11/23/2005	Lighting; Noise; Biological Impacts (-)	A, B, C, D
5	Aguilar	Leonard	3220 Bellevue Ave	11/28/2005	Field lighting (+)	A
6	Alas	Jose	3923 Melrose Ave.	11/28/2005	Field lighting (+)	A
7	Alejo	Leticia	654 Commonwealth Ave.	11/28/2005	Field lighting (+)	A
8	Allowitz	Nicole	N/A	11/29/2005*	Noise; Loitering; (-)	B, D
9	Alongi	Michael	312 S. Commonwealth	11/28/2005	Field lighting (+)	A
10	Altaro	Eric	4224 Lockwood Ave.	11/28/2005	Field lighting (+)	A
11	Amaya	Juan	963 Edgecliff Dr.	11/28/2005	Field lighting (+)	A
12	Ambrocio	Victor	654 N. Commonwealth Ave.	11/28/2005	Field lighting (+)	A
13	Anacker	Kristen	908 1/2 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
14	Anderson	Adrianette	823 E. Kensington Rd	11/28/2005	Field lighting (+)	A
15	Anguiano	Angie	960 Edgecliff Dr	11/28/2005	Field lighting (+)	A
16	Anguiano	Beatrice	733 Tularosa Dr.	11/28/2005	Field lighting (+)	A
17	Anguiano	Caroline	960 Edgecliff Dr	11/28/2005	Field lighting (+)	A
18	Anguiano	Daniel	960 Edgecliff Dr	11/28/2005	Field lighting (+)	A
19	Anguiano	Karl	733 Tularosa Dr.	11/28/2005	Field lighting (+)	A
20	Arakawa	George	517 N. Virgil Ave.	11/28/2005	Field lighting (+)	A
21	Arevato	Arturo	17356 E. Temple Ave.	11/28/2005	Field lighting (+)	A
22	Arredondo	Lillian	4152 Chevy Chase Dr.	11/28/2005	Field lighting (+)	A
23	Arias	Iliana	975 Vendome St.	11/28/2005	Field lighting (+)	A
24	Aude	Erik	3352 Fulham Ct.	11/28/2005	Field lighting (+)	A
25	Avilez	Herman	1308 Lucile Ave.	11/28/2005	Field lighting (+)	A
26	Avilez	Isabel	3918 Melrose Ave.	11/28/2005	Field lighting (+)	A

Notes:

(\*) denotes comments received after the 30-day public comment period.

(+) indicates comment in support of project

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LETTER #	COMMENTOR		ADDRESS	DATE RECEIVED	PRIMARY COMMENT TOPIC (+, -)	RESPONSE LETTER
27	Avilez	Rafael	3916 Melrose Ave.	11/28/2005	Field lighting (+)	A
28	Axume	Maria	1455 Lucile Avenue	11/28/2005	Field lighting (+)	A
29	Axume	Oscar	4316 Willow Brook	11/28/2005	Field lighting (+)	A
30	Baguiao	Mario	4224 Lockwood Ave.	11/28/2005	Field lighting (+)	A
31	Baldenweg	William	810 Maltman Ave	11/28/2005	Lighting; Noise (-)	A, B
32	Barr Margolin	Sharon Ira	1321 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
33	Bautista	Michael	1212 Commonwealth Ave. # Q	11/5/2005*	Field lighting (+)	A
34	Benet	Nicole	10553 Glenbar Ave.	11/28/2005	Field lighting (+)	A
35	Benedetto	David	Bellevue	11/28/2005	Field lighting (+)	A
36	Berris Yogoda	Ruel James	932 Lucile Ave	11/28/2005	Lighting, Noise (-)	A, B
37	Betancourt	Peter	860 Manzantast	11/28/2005	Field lighting (+)	A
38	Boek	Lee	3724 Marcia Dr	11/28/2005	Lighting, Noise (-)	A, B
39	Bonn	Aaron	7414 1/2 Arizona Ave.	11/28/2005	Field lighting (+)	A
40	Brand	Holly	804 Maltman Ave #4	11/29/2005*	Lighting, Noise (-)	A, B
41	Calderon	Ronald	767 North Hoover St.	11/28/2005	Field lighting (+)	A
42	Calkins DeCenzo	Sara Sybil	856 Lucile Ave	11/28/2005	Lighting, Noise (-)	A, B
43	Carrauzza	Jorge	4222 Norma Avenue	11/28/2005	Field lighting (+)	A
44	Cerrano	Arlene	3220 Bellevue Ave	11/28/2005	Field lighting (+)	A
45	Chan	Pastora	3622 Ellsworth St	11/28/2005	Field lighting (+)	A
46	Chin	April	1846 N. Wilton Ave.	11/28/2005	Field lighting (+)	A
47	Circur	Leo	3622 Ellsworth St	11/28/2005	Field lighting (+)	A
48	Collins	Chris	2814 Motor Ave.	11/28/2005	Field lighting (+)	A
49	Costanza	Michael	824 N. Wilton Place	11/28/2005	Field lighting (+)	A
50	Couto	Michael	937 Maltman Ave	11/26/2005	Lighting (-)	A
51	Couto	Michael	937 Maltman Ave	11/27/2005	Lighting (-)	A

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LETTER #	COMMENTOR		ADDRESS	DATE RECEIVED	PRIMARY COMMENT TOPIC (+, -)	RESPONSE LETTER
52	Cozens	Jason	3344 Atwater Ave.	11/28/2005	Field lighting (+)	A
53	Crean	Frank	872 Lucile Ave #B	11/28/2005	Lighting; Noise (-)	A, B
54	Cuevas	Maria	918 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
55	Cuevas	Maria	916 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
56	Dahler	Annika	1444 1/2 Edgecliffe Dr.	11/28/2005	Field lighting (+)	A
57	De Guzman	Alejandra	1313 N. Maltman Ave	11/30/2005*	Lighting; Noise (-)	A, B
58	De la Torre	Greg	18330 Delano St	11/28/2005	Field lighting (+)	A
59	Dequeiroz	Malu	3911 Melrose Ave.	11/28/2005	Field lighting (+)	A
60	DeShields	Van	820 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
61	Dietrich	Andrea	1317 Edgecliffe Dr.	11/28/2005	Field lighting (+)	A
62	Dominguez	Ana	713 N. Luale Avenue	11/28/2005	Field lighting (+)	A
63	Dorney	Dennis	823 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
64	Dunlap	Jacky	4197 Pointview Dr.	11/28/2005	Field lighting (+)	A
65	Dupra	Nicole	1635 Mahman Ave.	11/28/2005	Field lighting (+)	A
66	Duran	Andrew	4530 Mercury Ave.	11/28/2005	Field lighting (+)	A
67	Duran	Ruben	963 Edgecliff Dr.	11/28/2005	Field lighting (+)	A
68	Eggerth	Brianne	534 Lancaster	11/28/2005	Field lighting (+)	A
69	Falconer	Ron	920 1/2 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
70	Fife	Bethanne	1320 Edgecliff	11/27/2005	Noise; Trash; Transients (-)	B, D
71	Flannagan	Susan	1303 1/2 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
72	Flores	Oneyda	4247 3/4 Burns	11/28/2005	Field lighting (+)	A
73	Fredriksen	Lisa	966 Edgecliff Dr	11/23/2005	Lighting (-)	A
74	French	Kari	823 Maltman Ave	11/29/2005*	Lighting; Noise (-)	A, B
75	Frierson	Cam	3610 Marcia Drive #3	11/28/2005	Lighting; Noise (-)	A, B
76	Fullmer	Betty	847 Kodak Dr	11/30/2005*	Lighting; Noise (-)	A, B
77	Fullmer	Betty	847 Kodak Dr	11/30/2005*	Lighting; Noise (-)	A, B
78	Garcia	Lisette	1531 10th Street	11/28/2005	Field lighting (+)	A

