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# Memo

**To:** Michael Crabtree, Planning Director  
Mike Perez, Parks, Beaches and Recreation Director  
City of Pacifica  
1400 Francisco Boulevard  
Pacifica, CA 94044

**From:** Christine Schneider, Senior Project Manager

**Subject:** Draft Response to Public Comments on the Pacifica Dog Park at the Pacifica Center for the Arts Pacifica Draft Initial Study/Mitigated Negative Declaration

**Date:** July 22, 2010

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## Introduction

This memo contains responses to all public comments received during the Public Review period for the Pacifica Dog Park at the Pacifica Center for the Arts Pacifica Draft Initial Study/Mitigated Negative Declaration (IS/MND). The public review period for this IS/MND was from April 28, 2010 through May 29, 2010. The City of Pacifica sent notices out to surrounding neighbors at the start of the public review period, on April 30<sup>th</sup>. A public hearing is scheduled to be held on by the Parks, Beaches and Recreation Commission to approve the project and adopt the IS/MND on July 27, 2010. This memo, combined with the IS/MND comprises the Administrative Record for the project. All comments listed here are incorporated by reference into the IS/ND.

For future reference, members of the public can discuss any of the issues with the City staff at the Parks, Beaches and Recreation Department, 1400 Francisco Blvd, Pacifica, CA 94044, (650) 738-7381, perezm@ci.pacifica.ca.us

It is the intent of the California Environmental Quality Act (CEQA) to solicit information from agencies and the public about a project's environmental effects, and in doing so, to avoid or reduce impacts of the project. The comments contained in this document, as well as the responses, will ensure that the project does not result in significant impacts to the environment.

The decision for the City of Pacifica to prepare an Initial Study and Mitigated Negative Declaration is supported by Section 15064(f)(2) of the CEQA Guidelines, which states that

(2) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared.

## Summary

The City received 29 comment letters from 25 different commenters during the public review period. In general, the City received public comments related to the following issues:

- 1) Project Support (19 commenters)
- 2) Noise Pollution (7 commenters)
- 3) Creek Pollution (5 commenters)
- 4) Odors (4 commenters)
- 5) Traffic (2 commenters)
- 6) Public Safety (2 commenters)
- 7) Alternative Site Evaluations (7 commenters)
- 8) Public Notice (2 commenters)
- 9) Preparation of an EIR (1 commenter)
- 10) Setbacks (1 commenter)
- 11) Other – Project Financing (4 commenters)
- 12) Other – Property Values (2 commenters),
- 13) Other – Dog Limits (1 commenter).

In many cases the City received comments from two or more commenters that were substantially the same. In light of this, Section B of this memorandum responds, *en masse*, to the general issues raised by the public during the comment period (e.g., project support, noise, etc.) rather than to each specific comment raised by the individual commenters listed in Part A, with the following exceptions:

- Comments related to Issue Nos. 8 (Public Notice) and 9 (Preparation of an EIR) are addressed in the introduction to this memorandum.
- Comments related to Issues No. 11 (Project Financing) and 12 (Property Values) are unrelated to the environmental issues and CEQA review of the proposed project and are therefore outside the scope of this memorandum.

## Memo Organization

This memo has three parts:

**Section A: Listing of all Public Comment Letters Received, by date;**

**Section B: Responses to Comments; and**

**Section C: Errata Sheet**

The City did not receive comments from any local, responsible, or trustee agency.

The City received 29 public comments from 25 different commenters as follows:

1. Letter from Mari Brumm Merrill. April 30, 2010.
2. Email from Noami, Patrick, and Scout Shrouf. May 1, 2010.
3. Email from Ken and Judy Krause. May 1, 2010.
4. Email from Marsha Murphy. May 2, 2010.
5. Email from Anneli Loeffler. May 2, 2010.
6. Email from Karen (last name not provided). May 4, 2010.

7. Telephone communication from Alice Brady. May 6, 2010.
8. Email from Anne D'Angelo. May 6, 2010.
9. Email from JoAnn Alonzo. May 6, 2010.
10. Email from Jennifer Serrano. May 7, 2010.
11. Email from JoAnn Alonzo. May 8, 2010.
12. Email from Petra Walter. May 10, 2010.
13. Letter from Beverly Kingsbury. May 10, 2010
14. Email from Jim and Nancy Cummins. May 11, 2010.
15. Email from Anneli Loeffler. May 11, 2010.
16. Email from Michelle Gray. May 12, 2010.
17. Email from Anne D'Angelo. May 14, 2010.
18. Email from Petra Walter. May 14, 2010.
19. Email from Robert Hughes and Jennifer Alpaugh. May 20, 2010.
20. Email from Tracy Buie. May 22, 2010.
21. Telephone communication from John Tozzini. May 24, 2010.
22. Email from John Keener. May 26, 2010.
23. Email from Charles Parker. May 26, 2010.
24. Email from Ian Woodworth. May 26, 2010.
25. Email from Forrest, Charles, and Judith Parnell. May 26, 2010.
26. Telephone communication from Bill Bassett. May 27, 2010.
27. Email from Catherine Smith. May 27, 2010.
28. Email from Jacqueline Smith. May 27, 2010.
29. Letter from Stephen Johnson. May 27, 2010.

