



## Memorandum

**DATE:** September 22, 2021

**TO:** Jen Santos, Deputy Director, City of Santa Rosa Recreation and Parks Department

**FROM:** Will Burns, AICP, Principal Project Manager

**SUBJECT:** Initial Study/Mitigated Negative Declaration for the Roseland Creek Community Park Project – Response to Late Comment Letter

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A late comment letter was received on the draft Initial Study/Mitigated Negative Declaration (MND) for the Roseland Creek Community Park project, subsequent to the conclusion of the 30-day public comment period on December 18, 2019. The late comment letter was received from Lozeau Drury LLP on September 20, 2021.

David J. Powers & Associates has reviewed the Lozeau Drury letter and has determined that the comments received do not raise any significant new information or substantial evidence in light of the whole record to warrant recirculation of the MND per CEQA Guidelines 15073.5 or preparation of an environmental impact report per CEQA Guidelines 15064. The comments do not provide substantial evidence to support a fair argument that the project would result in a significant effect on the environment that was not previously disclosed and analyzed in the Initial Study/MND. Although CEQA requires the City to “consider” public comments on a negative declaration, CEQA does not require written responses to such comments [CEQA Guidelines 15074(b)]. Moreover, CEQA does not require the City to respond to late comment letters. Nevertheless, City staff has requested that, a more detailed written response to each of the comments from Lozeau Drury LLP be prepared. David J. Powers and Associates will provide such responses prior to the City Council hearing on September 28, 2021.