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79	Garrity	Matthew	968 Edgecliff Dr	11/28/2005	Lighting; Noise (-)	A, B
80	Gaspar	Fred	519 N. Virgil Ave.	11/28/2005	Field lighting (+)	A
81	Gendall	Alex	922 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
82	Giambruno	David	927 Maltman Ave	11/28/2005	Noise; Noise measurement (-)	B
83	Gonzalez	Gladys	343 N. Hobart Place	11/28/2005	Field lighting (+)	A
84	Gordon	Marian	3910 Melrose Ave.	11/28/2005	Field lighting (+)	A
85	Gotcher	Gary	946 Lucile Ave	11/30/2005*	Lighting; Noise (-)	A, B
86	Guesdon	Jean-	1301 Edgecliff Dr	11/28/2005	Lighting; Noise (-)	A, B
87	Guesdon	Maeve	1301 Edgecliff Dr	11/28/2005	Lighting; Noise (-)	A, B
88	Gutierrez	Ana	963 Edgecliff Dr.	11/28/2005	Field lighting (+)	A
89	Gutierrez	Marlet	963 Edgecliff Dr.	11/28/2005	Field lighting (+)	A
90	Hall	Charles	804 Maltman Ave #4	11/28/2005	Lighting; Noise (-)	A, B
91	Harris	Wesley	N/A	11/28/2005	Field lighting (+)	A
92	Henning	Danny	1301 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
93	Herbener	Mary Beth	1316 Edgecliff Dr	11/28/2005	Lighting; Noise measurement (-)	A, B
94	Hercules	Lupe	440 N. Occidental	11/28/2005	Field lighting (+)	A
95	Hernandez	Cecilia	827 Tularosa Dr.	11/28/2005	Field lighting (+)	A
96	Hernandez	Daniel	850 Lucile Ave #11	11/29/2005*	Noise; no buffering; (-) Land use (-)	B, D
97	Hernandez	Diana	3220 Bellevue Ave	11/28/2005	Field lighting (+)	A
98	Hernandez	Frank	4263 Normal Avenue	11/28/2005	Field lighting (+)	A
99	Hernandez	Jaqueline	320 Welcome St.	11/28/2005	Field lighting (+)	A
100	Hernandez	Mirian	1541 Micheltomra St	11/28/2005	Field lighting (+)	A
101	Hernandez	Patricia	462 1/2 N. Madison Ave	11/28/2005	Field lighting (+)	A
102	Hernoindez	Alba	3600 Marcia Drive	11/28/2005	Lighting; Noise (-)	A, B
103	Herrera	Margarito	911 Maltman Ave	11/30/2005*	Lighting; Noise (-)	A, B

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104	Higby	Lynne	924 1/2 Maltman Ave	11/28/2005	Lighting; Noise (-)	A, B
105	Hill	Justin	5757 Franklin	11/28/2005	Field lighting (+)	A
106	Hilton	Frank	3911 Melrose Ave.	11/28/2005	Field lighting (+)	A
107	Horner	Thomas	904 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
108	Horwer	Steven	908 1/2 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
109	Hurey	Jack	84 Lucile Ave #1	11/28/2005	Lighting; Noise (-)	A, B
110	Inoue	Nobuko	927 Lucile Avenue	12/9/2005*	Noise; Parking; increased usage (-)	B, C, D
111	Ironi	Dennis	2073 Linnington Ave.	11/28/2005	Field lighting (+)	A
112	Jaffe	Gale	912 Maltman Ave	11/30/2005*	Lighting glare; Noise measurement (-)	A, B
113	Jittlov	Marie	902 Maltman Ave	11/30/2005*	Lighting; Noise (-)	A, B
114	Jittlov	Mike	903 Maltman Ave		Lighting; Loitering; Desire for open space (-)	A, D
115	Johnson	David	967 1/2 Lucile Avenue	12/13/2005*	Lighting; Noise; Parking (-)	A, B, C
116	Josephson	Katie	9734 Monte Mar Dr.	11/28/2005	Field lighting (+)	A
117	Kemp	David	944 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
118	Korinec	Youry	912 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
119	Korinec	Youry	825 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
120	Kruchko	Cecilia	872 Lucile #A	11/28/2005	Lighting; Noise (-)	A, B
121	Lambek	Ed	973 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
122	Larimore	Cindy	3344 Atwater Ave.	11/28/2005	Field lighting (+)	A
123	Leffler	Justin	310 N. Adams St.	11/28/2005	Field lighting (+)	A
124	Le Vin	Genelle	1377 Lucile Ave		Field lighting (+)	A
125	Linares	Francisco	3915 W. Melrose Ave.	11/28/2005	Field lighting (+)	A
126	Lopez	Ilieana	536 N. Juanita	11/28/2005	Field lighting (+)	A
127	Lossi	Ingrid	2211 Court St	11/28/2005	Field lighting (+)	A
128	Lucchese	Christopher & Samuel	836 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B