## **B. Responses to Comments**

As stated above, there were 29 individual letters or calls to the City about this project, including both comments for and against the project. As stated above, a few key issues came up frequently in the comment letters, and so this Response to Comments section is organized by issue, not by comment. The following issues are addressed:

1. Noise Pollution
2. Creek Pollution
3. Odors
4. Traffic
5. Public Safety
6. Alternatives

### **1. Noise Pollution**

The IS/MND evaluated the proposed project's short- and long-term noise impacts and concluded the project would result in less than significant noise generation and exposure impacts. Seven commenters expressed concerns that the proposed project would increase long-term dog-park related noise (i.e., dog barking and growling, loud human talking) at the Sanchez Arts Center and adjacent residences to levels considered a nuisance, annoying, or non-peaceful. While the commenters are correct that the proposed project would increase site usage, the generation of intermittent dog-park related noise would not produce a potentially significant impact for several reasons.

Section 2.4 of the IS/MND (pages (pp.) 3-4) describes the existing and proposed dog park site usage. The Table below summarizes the information described in Section 2.4 of the IS/MND:

Condition	Time Period		
	7:30 to 9:30 am	9:30 am to 4:30 pm	4:30 to 6:30 pm
Existing Site Use	10	3	15
Project Site Use	13	4	20

The proposed project would produce infrequent and intermittent noise in the form of dog barking, growling, etc. and human voices. The IS/MND describes that the proposed dog park hours would be set between 7:00 am and sunset (p. 55) and that the project would comply with the City of Pacifica Municipal Code Section 5-10.03, which makes it unlawful for any person to make loud noises that annoys or disturbs another person (pp. 54-55).

## 2. Creek Pollution

The IS/MND evaluated the proposed project’s potential to impact adjacent San Pedro Creek, and a bioswale, evaluated by the City’s Engineering Department, is part of the project. As stated on p. 49 of the IS/MND, “Implementing Mitigation Measure HYD-01 will require a more complete site design that includes considerations for site grading, more detailed site hydrology, the configuration of the filter system features (filter box, vegetated strip and bioswale), and associated specifications. Based on the information contained in the *Pacifica Dog Park Biofiltration Swale Technical Memo, Sound Watershed Consulting, LLC*. (Appendix C), it is estimated that a biofiltration swale system needs to be present at the site. The information provided in this Technical Memo can be used to develop more detailed designs and specifications for both the drop inlet and the bioswale”.

Since the site slopes to the creek, the potential for the Dog Park runoff to flow to neighboring residential properties is low. Further, Mitigation Measure HYD-02 lists that “[a] more detailed design shall investigate the infiltration capacity of the onsite soils and subsurface conditions so that a more refined hydrologic estimate can be developed in support of the final design and construction specifications. With sufficient infiltration capacity, the bioswale could treat a larger proportion of the design (2 year) storm. The following design elements shall receive additional consideration by the City of Pacifica’s Engineering Department (or qualified consultant) prior to construction of any element of the Dog Park, bioswale, or filter:

- 1) The configuration of the bioswale, drop inlet location, and drop inlet drain structures
- 2) Overflow structure design for the bioswale (to prevent erosion on steep slopes)
- 3) Conveyance features (e.g. either channels, swales, culverts or dispersal structures) at the outlet of the bioswale and drop inlet drain
- 4) Connecting features where concentrated peak flows occur at the confluence with San Pedro Creek (a small channel exists immediately below the line on Figure 5 of this Initial Study).
- 5) Refine estimates of existing infiltration to determine the need to design infiltration improvements into the swales
- 6) Selection of appropriate plant species for the swales that can provide both erosion control treatments, aesthetic values, and desired bioremediation effects”.

Please also see the entire Mitigation Measures HYD-01 and HYD-02 as listed on p. 2 of the document. If the proposed bioswale (s) will be located within the jurisdictional creek area pursuant to California

Department of Fish and Game (CDFG) regulations, consultation with CDFG will occur, and a CDFG Section 1600 Streambank Alteration Agreement application will be prepared.