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129	Luster	Andrew	1738 Canyon Dr.	11/28/2005	Field lighting (+)	A
130	MacMillan	Diane	932 Maltman #7	11/23/2005	Lighting; Noise (-)	A, B
131	MacWilliams	Jimmy	1631 Maltman Ave.	11/28/2005	Field lighting (+)	A
132	MacWilliams	Lydia	1631 Maltman Ave.	11/28/2005	Field lighting (+)	A
133	Mancio	Luis	901 N. Hoover St.	11/28/2005	Field lighting (+)	A
134	Manrique	Alfredo	1024 Douglas St.	11/28/2005	Field lighting (+)	A
135	Marcoux	Dana	944 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
136	Martinez	Darwin	4412 Lockwood Ave.	11/28/2005	Field lighting (+)	A
137	Martinez	Maria	N/A	11/28/2005	Field lighting (+)	A
138	Martino	Michael	920 Maltman Ave	11/28/2005	Lighting; Noise (-)	A, B
139	Maskill	Simon	1317 Edgecliffe Dr.	11/28/2005	Field lighting (+)	A
140	Mattocks	Dawn	3616 Marcia Dr #1	11/23/2005	Lighting; Noise (-)	A, B
141	Maya	Rene	1308 Lucile Ave.	11/28/2005	Field lighting (+)	A
142	McCullough	Michael	1316 Edgecliff Dr	11/28/2005	Lighting; Prop K Inappropriate use (-)	A, D
143	McCullough	Sean	1316 Edgecliff Dr	11/28/2005	Lighting; Noise (-)	A, B
144	McLean	Julie	910 Maltman Ave	11/28/2005	Lighting; Noise (-)	A, B
145	McManemia	Ryan	1926 Vista del Mar Ave.	11/28/2005	Field lighting (+)	A
146	Mead	Joan	928 1/2 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
147	Medina	Jose	1607 Maltman Ave.	11/28/2005	Field lighting (+)	
148	Medina	Kevin	1607 Maltman Ave.	11/28/2005	Field lighting (+)	A
149	Medina	Kyle	1607 Maltman Ave.	11/28/2005	Field lighting (+)	A
150	Medina	Luz	1607 Maltman Ave.	11/28/2005	Field lighting (+)	A
151	Mejia	Christine	1306 1/2 Lucile Ave.	11/28/2005	Field lighting (+)	A
152	Mellor	Scott	1635 Mahman Ave.	11/28/2005	Field lighting (+)	A
153	Mendoza	Manuel	1963 Edgecliff Dr.	11/28/2005	Field lighting (+)	A
154	Meng	Micki	39 Sunset	11/28/2005	Field lighting (+)	A

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155	Meyer	Fabi	1432 Crestview Ct.	11/28/2005	Field lighting (+)	A
156	Moctezuma	Edward	9017 Clinton St.	11/28/2005	Field lighting (+)	A
157	Moctezuma	Stewart	9017 Clinton St.	11/28/2005	Field lighting (+)	A
158	Mollos	Andrew	3630 Marathon St.	11/28/2005	Field lighting (+)	A
159	Monarch	Jeff	11045 Fruitland Dr.	11/28/2005	Field lighting (+)	A
160	Monge	Melissa	654 Commonwealth Ave.	11/28/2005	Field lighting (+)	A
161	Montial	Carolina	441 N. Virgil #1	11/28/2005	Field lighting (+)	A
162	Monvoy	Edwin	967 N. Harvard	11/28/2005	Field lighting (+)	A
163	Moore	Dorey	3726 Marcia Dr	11/28/2005	Lighting; Noise (-)	A, B
164	Mosenifan	Alessandra	17811 Tramonto Dr.	11/28/2005	Field lighting (+)	A
165	Mudlo	Linda	900 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
166	Munro	John	862 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
167	Ng	Carol	960 Edgecliff Dr		Field lighting (+)	A
168	Ng	Carol	N/A	N/A	Light pole height; inconsistencies (-)	D
169	Nguyen	Lucy	3630 Marathon St.	11/28/2005	Field lighting (+)	A
170	Noble	Vincente & Barbara	N/A	11/23/2005	Lighting; Noise (-)	A, B
171	Nuestro	Renier	646 N. New Hampshire	11/28/2005	Field lighting (+)	A
172	O'Dwyer Feagin	Caley	903 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
173	Palen	Leah	905 1/2 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
174	Palma	Victor	1016 N. Heliotrope	11/28/2005	Field lighting (+)	A
175	Papaleo	Christopher	812 1/2 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
176	Parada	Claudelarria	3224 Bellevue Ave.	11/28/2005	Field lighting (+)	A
177	Passan	Halid	963 Edgecliff Dr.	11/28/2005	Field lighting (+)	A
178	Pestana	Lyn	926 Lucile Avenue	1/9/2006*	Noise; Parking; Increased Usage (-)	B, C, D
179	Pleses	Norma	3321 3/4 Berkeley Ave.	11/28/2005	Field lighting (+)	A
180	Potter	Gary	9011 Phyllis	11/28/2005	Field lighting (+)	A

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181	Power	Timothy	810 1/2 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
182	Priego	Gloria	1008 N. Rosemont Ave.	11/28/2005	Field lighting (+)	A
183	Quintanilla	Rina	654 N. Commonwealth Ave.	11/28/2005	Field lighting (+)	A
184	Quintanilla	Steve	4234 Lockwood Aven	11/28/2005	Field lighting (+)	A
185	Railton	Catherine	1389 Edgecliffe Dr.	11/28/2005	Field lighting (+)	A
186	Ramirez	Elma	4310 Willowbrook Ave.	11/28/2005	Field lighting (+)	A
187	Reed	Dan	804 Maltman Ave #5	11/28/2005	Lighting; Noise (-)	A, B
188	Richardson	Ross	853 Lucile Ave	11/30/2005*	Lighting; Noise (-)	A, B
189	Riley	John J.	3524 Winslow Drive	11/30/2005*	Lighting; Noise (-)	A, B
190	Rinares	Jose	3916 W. Melrose Ave.	11/28/2005	Field lighting (+)	A
191	Rissmann	Klaus	829 1/2 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
192	Roberts	Constance	932 Maltman #7	11/23/2005	Lighting; Noise (-)	A, B
193	Robles	Julio	1334 Monroe St.	11/28/2005	Field lighting (+)	A
194	Ronman	Paula	1713 Edgecliffe Drive	11/28/2005	Field lighting (+)	A
195	Rose	Laurie	900 Maltman Ave	11/29/2005*	Lighting; Noise; Litter (-)	A, B, D
196	Rose	Laurie	900 Maltman Ave	11/29/2005*	Lighting; Noise (-)	A, B
197	Rosenberg	Milt	938 N. Tularosa Dr.	11/28/2005	Field lighting (+)	A
198	Rosenberg	Stefani	938 N. Tularosa Dr.	11/28/2005	Field lighting (+)	A
199	Ross	Amy	1312 Edgecliff Dr	11/23/2005	Lighting (-)	A
200	Ross	Daniel	2030 Ivar Ave.	11/28/2005	Field lighting (+)	A
201	Roupoli	Tim	811 Maltman Ave	11/28/2005	Lighting; Noise (-)	A, B
202	Rubalcava	Alfonso	847 Maltman Ave	11/30/2005*	Lighting; Noise (-)	A, B
203	Ruiz	Bernardo	4044 Marathon St.	11/28/2005	Field lighting (+)	A
204	Rush	Laura	910 3/4 Maltman	11/23/2005	Lighting; Noise (-)	A, B
205	Russell	Ben	1317 Edgecliffe Dr.	11/28/2005	Field lighting (+)	A
206	Sanderson	Kirsten	926 Maltman Ave	N/A	Lighting – safety (-)	A
207	Santos	Ana	342 N. Hobart Pl	11/28/2005	Field lighting (+)	A

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LETTER #	COMMENTOR		ADDRESS	DATE RECEIVED	PRIMARY COMMENT TOPIC (+, -)	RESPONSE LETTER
208	Sarun	Matthew	420 Witmer St. #405	11/28/2005	Field lighting (+)	A
209	Shaffer	Bruce	9459 Descanso Dr	12/12/2005*	Lighting; Noise (-)	A, B
210	Shaw	A. Renard	3810 Buckingham Rd.	11/28/2005	Field lighting (+)	A
211	Shiokawa	Miyoko	3911 Melrose Ave.	11/28/2005	Field lighting (+)	A
212	Silva	Ana Maria	652 Imogen Ave.	11/28/2005	Field lighting (+)	A
213	Silva	Aurora	652 Imogen Ave.	11/28/2005	Field lighting (+)	A
214	Silva	Enrique	3443 Larissa Dr.	11/28/2005	Field lighting (+)	A
215	Silva	Isabel	3443 Larissa Dr.	11/28/2005	Field lighting (+)	A
216	Silva	Nicolas	652 Imogen Ave.	11/28/2005	Field lighting (+)	A
217	Siverstein	Robert	215 N. Marengo Avenue	11/28/2005	Light, Noise, Traffic/Parking (-)	E
218	Somanila	Margarita	654 N. Commonwealth Ave.	11/28/2005	Field lighting (+)	A
219	Spector	Steven	N/A	11/27/2005	Lighting (-)	A
220	Stokes	Amy	844 Maltman Ave	11/29/2005*	Lighting; Noise (-)	A, B
221	Tabb	Benjamin	955 Maltman ave	11/23/2005	Lighting; Noise (-)	A, B
222	Taylor	Jacqueline	969 Edgecliff Drive	11/30/2005*	Lighting; Noise (-)	A, B
223	Testa	Chris	912 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
224	Teti	Pieruho	974 Edgecliff Dr	11/23/2005	Lighting; Noise (-)	A, B
225	Teti	Rose	974 Edgecliff Dr	1/12/2006*	Parking; Trash; Noise (-)	B, C, D
226	Tollman	Shelli	908 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
227	Torres	Angela	3300 Marathon St.	11/28/2005	Field lighting (+)	A
228	Torres	Consuelo	441 N. Virgil #1	11/28/2005	Field lighting (+)	A
229	Toth	Ben	2955 Glenn Ave.	11/28/2005	Field lighting (+)	A
230	Transeau	Kristie	928 Maltman Ave	11/28/2005	Lighting; Noise (-)	A, B
231	Troncoso	Joel	706 Nimogen Ave.	11/28/2005	Field lighting (+)	A
232	Tubbs	Janet	922 1/2 Maltman Ave	11/28/2005	Lighting; Noise (-)	A, B
233	Uda	Kay	932 Maltman	11/23/2005	Lighting; Noise (-)	A, B

Notes:

(\*) denotes comments received after the 30-day public comment period.

(+) indicates comment in support of project

(-) indicates comment in opposition to project

**Table 5-1: Comment Letters Received**

LETTER #	COMMENTOR		ADDRESS	DATE RECEIVED	PRIMARY COMMENT TOPIC (+, -)	RESPONSE LETTER
234	Ujiry	Loretta	963 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
235	Uwaine	George	333 S. Kingsley Dr.	11/28/2005	Field lighting (+)	A
236	Valentic	Keri	829 Lucile Ave	11/23/2005	Lighting; Noise (-)	A, B
237	Vargas	Guadalupe	980 N. Madison Ave.	11/28/2005	Field lighting (+)	A
238	Vennera	Nicole	820 1/2 Maltman Ave	11/29/2005*	Lighting; Noise (-)	A, B
239	Villabbos	Tania	3325 Berkeley Ave.	11/28/2005	Field lighting (+)	A
240	Vovas	Christina	971 Maltman Ave	11/29/2005*	Lighting; Noise (-)	A, B
241	Vu	Danielle	840 S. Hobart Blvd.	11/28/2005	Field lighting (+)	A
242	Washington	Joseph	3405 Marathon	11/28/2005	Field lighting (+)	A
243	Webb Yackee	Susan & Jason	901 Maltman Ave		Lighting; Noise (-)	A, B
244	Weiss	Harry & Helen	963 N. Maltman	11/28/2005	Lighting; Noise (-)	A, B
245	Whipple	Bruce	907 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
246	Whitaker	Samantha	814 Maltman Ave	11/23/2005	Lighting; Noise (-)	A, B
247	Winters	Herbie	N/A	11/27/2005	Lighting (-)	A
248	Winters	Herbie	N/A	11/27/2005	Lighting (-)	A
249	Wodman	Andrew	626 S. Lormints	11/28/2005	Field lighting (-)	A
250	Yackee	Jason and Susan	901 Maltman Ave	11/23/2005	Lighting; Noise; Parking; Increased Usage (-)	A, B, C, D
251	Yahn	Michelle	1304 Maltman Avenue	12/2/2005*	Lighting; Noise (-)	A, B
252	Yeager	Adrianna	804 Maltman #1	11/23/2005	Lighting; Noise (-)	A, B
253	Zavaleta	Oscar	952 Lucile Ave	11/28/2005	Lighting; Noise (-)	A, B
254	Zelus	Charles	872 Lucile Ave # D	11/23/2005	Lighting; Noise (-)	A, B
255	Zuniga	Martin	909 Maltman Ave	11/30/2005*	Lighting; Noise; Parking; Increased Usage (-)	A, B, C, D

Notes:

(\*) denotes comments received after the 30-day public comment period.

(+) indicates comment in support of project

(-) indicates comment in opposition to project

## **5.2 RESPONSES TO COMMENTS**

### **RESPONSE A: LIGHTING**

For clarification, the following lighting is proposed for the Bellevue Recreation Center improvements as described in the Project Description in Chapter 2, page 2-11, of the MND:

- Security lighting – Seven 16-foot high light poles would be placed along the walkway/jogging trail for pedestrian safety. In addition, twelve 30-foot high light poles would be dispersed throughout the park for additional security lighting.
- Baseball Fields – Twelve 60-foot high light poles would be installed along the perimeter of the multi-use fields (six light poles per field).
- Basketball Court – Two 25-foot high light poles would be placed on the outdoor basketball court.

Section 4.1 (d) of the Draft MND contained a typographical error that referenced 72-foot high light poles; however, this should read 60-foot-light poles as described in the project description section of the MND. This typographical error had no bearing on the findings of the light analysis.

The new field lighting is consistent with those used in other city of Los Angeles neighborhood parks that have not resulted in significant impacts under CEQA. While illumination from the lights may be noticeable to neighboring residences, significant glare or spillover impacts would not occur due to use of improved Best Available Control Technology (BACT) by experts in sports field lighting. BACTs include new focused beam and shielding technology. Data supplied by the lighting manufacturer/installer indicates that light levels beyond the park boundaries would be brighter than a full moon but equivalent or less than street lighting.