Finally, the capacity of the bioswales are listed in Table 4 on p. 50 of the IS/MND. This table is listed below for clarity:

**Table 4**  
**Proposed Bioswale Dimensions**

<b>Bioswale</b>	<b>Width (in feet)</b>	<b>Length (in feet)</b>	<b>Volume (cubic feet)</b>
Upper	8	82	656
Middle	6	66	394
Lower	27	36	974
<b>Total volume, all bioswales</b>			<b>2,024</b>

### **3. Odors**

The IS/MND evaluated the proposed project's potential to create objectionable odors and concluded that although the project had the potential to create objectionable odors under certain weather conditions, this intermittent occurrence would be less than significant. Four commenters expressed concerns that the proposed project would produce and/or worsen objectionable odors at surrounding land uses. While the commenters are correct that the project may create localized, intermittent objectionable odors, these odors would not affect a substantial number of people and would not result in a significant impact.

As identified on p. 1 of the IS/MND, the proposed project improvements include installation of a dog-waste bag dispenser on top of a steel post and, as identified on p. 26 of the IS/MND, free dog-waste bags would be provided for three months. As also identified on p. 1 of the IS/MND, a standard garbage bin encased in stainless-steel housing and a user education board that lists park rules and information/rationale regarding the importance dog-waste pick up would be installed. Collected dog waste would be placed in an on-site trash bin and removed once per week and placed in one of three Art Center trash bins that the City collects three times per week. These improvements would encourage dog-park users to curb their dogs, thereby reducing the source of any potential objectionable odors (i.e., dog urine and feces).

In addition, as identified in the introduction to this memorandum, should adjacent residences or Art Center tenants perceive the dog-park related odors to be objectionable, they may contact the City Department of Parks, Beaches and Recreation to log a complaint against the dog park.

### **4. Traffic**

Two commenters expressed concerns that the proposed project would result in parking and traffic impacts. As identified on p. 62 of the IS/MND, the proposed project would add up to four am and pm peak hour trips to an existing traffic load of 800 trips per hour. This 0.5% increase in trips represents a less than significant in terms of trip generation. As identified on p. 61 of the IS/MND, the proposed project's four am and pm peak hour trips would combine with the five peak hour trips generated by the Art Center to result in a total of nine trips per hour, or approximately one trip every six to seven minutes. Even if all nine trips were to turn left (west) onto Linda Mar Boulevard, this trip rate would not cause significant traffic delays. Finally, as identified on p. 1 of the IS/MND, the proposed project improvements include striping of the existing parking area and the addition of nine new parking spaces.

The addition of nine new parking spaces provides sufficient parking capacity to handle peak hour visitors (up to five per hour) and may also help to alleviate any existing parking congestion. Therefore, the project would result in less than significant parking impacts.

## **5. Public Safety**

P. 58 of the IS/MND states that “The proposed dog park is within an urbanized area and will not result in the need for the creation of any new government services or facilities. In addition, there are measures the City will undertake to ensure that the dog park is properly maintained (see Mitigation Measure HYD-01)”. Mitigation Measure HYD-01, at p. 47, includes the following:

1. “The City of Pacifica will, either on its own or through a contract with a civic organization such as POOCH:
  - Create an interpretive sign that educates the public about the impacts dogs can have to local aquatic and human health;
  - Create and distribute educational brochures that feature more in-depth information regarding the impacts of in-stream dog and person traffic; and
  - Implement an aggressive person-to-person education campaign during the first three months of dog park operation where visitors are given free dog-waste bags, a brochure, and a verbal explanation of the park rules.”

## **2. Alternatives**

A formal alternatives analysis is not required as part of an Initial Study Checklist, and is only prepared for an Environmental Impact Report (EIR). As stated above in the introduction section of this document, the project “would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur”. Therefore, the criteria for preparation of an EIR have not been met, and the preparation of an Initial Study/Mitigated Negative Declaration was performed.