According to the manufacturer's lighting plan and illumination model, the spillover lighting effects would be greatest at residential property lines to the west of the ball fields. At that location, the average illumination would be 0.24 footcandles, the minimum 0.18 footcandles, and the maximum 0.34 footcandles (the manufacturer's lighting plans are contained in Appendix D). Typically, a full moon has an illuminance of approximately 0.1 footcandles and street lighting typically has an illuminance of approximately 1.0 footcandles. Thus, the worst-case spillover lighting levels would be roughly one-third the brightness of typical street lights, and in no case would field lighting occur past 10:00 PM on any night.

Because project lighting would result in spillover light levels roughly equivalent to ambient levels expected in an urban setting, impacts would be less than significant.

## RESPONSE B: NOISE

In compliance with CEQA, noise impacts were evaluated against thresholds established and adopted by the City of Los Angeles in the *L.A. CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles (Thresholds Guide)*.<sup>2</sup> Per the Thresholds Guide, noise levels at residences are not considered significant if they are within the 50-70 decibel (dB) Community Noise Equivalent Level (CNEL) range, or do not result in a CNEL increase of 5 dB or more. The CNEL level is a 24-hour weighted average that assigns extra weighting or “penalties” to noise levels occurring during evening and overnight hours. This noise threshold is especially appropriate for this type of project where evening sports activity noise would be one of the primary effects related to the installation and operation of evening field lighting. Thus, all project-related noise that is expected to occur between the hours of 7:00 PM and 10:00 PM was assigned a 5 dB penalty in the noise model prepared for the project, in order to account for greater sensitivity to noise during this period (please refer to Section 4 of the MND for more discussion of the CNEL analysis).

A before-and-after noise modeling analysis was conducted for residential locations nearest in proximity to key park activities (i.e., baseball game, basketball game, and use of batting cage). As a result of the park improvements (specifically the field and court lighting for evening ball games), it is estimated that maximum noise level increases would be less than 3 dB, CNEL at neighboring residences and would not exceed 64 dB, CNEL. As estimated noise increases would be less than the 5 dB threshold under all circumstances and overall noise levels would remain in the acceptable 50-70 dB range, noise impacts would be less than significant.

This does not imply that noise resulting from evening sports activities would go unnoticed by nearby residents. It is recognized that the noise – especially peaks in noise (e.g., moments of cheering and the ball being hit by a baseball bat) – may be discernable to some. However, per the City’s thresholds, the noise impacts would be less than significant. Observations of local noise conditions and estimated effects of the project on existing noise levels by the public are noted for the record, but do not constitute substantial evidence, especially given the highly technical nature of the analysis.

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<sup>2</sup> City of Los Angeles, Environmental Affairs Department. May 14, 1998. <http://www.lacity.org/ead/EADWeb-AQD/thresholdsguide.htm>.

### **RESPONSE C: TRAFFIC AND PARKING**

A traffic and parking study was conducted for the MND and is included in its entirety in Appendix B. Per the study, the project would result in a maximum estimated increase in demand of approximately 23 spaces during evening hours. A 40-space parking lot is on site and is available to park patrons, preschool patrons, Recreation Center staff, and patrons and staff of the Stop-in-Center for the Los Angeles Police Department. Of the 40 on-site parking spaces, approximately 28 were occupied during the weekday midday of observation. Since the preschool does not operate during the evening, the 40 on-site parking spaces would be substantially available by approximately 5:30 p.m., thereby accommodating the additional 23-space parking need associated with evening park activity. In addition, some on-street parking is also available in the immediate vicinity of the park. Therefore, nighttime parking demand resulting from the proposed project can be accommodated and is, thus, not a significant impact.

Related to the parking issue is traffic circulation and intersection capacity in the park's immediate vicinity. The established criterion for measuring such traffic impacts is the Level of Service (LOS). The MND analyzed future (year 2008) intersection capacity at four key intersections with and without the proposed park improvements. The LOS at all four intersections would not deteriorate to a level of significant adverse impact as a result of park improvements.

Emergency access would likewise not be significantly altered. As explained above, parking and traffic capacity is not expected to significantly deteriorate due to the proposed project. As conditions in the area would not be significantly altered due to the park improvements, emergency service response would also not be adversely affected. Observations of local traffic and parking conditions and estimated effects of the project on existing conditions by the public are noted for the record, but do not constitute substantial evidence, especially given the highly technical nature of the analysis.

## **RESPONSE D: MISCELLANEOUS TOPICS**

The draft MND generated a number of various other concerns during the public review. Responses to those comments in general follow:

### ***Biological Resource***

A commentor raised a concern over the impact to a bird species; however, specifics and substantive data were not provided. Regarding this issue, potential biological impacts were fully addressed in the MND. Trees would not be removed and bird species would not be harmed. The Bellevue Recreation Center is located within a heavily urbanized area and is not designated as sensitive or critical biological habitat by any natural resource agency. No special-status species have been identified in the area. The area does not exist within natural habitat, does not contain wetlands or natural waterways, and does not contain corridors for native resident or migratory fish or wildlife species. Therefore, there is no significant impact per CEQA.

### ***Land Use***

The issue land use compatibility was raised. The use of the Bellevue Recreation Center as a park facility would not change with the addition of the proposed park improvements – the improvements support and enhance the use as a recreational facility. The proposed project is consistent with the City’s General Plan designation of the project site for open space use, as the site is currently used for recreational purposes, and would continue to be used for recreational purposes upon completion of the proposed project. Therefore, there is no significant impact per CEQA.

### ***Loitering***

Comments concerning loitering are noted. However, under CEQA this topic is not a resource area for consideration, as it does not result in a physical impact to the environment. Loitering, while perhaps a *policy* issue to be considered, does not warrant *environmental* analysis. Therefore, loitering is not applicable to the CEQA process.

### ***Trash***

Comments concerning trash from park use are noted. Trash facilities are, and will continue to be, provided on-site. No significant new sources of trash generation would result from the proposed project.

### ***Proposition K***

A commentor’s concern regarding the use of Proposition K funding for lighting and other project improvements is noted. However, under CEQA this topic is not a resource area for consideration, as it does not result in a physical impact to the environment. The proposed improvements will benefit youth recreational activities at the Bellevue Recreation Center and by default benefit all who use the park, including supervisory adults. Project funding and applicability, while perhaps a *policy* issue to be considered, do not warrant *environmental* analysis. Therefore, project funding is not applicable to the CEQA process.

**RESPONSE E: RESPONSES TO COMMENTS FROM ROBERT SILVERSTEIN OF THE SILVERSTEIN LAW FIRM, DATED NOVEMBER 28, 2005**

1. The Initial Study and Mitigated Negative Declaration (MND) prepared for the Bellevue Recreation Center Outdoor Improvements Project fully discloses all impacts associated with the project in accordance with the California Environmental Quality Act (CEQA). The MND is in no way a “rubber stamp” as the commentor claims, and in no way violates CEQA.

The MND is neither inadequate, nor are there significant discrepancies and omissions in the MND as asserted by the commentor. An Environmental Impact Report (EIR) is not required for this project because the MND clearly demonstrates that, with the implementation of specific mitigation measures, no significant impacts would result from the project.

The assertion that an EIR must be prepared to disclose the “true impacts” of the project is unfounded and either infers that the impacts detailed in the MND are not factual or that MNDs in general do not provide true disclosure of impacts. In fact, the impact findings contained in the MND are factual in nature and are thoroughly supported by quantitative and qualitative analyses in accordance with industry standard methodologies, the State CEQA Guidelines, and City of Los Angeles approved impact thresholds.

2. Contrary to the commentor’s assertion, the City has not decided to proceed with the project regardless of environmental concerns and issues. In fact, the City has actively engaged the community in the environmental review process required by CEQA, has complied with the CEQA Guidelines in preparing the environmental documents, and has fully considered both the potential impacts of the project and the views of all affected stakeholders.

The commentor’s assertion that the City has not considered the cumulative environmental effects of the project is false. While certain minor park improvements that were exempt from CEQA review and had independent function from the field lighting project were previously implemented, such as new walkways and security lighting, these components are nevertheless included in the project description in the MND and evaluated as if they have not yet been implemented *precisely for* the purpose of providing an accurate disclosure of the cumulative environmental effects of all proposed park improvements.

The project has not gained “irreversible momentum” as the commentor claims and the MND is not a “*post-hoc* rationalization” of the project. The main project component of concern to the commentor, the field lighting, has neither been approved, nor implemented, and no action will be taken until the environmental review process has been completed subject to CEQA requirements.

3. Project funding sources and concerns over the LVNOC process are both outside the scope of CEQA and the MND. The City acknowledges the comment for the record.
4. The City did not fail to prepare an Initial Study as asserted by the commentor. In fact, the Initial Study comprises the bulk of the MND. The Initial Study begins on page 4-1 of the MND and includes impact

determinations and supporting discussions for each and every environmental question contained in the Environmental Checklist Form contained in Appendix G of the State CEQA Guidelines (commonly referred to as the “Initial Study Checklist”). To provide clarification to the commentor, the final document has been retitled “Final Initial Study and Mitigated Negative Declaration.” This title change in no way affects the contents of the document.

5. Comments related to the commentor’s public records requests are not environmental in nature and as such fall outside the scope of CEQA and the MND. The City acknowledges the comments for the record.
6. As detailed in these responses to comments, there is no substantial evidence to support a fair argument that an EIR is required for the project.
7. For clarification, the following lighting is proposed for the Bellevue Recreation Center improvements as described in the Project Description in Chapter 2, page 2-11, of the Draft MND:
  - Security lighting – Seven 16-foot high light poles would be placed along the walkway/jogging trail for pedestrian safety. In addition, twelve 30-foot high light poles would be dispersed throughout the park for additional security lighting.
  - Baseball Fields – Twelve 60-foot high light poles would be installed along the perimeter of the multi-use fields (six light poles per field).
  - Basketball Court – Two 25-foot high light poles would be placed on the outdoor basketball court.

Section 4.1 (d) of the Draft MND contained a typographical error that referenced 72-foot high light poles; however, this should read 60-foot-light poles as described in the document’s Project Description. This typographical error had no bearing on the findings of the light analysis and neither precluded the public from gaining a thorough understanding of the project’s potential environmental effects, nor providing informed comments on the draft document.

Per section 15073.5 of the State CEQA Guidelines, the City need only recirculate the MND if the document must be “substantially revised” after released for public comment. Section 15073.5(c)(4) more specifically states that recirculation *is not required* if “new information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.”

No other changes to the project description have occurred subsequent to public review of the document and clearly this one correction does not constitute a “substantial revision” on any grounds.

8. The fact that some residents have submitted comments asserting that the lights will create significant and unmitigable impacts does not necessarily mean such impacts will in fact exist. Layperson observations of lighting were on matters only experts could opine upon. Impact findings under CEQA are based upon adopted thresholds and methodologies, not popular opinion. Regarding light and glare, the CEQA Environmental Checklist form questions whether a project would “create a new source of substantial

light or glare which would adversely affect day or nighttime views in the area.” While actual lighting levels, duration of nighttime illumination, and proximity to residences and other sensitive uses are not specifically mandated for evaluation, the MND nevertheless considers all of these factors.

The MND acknowledges that the project would result in an increase in nighttime lighting (P. 4-2). However the MND also details that, given the lights are not inconsistent with this type of land use (i.e., a park), would in no circumstances be turned on later than 10:00 PM, and would be fitted with shields to eliminate potential spillover lighting to adjacent properties (whether those be light-sensitive or not), no significant impacts would occur. The City clearly reiterated this rationale at the public hearing held for the project on November 10, 2005. As detailed in the transcript of the hearing that is contained in Appendix C of this document, the City’s consultant states:

*“Yes, there are going to be changes. There’s no bright lighting out there now. If they put the lights in, you’re going to see lights. You will see light. It will be brighter than it is today.... However, we measure all of these changes, all of these degrees of impact against established thresholds. Those thresholds are established by the City of Los Angeles, and in some cases the State of California as to what amount of change. How much more lighting...[would result in a significant impact]? And what this document concludes and what our studies conclude was that it doesn’t cross that threshold. Yes, we will see more lighting...but it just simply does not cross that threshold...” (Hearing Transcript P. 3)*

In response to the great concern over the lighting, the lighting contractor, MUSCO Lighting, was asked to provide lighting plans for the park along with modeled light levels at adjoining residential property lines. As detailed in Response A: Lighting, worst-case spillover light levels would be less than significant as they would approximate only about one-third the light level of typical street lighting. The lighting plans and calculations (contained in Appendix D) further clarify the conclusion in the MND that the proposed lighting plan would not result in significant impacts.

Further, the commentor’s assertion that the project would introduce “such massive illumination so close to dwelling units” and thus warrants a Human Health Risk Assessment (HRA) is wholly unsubstantiated. Several articles expounding the theory that exposure to light may cause increased risk of breast cancer in women have been included as attachments to the letter (Exhibit 3) as supposed rationale for conducting an HRA. However, none of the articles are particularly relevant to the type, intensity, or exposure duration of the lights proposed for the project and none of the article authors analyzed the specific factual situation in the project. It is clear that the assertion of the MND being deficient because it did not evaluate health risks associated with the lights is unfounded and unreasonable. The commentor’s assertion is not based on fact and falls well below the “fair argument” threshold for preparation of an HRA or EIR.

The commentor’s assertion and inclusion of these letters is clearly just one component of a “kitchen sink” approach to arguing inadequacies in the MND. The articles are outdated, are not from recognized scientific journals, did not analyze the specific factual situation in the project, and were apparently located on the internet by conducting a search for “light and cancer.” The fact that a

veritable hodgepodge of articles theorizing and presenting “initial findings and trends” on the subject can be found on the internet does not constitute a fair argument. In fact, if one performs an internet search using the words “light and therapy,” one will find over 20 million web pages and articles detailing how exposure to light effectively *treats* infections, depression, eye injuries, acne, and even Alzheimer’s disease.