However, as part of the due diligence, the City did consider alternative sites. As stated on p. 3 of the POOCH report (Appendix A) “We worked with the city manager’s office (Stephen Rhodes) and Parks, Beaches and Recreation department (Mari Brumm-Merrill) for over a year to determine a suitable site. Many sites were visited and discussed and the site that appeared excellent to both the city and the Pooch folks was the Sanchez Art Center, East side lawn area. (See attached map)

We discussed this idea with the tenants of the Sanchez building and the neighbors along the border of the proposed park. We heard their feedback and used that information in designing the park plan. For the neighbors, if we did not meet with them, we left behind a bright blue sheet of info (see attachment)

We went back to these same folks with the next stage. The Performing Arts Board voted unanimously to support the park. At the tenants meeting, all those present including the performing arts, the artists, and the credit union were all in favor with us proceeding. The neighbors were also contacted again. About ½ were in favor, and ½ did not want it in their area. One quote: “We have always thought of Sanchez as our backyard, and we don’t want change.” We left behind a pink sheet including the site map with the folks we did not personally meet with”.

## Section C: Errata Sheet

The underlined text as shown below is text that is now added to the document, and ~~striketrough text~~ signifies text that has been deleted.

### Mitigated Negative Declaration, Page 1

The proposed dog park is located at the Pacifica Center for the Arts, at 1220 Linda Mar Boulevard in Pacifica, San Mateo County. The Pacifica Center for the Arts (hereinafter referred to as “the Arts Center”) is owned and operated by the City of Pacifica, ~~’s Department of Parks, Beaches and Recreation.~~

For the dog park, an area 23,415 square feet in size (roughly half an acre) and rectangular in shape will be enclosed with a green, vinyl-coated chain link fence four feet in height. The ground cover for the dog park will be decomposed granite. The City of Pacifica will provide a dispenser for storing dog-waste bags. The City of Pacifica, either on its own or through a local civic group such as ~~in conjunction with~~ the Pacifica Organization of Canine Helpers (POOCH), will provide education materials, free dog-waste bags, and a garbage receptacle that will be emptied weekly. Upon park opening, ~~POOCH stewards will implement a~~ 3-month education campaign will be implemented where ~~they will hand-out~~ free bags will be distributed and ~~encourage~~ users will be encouraged to keep the park clean.

### Mitigated Negative Declaration, Page 2

#### Mitigation Measure Hyd-01:

1. The City of Pacifica will reduce the amount of fecal matter from the dog park by providing the following:

- A dog-waste bag dispenser at the site;
- A trash can at the site that is emptied three times a week. ~~by Coastside Scavengers.~~

2. The City of Pacifica will, either on its own or in conjunction with a local civic group such as ~~contract with~~ the Pacifica Organization of Canine Helpers (POOCH), to:

- ~~Work with City staff to~~ Create an interpretive sign that educates the public about the impacts dogs can have to local aquatic and human health;
- Create and distribute educational brochures that feature more in-depth information regarding the impacts of in-stream dog and person traffic; and
- Implement an aggressive person-to-person education campaign during the first three months of dog park operation where visitors are given free dog-waste bags, a brochure, and a verbal explanation of the park rules.

3. The City ~~shall~~will install a Bacteria Bioretention System (passive-treatment filtration system) manufactured by Filterra (or similar). For more details please see the *Preferred Alternative for Addressing Fecal Coliform Runoff at the Pacifica Center for the Arts Dog Park* (January 6, 2010) (see Appendix B of this Initial Study Checklist). The system shall be installed and maintained by the City per the manufacturer’s specifications.

4. The Bacteria Bioretention System ~~shall~~will be checked biannually and will be maintained annually by City Public Works staff.

5. Water quality monitoring shall be part of this measure, including baseline monitoring before construction that evaluates turbidity and fecal coliform levels. Monitoring shall be done three times per year for the first three years after construction, in January, March and June, and a report analyzing the

effects of this monitoring shall be prepared by the City (or its consultant) and shall be available to the public for review.

6. If the monitoring and associated analysis reveals higher levels of turbidity and fecal coliform than baseline that exceed stated standards, then the dog park shall be temporarily closed until either the filter system is working properly again or another, more effective system is installed.

**Implementation Responsibility:** City of Pacifica, POOCH or similar civic organization

**Effectiveness:** Will reduce or avoid significant impacts

**Timing:** As listed above.

### Initial Study, Page 47

#### Mitigation Hyd-01:

1. The City of Pacifica will reduce the amount of fecal matter from the dog park by providing the following:

- A dog-waste bag dispenser at the site;
- A trash can at the site that is emptied three times a week. ~~by Coastside Scavengers.~~

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6. If the monitoring and associated analysis reveals higher levels of turbidity and fecal coliform than baseline that exceed stated standards, then the dog park shall be temporarily closed until either the filter system is working properly again or another, more effective system is installed.

**Implementation Responsibility:** City of Pacifica, POOCH or similar civic organization

**Effectiveness:** Will reduce or avoid significant impacts

**Timing:** As listed above.