9. The South Coast Air Quality Management District reviewed the air quality modeling inputs, outputs, and conclusions for the project and concurred with the findings of no significant impact with respect to air quality. The commentor and the Giroux letter also assert that the MND failed to disclose methane gas risks and that a “reasonable argument” exists that such risks pose a significant impact to human health. This assertion is false. Page 4-11 to 4-12 of the MND clearly states that methane gas was identified on the project site in December 2003 and January 2004 but that after gas migration probes were installed, subsequent inspections in April 2004, July 2004, November 2004, March 2005, and May 2005 indicated no hazardous methane levels. The commentor does not provide a reasonable argument or any data to support the assertion that the MND is inadequate because it did not provide measures to protect electrical systems from methane gas. As stated, no methane gas hazards exist at the project site and all electrical systems would be installed according to applicable building and electrical codes.
10. The biological resources section of the MND clearly documents the lack of rare, threatened, endangered, or otherwise special-status species in and adjacent to the project site. Contrary to the commentor’s assertion, no photos of “endangered hawks nesting at Bellevue Park” have been provided to the lead agency. There is no reasonable rationale to support the assertion that “various birds, opossums, coyotes, etc.” would be adversely affected by the proposed park improvements.
11. The project site is a park. The proposed project includes various park improvements consistent with the current land use. Potential land use conflicts stemming from nighttime lighting, such as noise and traffic, have been thoroughly addressed in respective sections of the MND and found to be less than significant. The commentor’s assertion that the project “will disrupt the tranquility and peaceful enjoyment of the residents” is unsubstantiated, and inherently of a subjective and non-environmental nature. Moreover, CEQA does not require analysis of property values as this is not of an environmental nature, and there is no evidence or rationale to suggest that the project could result in lower property values.
12. The noise analysis contained in the MND is neither flawed nor improper and was conducted in accordance with City of Los Angeles and industry standards by consulting noise experts with decades of combined experience. The assertions that the analysis does not “disclose an accurate picture” of ambient noise levels and “corrupt[s]” the analysis of noise increases is unsubstantiated and based upon incorrect assumptions and facts.

The referenced “objections” contained in Exhibit 4 (Giroux letter) are listed as two “deficiencies” that are in fact observations as opposed to errors or omissions. The first observation on page 1 of the letter states that the MND analysis is based upon the *Draft LA City CEQA Guidelines*. This observation is correct. The analysis uses the approved City Guidelines as the basis for determination

of impact. Per the Thresholds Guide, noise levels at residences are not considered significant if they are within the 50-70 decibel (dB) Community Noise Equivalent Level (CNEL) range, or do not result in a CNEL increase of 5 dB or more. The CNEL level is a 24-hour weighted average that assigns extra weighting or “penalties” to noise levels occurring during evening and overnight hours. This noise threshold is especially appropriate for this type of project where evening sports activity noise would be one of the primary effects related to the installation and operation of evening field lighting. While the threshold may be “objectionable” to the commentator, it is by definition not a “deficiency” and is wholly appropriate for this project.

The second observation states that the MND noise analysis “is based upon a series of spot-check noise readings that were extrapolated into an assumed weighted 24-hour average.” This is also partly accurate. While the readings taken were much more than “spot-checks,” in fact lasting several minutes at a time, extrapolation is an inherent component of noise modeling. Simply put, one first measures existing noise, models future noise, and uses those inputs to predict or extrapolate future combined noise levels.

The commentator argues that a different noise threshold should have been used. This argument is not relevant to the findings of the MND. As stated by the commentator himself, the City has adopted thresholds for noise that are to be used for CEQA analysis. It was determined not to be significant because it was below the threshold, and contrary information was unsubstantiated based upon incorrect assumptions and facts. While it may be “objectionable” as stated in the main letter that references the Giroux letter, it is clearly not “deficient.”

The “personal observations,” noise measurements, analysis and findings presented in Exhibit 4 offer an alternative to the analysis contained in the MND, but do not definitively identify any technical errors in the MND analysis. In addition, the Giroux study in fact begins with flawed assumptions and thus the findings are inherently inaccurate. Specifically, the Giroux study presents flawed baseline noise conditions that were generated by taking noise readings from November 18, 2005 through November 19, 2005 – a period during which the park was closed to the public. The Giroux study states, “the difference between the Draft MND assumption and reality for this measurement period is astounding...” In fact, the “reality” is that the park was closed and thus the fact that the Giroux readings are markedly different than the MND baseline readings is not “astounding” at all, but rather expected.

Further, the article and excerpts contained in Exhibits 10 and 11 are irrelevant to the proposed project. As demonstrated in the MND, the proposed project would not result in significant noise impacts. The Sacramento County Noise Element states under the heading “Softball Games” that “organized activities should be evaluated to determine whether crowd noise will exceed acceptable noise levels at adjacent residential uses.” This is in fact precisely the rationale for conducting the noise analysis for the proposed project – and that methodology demonstrates that there would be no significant impacts. The *Los Angeles Times* article also serves to underscore the importance of evaluating potential noise impacts for proposed projects such as this, but neither article in any way substantiates the commentator’s assertion that the project’s noise effects are significant.

13. Traffic and parking impacts were thoroughly analyzed and discussed in the MND. A traffic and parking study was prepared for the project by the highly qualified firm Transolutions and that study, along with all assumptions and model runs, was included in Appendix B of the MND. Contrary to the commentor's assertions and those of Mr. Kassan's contained in Exhibit 13, there is no substantial evidence to support a fair argument that the project may cause significant and unavoidable traffic and parking impacts because of incorrect assumptions and facts. Responses to Mr. Kassan's comments are listed below according to comment numbers in his letter.

#### Traffic Impacts

1. Mr. Kassan argues that trip generation has been underestimated because the study didn't account for joggers, batting cage use, and picnicking at night. These are not new users that could reasonably be expected to generate substantial new vehicle trips in the evening hours. The park's walking/jogging trail would be enhanced, but would not be a regional draw as a jogging facility that could reasonably be expected to result in joggers driving from their homes to park at the site and jog. The batting cage would only be for organized use associated with little league games and practice and thus no additional users would drive to the park to use the batting cage beyond what was assumed in the study. Finally, there is nothing reasonable about an assumption that there would be a marked increase in vehicle trips to the park associated with nighttime picnics.
2. See response to comment 1 above.
3. As stated above, the batting cage would only be for organized use associated with little league games and practice and thus no additional users would drive to the park to use the batting cage beyond what was assumed in the study.
4. As noted in the traffic study, the baseball game trip estimates are conservative because the games that occur during the first session would likely occur anyway (with or without lights) during daylight savings time. Recreational baseball, softball, and pickup basketball games are not activities that could reasonably be expected to result in substantial new vehicle trips from spectators. See response 1 above regarding joggers and picnickers.
5. References to the year 2007 on page 8 of the traffic study should read 2008. The future year for analysis in the traffic study is 2008.
6. The commentor is correct that the level of service will be poor, but is also correct that the project would not significantly affect the specified intersection, or any other roadways, as documented in the MND. As noted, the poor level of service is an existing condition not significantly affected by the proposed project. Consideration of improvements to area traffic fall outside the scope of the MND.
7. As described in response 6 above, traffic and circulation issues are an existing condition and would not be significantly affected by the proposed project.

#### Parking Capacity Adequacy

1. Contrary to the commentor's assertion, a weekday evening and weekend parking supply inventory is neither necessary, nor required and the parking analysis in the MND is wholly adequate. During weekday nights and weekend nights, the 40-space on-site parking lot will not be in use by the day care center, and should thus accommodate the estimated incremental demand of 23 new vehicle trips documented in the traffic study. No project components can be reasonably expected to dramatically increase weekend day trips due to the fact that the uses on site are not changing.
2. Descriptions of parking regulations are neither necessary nor required to reach a quantitatively sound parking impact conclusion. Please refer to response 1 above.
3. See response 1 under Traffic Impacts and response 1 under Parking Capacity Adequacy above. The parking analysis methodologies and findings are wholly sound and adequate and the commentor's challenges are without merit.
4. The commentor's postulations are speculative and the parking assumptions used in the MND analysis are entirely realistic. It is realistic that players will not linger for more than a half hour after their game and will not arrive more than a half before their game. Further, recreational games are time-based and not inning based – there are no “extra innings.” Finally, see responses 3 and 4 under Traffic Impacts.
5. See response 4 under Traffic Impacts above.
6. While it is assumed that drivers will use the park parking lot, some may elect to park on Edgecliffe Drive. There are no on-street parking restrictions on this street and park visitors are free to park there as they are under existing conditions; although as stated, it is fair to assume that most will use the park parking lot due to convenience.
7. Use of the park during summer months is irrelevant as any summer programs would occur during the day and would thus not be affected by the project. As documented, the project is only expected to generate new vehicle trips and parking demand during the evening hours due to the introduction of new sports lighting.
8. For all the reasons discussed in the responses above, Mr. Kassan's challenges to the traffic and parking analysis in the MND do not equate to reasonable or fair arguments based on substantial evidence. The analysis contained in the project traffic and parking study contained in the MND adequately supports the conclusions that the project would not result in significant impacts.
14. The commentor states there is “substantial evidence in the record” that the project may have significant impacts to public services and public safety. This is incorrect and the commentor has neither provided such “evidence” nor noted where such information exists in the “record.” The commentor also states that the MND is “completely silent on the issue,” another false assertion as the MND thoroughly discusses potential for impacts to public services in a section dedicated precisely to that topic (pp. 4-29 to 4-30). In addition to the public services analysis that demonstrates no such

significant impacts would occur, the Los Angeles City Fire Department recently reviewed the proposed project and indicated no cause for concern regarding public safety (a copy of the letter follows these responses for reference).

15. Contrary to the commentor's assertion, the MND and foregoing responses clearly demonstrate that the proposed project would not result in significant adverse effects on the environment and thus preparation of an EIR is not warranted.
16. The attached letters are acknowledged and have been fully considered. Environmental analyses and impact determinations under CEQA are based on established methodologies and guidelines. Personal experiences and observations, while important in the environmental review process, do not in and of themselves dictate whether potential environmental effects are found to be significant or not; rather, personal experiences and observations were on matters only experts could opine upon and/or based upon incorrect assumptions and facts.
17. Contrary to the commentor's assertion, and for all the reasons stated above, the MND for the proposed project is thoroughly compliant with CEQA. No factual statements or reasonable arguments have been presented by the commentor that warrant preparation of an EIR.

FORM GEN 160 (Rev. 6-80)

**CITY OF LOS ANGELES**  
INTER-DEPARTMENTAL CORRESPONDENCE

To: Department of Recreation and Parks  
1200 W. 7<sup>th</sup> St., Suite 700  
Los Angeles, CA 90017  
Attn: Paul Davis, Environmental Specialist

From: Fire Department

Subject: **BELLEVUE RECREATION CENTER OUTDOOR IMPROVEMENTS**

PROJECT LOCATION  
826 Lucile Ave. – In Echo Park

PROJECT DESCRIPTION

The Los Angeles Department of Recreation and Parks is proposing to refurbish and upgrade the outdoor recreational facilities at their Bellevue Recreation Center including the two multi-purpose sports fields, a basketball court, walking/jogging paths, children's play area, and picnic area. The project would also include the installation of new sports field and basketball court lights to allow nighttime use of these facilities.

The following comments are furnished in response to your request for this Department to review the proposed development:

A. Fire Flow

The adequacy of fire protection for a given area is based on required fire-flow, response distance from existing fire stations, and this Department's judgment for needs in the area. In general, the required fire-flow is closely related to land use. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard.

Fire-flow requirements vary from 2,000 gallons per minute (G.P.M.) in low Density Residential areas to 12,000 G.P.M. in high-density commercial or industrial areas. A minimum residual water pressure of 20 pounds per square inch (P.S.I.) is to remain in the water system, with the required gallons per minute flowing. The required fire-flow for this project has been set at 3,000 G.P.M. from 3 fire hydrants flowing simultaneously.

B. Response Distance, Apparatus, and Personnel

The Fire Department has existing fire stations at the following locations for initial response into the area of the proposed development:

<sup>1</sup> City of Los Angeles, Environmental Affairs Department. May 14, 1998. <http://www.lacity.org/ead/EADWeb-AQD/thresholdguide.htm>.

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Fire Station No. 6  
326 N. Virgil Avenue  
Los Angeles, CA 90004  
Single Engine Company  
Battalion 11 Headquarters  
Staff - 5  
Miles - 0.6

Fire Station No. 35  
1601 N. Hillhurst Avenue  
Los Angeles, CA 90027  
Task Force Truck and Engine Company  
Paramedic Rescue Ambulance  
Staff - 12  
Miles - 1.2

Fire Station No. 20  
2144 Sunset Boulevard  
Los Angeles, CA 90026  
Task Force Truck and Engine Company  
Paramedic Rescue Ambulance  
Staff - 12  
Miles - 1.2

The above distances were computed to 826 Lucile Ave.

C. Firefighting Access

Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

Private streets and entry gates will be built to City standards to the satisfaction of the City Engineer and the Fire Department.

Submit plot plans indicating access road and turning area for Fire Department approval.

The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.

No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.

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All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.

Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

Adequate public and private fire hydrants shall be required.

Access for Fire Department apparatus and personnel to and into all structures shall be required.

Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Private streets shall be recorded as Private Streets, **AND** Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.

Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

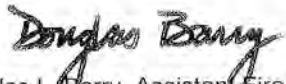
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CONCLUSION

The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles C.P.C. 19708.

For additional information, please contact Inspector Lynn McClain of the Construction Services Unit at (213) 482-6506.

WILLIAM R. BAMATTRE  
Fire Chief



Douglas L. Garry, Assistant Fire Marshal  
Bureau of Fire Prevention and Public Safety

DLB:LMc:vlj  
c: