



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: January 22, 2013

Agenda Item 01A
Approvals: [Signature]
City Manager [Signature]
Dept. Head [Signature]
Attorney _____
Finance _____

Department: Beaches, Parks and Recreation
Prepared By: Sharon Heider, Beaches Parks & Recreation Director

Subject: *INCREASED DOG ACCESS TO PARKS – PHASE 1.*

Summary: On March 6, 2012, the City Council directed staff to develop a phased/pilot program to allow dogs in city parks and to identify appropriate locations for the development of dog runs in existing parks. Allowing dogs in parks is a relatively easy shift in practice that includes rule changes, CEQA documentation which was completed as a Negative Declaration some signage, but no large capital expenses. The development of dog runs will be a more long-term effort requiring amendments to existing park master plans, site analysis, cost estimating, CEQA, and expenses that will require funding through the Capital Improvement Program. Therefore, access to City parks is brought forward now and dog runs will be part of the Capital Improvement Program process.

In response to City Council's desire to make the City's parks more open to dog access, the Beaches, Parks and Recreation Commission reviewed the topic at its July 10, 2012 meeting and recommended that City Council (1) Adopt a Resolution approving an expansion of the designated City public parks where dogs are permitted on-leash and Negative Declaration, in accordance with San Clemente Municipal Code Section 6.08.020(A), and (2) approve the, "Pick up the Poop" public service announcement, and (3) direct staff to amend the applicable Municipal Code sections to increase the fine for not cleaning up dog waste from \$50.00 to \$250.00.

Background: In 1989, the then-named Parks and Recreation Commission reviewed the City ordinance that did not allow dogs in any parks or at the beach and recommended that the existing prohibition on dogs in parks and on the beach remain in place. Council upheld the existing prohibition of dogs in parks.

In September 1994, the Parks and Recreation Commission reviewed the current City ordinance and received extensive public input on both sides of the issue and recommended that the existing prohibition remain in place. Council upheld the Commission recommendation. However, the Commission decided to look into alternative options for dogs, such as a dog exercise area somewhere in the City where dogs could exercise off-leash. A citizens' group was formed called "Friends Improving Dogs Options" (FIDO). Two members of the Commission were selected to join FIDO in solidifying a consensus that would be reviewed by the Commission and forwarded to Council for action.

On January 4, 1995, the Commission recommended Council provide direction regarding (1) investigating relaxing the current City Ordinance prohibiting dogs in parks, (2) investigate options of creating a dog exercise area somewhere in the city where dogs can be exercised off leash, or (3) placing no further efforts in this issue. No action was taken by Council.

On February 13, 2001, Council requested the Parks and Recreation Commission consider whether dogs should be allowed in City parks. As a result, the Commission created a sub-committee to research and study options.

On October 10, 2001, as a result of the Commission recommendation derived from the sub-committee report, Council conceptually approved the development of a permanent off-leash dog park at Richard T. Steed Memorial Park and changed the City ordinance at that time to allow currently-licensed dogs on-leash in Verde, Mira Costa, and Calafia Beach Parks for a two-year test period with oversight by the Commission and quarterly reports. (Note: Calafia Beach Park was a city-operated and maintained park but is now under the jurisdiction of the State Parks System since the 20-year lease with the State expired).

On February 6, 2002, Council approved the development of a permanent off-leash dog park at Richard T. Steed Memorial Park and approved changing the current ordinance to allow currently-licensed dogs on-leash in Verde, Mira Costa, and Calafia Beach Parks for a two-year test period.

On June 10, 2003, the Commission considered, by petition from Talega residents, Talega Park an add-on to the three parks that allow dogs on-leash if the test of the three parks was determined successful. The Commission agreed to request that City Council consider opening Talega Park to dogs' on-leash if the two-year test period was a success. (The two-year test period was successful and ended in May 2004.)

On September 14, 2004, Council adopted a resolution that allowed currently licensed, on-leash dogs in Calafia, Mira Costa and Verde Parks.

On October 14, 2008, the Commission created a Dog Access Sub-Committee to evaluate dog access in parks and beaches.

On December 8, 2009, the Commission's Dog Access Sub-Committee submitted a progress report to the Commission.

On February 17 and February 26, 2011, the Dog Access Sub-Committee hosted two public workshops to solicit input on this item.

Mira Costa and Verde Parks became the only City operated park facilities that offer dog access as Calafia Park is now operated by the State of California. Calafia currently allows dogs on-leash except on the beach. The City's Baron Von Willard Dog Park allows off-leash dogs. Dogs on-leash are allowed on City trails.

On October 4, 2011 and December 13, 2011, the Commission considered increased access to parks and a phased program for Beach access.

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On March 6, 2012, the City Council directed staff to (1) develop a program to allow dogs on-leash at all City parks, (2) consider a pilot/phased approach and availability of some sports fields, with attention to the Vista Hermosa Sports Park and trail, and (3) return to the Beaches, Parks and Recreation Commission and City Council with the understanding that the City is open to expanding dog presence in the park system; and (4) identify locations for new dog runs in existing parks, and (5) return to the Beaches, Parks and Recreation Commission and City Council for possible amendments to existing park master plans, CEQA documentation, and amendments to Municipal Codes, with the understanding that the City is open to allowing more dogs and their owners to enjoy the park system.

Discussion: Staff reviewed the existing parks with regard to use, location, and need for immediate dog access. The City currently has 21 parks, and after review, staff recommends ten for first phase dog access (two parks, Verde and Mira Costa already allow dogs). These parks were selected as they are more passive in use, are dispersed somewhat equally throughout the city, and/or serve high density areas. These parks are:

- Bonito Canyon Bicentennial Park
- Leslie Park
- Linda Lane Park
- Max Berg Plaza Park
- Marblehead Inland
- Mira Costa Park (dogs currently allowed)
- Parque Del Mar (excluding Park Semper Fi special use area)
- Rancho San Clemente Park
- San Luis Rey Park
- Talega Park
- Tierra Grande Park
- Verde Park (dogs currently allowed)

In addition, staff recommends that the Community Center lawn area, although not defined as a park but rather a special use area, also be open to dogs. This area currently has high use by dog walkers, is in an area with higher density, and not proximate to a park.

After the initial phase opening, staff will monitor complaints and infractions to determine if the other more active parks would be appropriate for dog use in a second phase of opening, as well as the appropriate placement and design of any dog runs.

Signs and enforcement: Existing parks' signs will need to be modified to reflect the rule changes. Staff estimates the cost to be approximately \$3,500. No additional animal enforcement staffing or hours are part of this proposal.

Dog Bags and Dispensers: There is no standard for providing dog bag dispensers, nor is there information that providing the bags produces any higher compliance in picking up dog waste. Some communities provide them and some do not. There is no research found that correlates the presence of dispensers with higher compliance, the general thinking is that compliance is more successful when there is a culture of peer pressure to pick up waste.

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Currently, the City provides twelve dog bag dispensers on the Beach Trail and expends an average of \$8,892 per year on bags, or \$741 per dispenser per year. Each dispenser costs approximately \$250 to purchase and install. Even with these provisions, there are still individuals who do not pick up after their dogs, and we have received complaints. Should the City wish to install bag dispensers at each of the ten proposed parks, staff estimates approximately 34 dispensers would be needed (number varies per size and type of park). Purchasing and installing 34 dispensers would cost \$8,500, and the annual estimated cost for replacement bags is \$25,194.

While dog bag dispensers are certainly a convenient amenity, they are quite costly to provide rather than requiring dog owners to provide their own. When they are provided, it is common to see individuals removing many bags at a time rather than just what they need. Dog bags are commonly available at pet stores, many dog leashes now come equipped with small dog bag dispensers attached, and the reuse of plastic grocery bags for this purpose is easy as most every purchase creates a bag. Given that dog ownership and access to parks should be both a privilege and responsibility to care for your animal, staff does not recommend the purchase and installation of dog bag dispensers at the parks.

In an effort to assist with compliance in the disposal of dog waste, staff has prepared a short public service announcement that would be aired on various outlets including channel 30, on the City’s website, and at the Aquatic Center. Staff recommends that the City Council approve the public service announcement and direct staff to use as an educational tool.

Recommended

Action: Staff recommends that City Council:

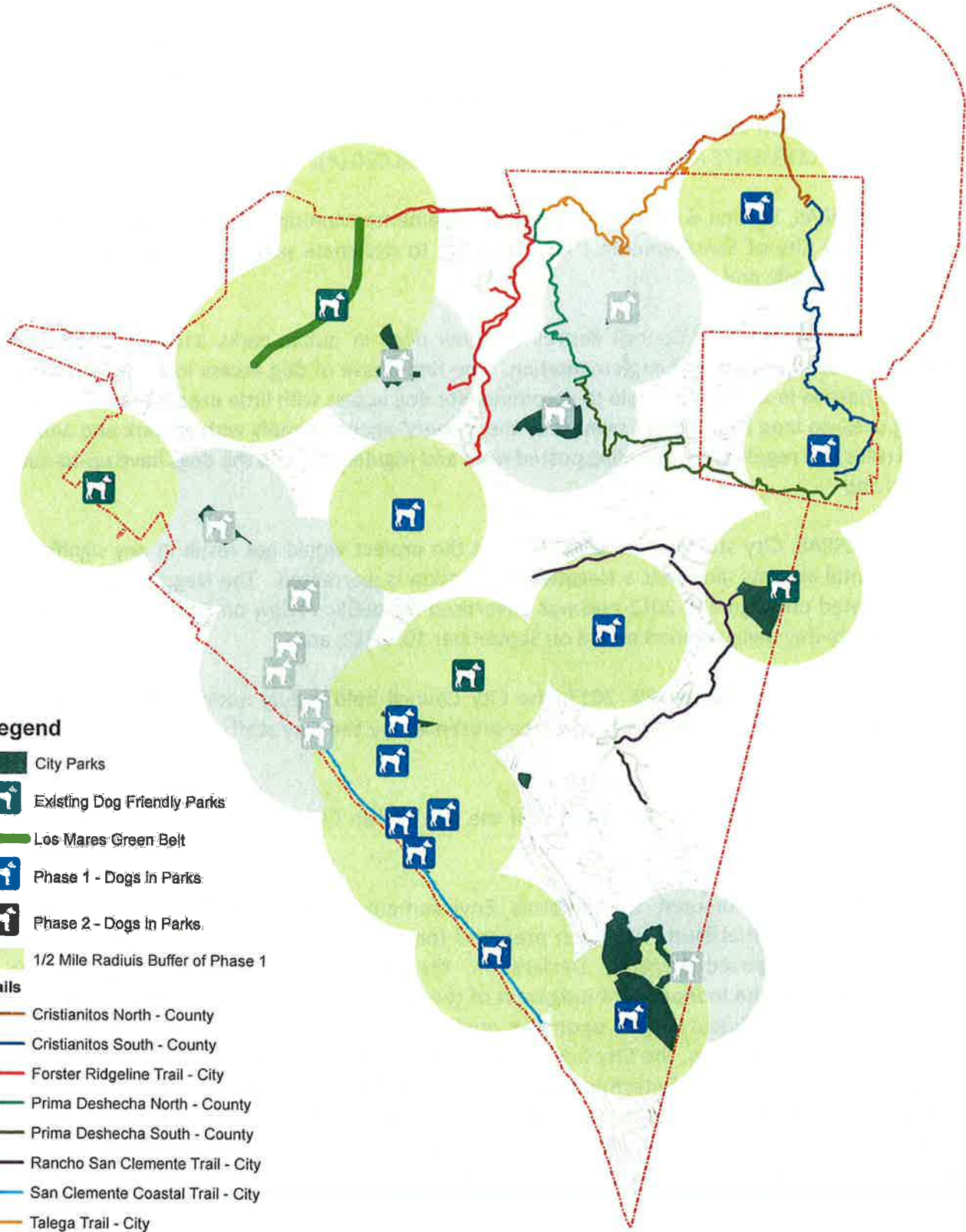
1. Adopt a Resolution approving an expansion of the designated City public parks where dogs are permitted on-leash and Negative Declaration, in accordance with San Clemente Municipal Code Section 6.08.020(A).
2. Approve the, “Pick up the Poop” public service announcement.
3. Direct Staff to prepare an Ordinance for future Council consideration that would modify the Code of the City of San Clemente to increase the fine for dog waste violations from \$50.00 to \$250.00.
4. Authorize the transfer of an appropriation in the amount of \$3,500 for signs from the Council Contingency Account (001-203-44900) to Other Maintenance Supplies (001-635-42590).

Fiscal Impact: Council Contingency will be reduced from \$36,500 to \$33,000.

- Attachments:**
- 1) Dog Phasing Plan
 - 2) Draft Resolution for Dogs in Parks
 - 3) Municipal Code 6.08.020 – Dogs on Public Property
 - 4) Excerpt from 7/10/12 draft minutes of the BP&R Commission
 - 5) Negative Declaration

Notification: Interested parties

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Legend

- City Parks
- 🐕 Existing Dog Friendly Parks
- Los Mares Green Belt
- 🐕 Phase 1 - Dogs in Parks
- 🐕 Phase 2 - Dogs in Parks
- 1/2 Mile Radius Buffer of Phase 1
- Trails**
- Cristianitos North - County
- Cristianitos South - County
- Forster Ridgeline Trail - City
- Prima Deshecha North - County
- Prima Deshecha South - County
- Rancho San Clemente Trail - City
- San Clemente Coastal Trail - City
- Talega Trail - City
- 1/8 Mile Buffer of Trails
- 1/2 Mile Radius Buffer of Phase 2

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AN EXPANSION OF THE DESIGNATED CITY PUBLIC PARKS WHERE DOGS ARE PERMITTED ON-LEASH AND NEGATIVE DECLARATION, IN ACCORDANCE WITH SAN CLEMENTE MUNICIPAL CODE SECTION 6.08.020 (A).

WHEREAS, Section 6.08.020 (A) of the San Clemente Municipal Code authorizes the City Council of the City of San Clemente ("City Council") to designate public parks where dogs are permitted On-Leash; and

WHEREAS, the City Council desires to allow dogs in public parks and requested staff develop a phased program of implementation. The first phase of dog access includes parks that are more passive in use and are able to accommodate dog access with little expected conflict with existing uses, so long as the dog's owners or the owners' agents comply with all park and animal related rules and regulations, including posted rules and regulations, and the dogs have up-to-date licenses; and

WHEREAS, City staff has determined that the project would not result in any significant environmental impacts, and that a Negative Declaration is warranted. The Negative Declaration was completed on August 9, 2012 and was advertised for public review on August 9, 2012. The required thirty-day review period ended on September 10, 2012; and

WHEREAS, on January 22, 2013, the City Council held a duly noticed meeting on the subject application, and considered evidence presented by the City staff, and other interested parties.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve as follows:

Section 1: Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15063, an initial study has been prepared for this Project. After reviewing the initial study and the proposed Negative Declaration, the City Council finds that the Negative Declaration reflects the independent judgment of the City of San Clemente and that the Project will not have a significant impact upon the environment. As a result of its review of the aforementioned documents, the City Council approves the Negative Declaration and authorizes the issuance of a Notice of Determination pursuant to CEQA Guidelines Section 15075. City staff is the custodian of records for those documents comprising the record of proceedings on the Negative Declaration. Those records are stored in the Planning Division and Beaches, Parks, and Recreation Department of the City of San Clemente.

Section 2: The City Council of the City of San Clemente, consistent with Municipal Code Section 6.08.020(A)(1) adds the following parks to the list of City facilities where dogs shall be allowed On-Leash:

- Bonito Canyon Bicentennial Park
- Leslie Park
- Linda Lane Park
- Max Berg Plaza Park
- Marblehead Inland
- Parque Del Mar (excluding Park Semper Fi special use area)
- Rancho San Clemente Park
- San Luis Rey Park
- Talega Park
- Tierra Grande Park
- The Community Center (special use area)

Section 3: The City Council hereby approves the expansion of dogs on-leash allowed in City parks and associated Negative Declaration.

APPROVED, ADOPTED, and SIGNED this _____ day of _____, _____.

ATTEST:

 City Clerk of the City of
 San Clemente, California

 Mayor of the City of San
 Clemente, California

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STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

Approved as to form:

City Attorney

San Clemente Municipal Code

6.08.020 - Dogs on public property—Animals in proximity to residences. [↗](#)

- A. Dogs Within or Upon Public Beaches, Parks, Municipal Pier, Municipal Golf Course, etc., Prohibited. Except as provided below, no owner or person in charge or in control of any dog shall permit or allow such dog to be within or upon the public beaches, public access ways to the beach, parks, municipal pier, or municipal golf course, and such dogs are prohibited from being within or upon such aforementioned public places.
1. City Parks Where Dogs are Permitted On-Leash: A dog who is on a leash and under the control of the dog's owner or the owner's agent is permitted within specified parks that the City Council may, from time to time, designate by duly passed resolution.
 2. City Parks Where Dogs are Permitted Off-Leash: The City Council may, from time to time, designate by duly passed resolution, one or more off-leash dog parks where dogs may be permitted without a leash, provided the owners or owners' agents comply with all animal related rules and regulations, including posted rules and regulations specifically provided for the use of said off-leash dog park(s).
 3. Effective Date Designated Parks Are Available To Dogs; Regulations: A park designated by the City Council as being available to dogs shall be deemed to be available for use by dogs at such time as the Director of Beaches, Parks and Recreation erects signs in the park noting that the park has been so designated. Any dog using a public park in accordance with this section shall have a collar attached to it that contains a current dog license. The owner or person in charge or in control of any dog using a public park in violation of this section shall be subject to an escalating fine. For specification of the penalties for the violation of this section, see Section [1.16.010](#)
 4. Removal of Park From List of Designated Dog Parks: Notwithstanding any of the above, the City Council may, from time to time, by duly passed resolution, remove any park from its list of parks designated for use by dogs if it determines that such removal is in the best interests of the City.
 5. Dogs on Leashes Allowed on Beach Trail: A dog who is on a leash and under the control of the dog's owner or the owner's agent is permitted on all portions of the Beach Trail and all beach access ways providing access to the Beach Trail, including those portions of the Beach Trail and beach access ways that overlay the beach service road, at all times of the year, except on the Fourth of July and during the time that major City-sponsored special events (e.g., the Ocean Festival) are occurring on the beach and the Director of Beaches, Parks, and Recreation has posted the Beach Trail to prohibit dogs, at which times dogs shall be prohibited in such areas.
- B. Dogs on Leashes Allowed on Municipal Trails. Dogs which are on leashes and under the control of the dog's owner or owner's agent are permitted on municipal trails. For the purposes of this section, the term "municipal trails" shall mean those trails identified in the City of San Clemente General Plan.
- C. Keeping of Certain Animals and Fowl Near Residences. It shall be unlawful for any person in a residential structure to keep or maintain any animal within one hundred (100) feet of any other residential structure occupied by a person other than the animal's owner and/or keeper unless:
1. It is expressly allowed by the Zoning Code;
 2. Dogs and cats. With the exception of those persons who have a valid animal rescue permit issued by CASA, any person keeping five (5) or six (6) dogs or cats over four (4) months in age, or any combination thereof, is first required to obtain a private kennel permit pursuant to San Clemente Municipal Code Section [6.20.010](#). Keeping more than 6 dogs or cats over four (4) months in age, or any combination thereof, on any residential property is prohibited unless otherwise expressly permitted by the City's Zoning Ordinance, current existing private kennel permit as defined in section [6.20.010](#) A, or a valid animal rescue permit issued by CASA.
- D. Dogs Prohibited. Dogs shall be prohibited on Avenida Del Mar from its intersection with El Camino Real to its intersection with Avenida Seville during the San Clemente Fiesta celebration.
- E. Modification. In the event of special circumstances so warranting, the City Council may by resolution modify the requirements established herein. Modifications by the City Council shall only be made if the City Council determines that such modification will not be contrary to the public health, safety or welfare.

(Ord. 1326 § 1, 2007; Ord. 1279 § 1, 2005; Ord. 1259 § 3, 2003; Ord. 1149 § 3, 1998; *amended* § 17-30)
(Ord. No. 1486 § 1, 6-21-2008; Ord. No. 1492 § 5, 7-21-2008)

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8. NEW BUSINESS

A. Increase Dog Access to Parks – Phase 1

Landscape Architect Shaw displayed a map of the City's Parks, indicating those proposed for increased dog access. In response to Council direction, staff is developing a phased/pilot program to allow dogs in City parks and identify locations for dog run development in existing parks. First Phase of the project identifies 10 additional parks to add to the two parks that allow dogs. Staff is also recommending the Community Center lawn area be opened up to dogs. Due to high costs and unproven benefits, staff is not recommending the installation of bag dispensers at the parks.

Director Heider explained that the intent is to use peer pressure to encourage dog owners to bring their own bags and be responsible for their own pets, rather than expect others to provide the bags; expressed concern that a grass roots type effort, where the community at-large is encouraged to provide bags for the public's use, may appear unattractive or unprofessional; agreed to research and report back regarding fines for distribution and decisions regarding CASA citations; advised costs for the signs are not in the budget and would be determined by Council; pointed out that many residents may complain if the City installs dispensers and then does not fill them; informed that Council requested staff consider the inclusion of sports fields for dog access, as sports fields could be used as open turf during the day for dogs.

During the ensuing discussion, the Commissioners, either individually or in agreement, provided the following commentary:

- Suggested staff consider allowing a modified policy whereby the public would be encouraged to deposit bags in a fillable dispenser for use by dog owners, akin to the "take a penny, leave a penny" system. Signage indicating that the bag system is self-fill and self-serve will encourage others to bring bags.
- Expressed concern that providing dispensers and bags in some areas, while not in others, may confuse the public and make the City appear "schizophrenic."
- Suggested the City be consistent with the Beach Trail by installing dispensers and keeping them stocked with bags at the parks.
- Suggested Council consider increasing the fine for not cleaning up after dogs from \$50 to \$250.
- Commented that \$250 would be too punitive for lower socioeconomic public, suggested fine increase to \$100 would be more manageable.
- Commented that two types of tickets exist, one that is issued administratively, and one that is issued by CASA members. Fine revenues from the CASA-issued tickets go to CASA.
- Commented that the City has the ability to revise or eliminate the program if the pilot program is unsuccessful.

- Recommended close oversight of the program, including analysis and update after one year.
- Expressed concern that Max Berg Plaza Park was included as it is used by many families; also concerned by dog use at Parque del Mar due to its small size.
- Commented that children may be displaced if dogs are allowed.
- Suggested that adding 10 parks in the First Phase may be too aggressive.
- Commented that if there are no dog-related issues at the two parks that allow dogs, there is no reason not to allow dogs at more parks throughout the City.
- Questioned why so many parks are being opened up to dogs when only 30% of the population own dogs, suggested that the City is doing a disservice to the 70% that do not own dogs.
- Recommended including the bag dispensers and \$25,000 annual bag costs in the staff recommendation.
- Opined that there were much better uses for the estimated \$25,000 per year cost of providing bags.
- Noted that sports organizations, such as AYSO and Little League, allocate funds to the City in order to rejuvenate the fields, questioned why the City would allow dog urine and waste on the rejuvenated fields.
- Questioned the inclusion of Tierra Grande Park's sports fields.
- Recommended no dogs on the sports fields, playground areas, or artificial turf.

Public Comment:

Bill Osier, resident, felt that residents would supply bags if the City installed dispensers; noted that people have left bags tied to the empty dispenser at Calafia Beach; opined that most people pick up after their dogs.

Motions:

MOTION BY CHAIR STREGER, SECOND BY CHAIR PRO TEM SWARTZ, CARRIED 6-1-0, WITH COMMISSIONER MCCORMACK OPPOSED, to recommend the City Council increase the fine for not cleaning up dog waste to \$250.00.

MOTION BY CHAIR STREGER, SECOND BY COMMISSIONER THOMAS AND FAILED 3-4-0, WITH COMMISSIONER MCCORMACK, COMMISSIONER FOY, COMMISSIONER WICKS, AND CHAIR PRO TEM OPPOSED, to recommend the City Council include installation of bag dispensers and \$25,000 annual cost of filling dispensers with the First Phase of the project.

MOTION BY COMMISSIONER FOY, SECOND BY COMMISSIONER WICKS, FAILED 3-4-0, WITH COMMISSIONER MCCORMACK, COMMISSIONER THOMAS, COMMISSIONER SMITH, AND CHAIR PRO TEM SWARTZ OPPOSED, to recommend City Council consider installing bag dispensers designed with an alternative fill system that can be filled by the public.

MOTION BY CHAIR PRO TEM SWARTZ, SECOND BY COMMISSIONER MCCORMACK, FAILED 2-5-0, WITH COMMISSIONER THOMAS, COMMISSIONER SMITH, COMMISSIONER FOY, COMMISSIONER WICKS, AND CHAIR STREGER OPPOSED, to recommend that the City Council not install dispensers as recommended in the staff report.

MOTION BY COMMISSIONER THOMAS, SECOND BY COMMISSIONER SMITH, CARRIED 5-2-0, WITH COMMISSIONER WICKS AND CHAIR PRO TEM SWARTZ OPPOSED, TO RECOMMEND CITY COUNCIL APPROVAL OF RESOLUTION NO. ____ OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DESIGNATING CITY PUBLIC PARKS WHERE DOGS ARE PERMITTED ON-LEASH, IN ACCORDANCE WITH SAN CLEMENTE MUNICIPAL CODE SECTION 6.08.020 (A).

B. Public Service Announcement – “Pick up the Poop”

Director Heider displayed the new public service announcement produced by staff that encourages dog owners to clean up after their pets in order to maintain a safe, healthy environment and prevents dangerous bacteria from reaching the ocean. The short film will air on City channel, website, and other venues as available. She recommended the Commission receive and file the report.

The Commissioners commended staff for the positive and entertaining film. Commissioner Wicks suggested addition of a scene where an individual uses his/her own bag to dispense of waste, to go with the recommendation that dog owners supply their own bags, in order to emphasize the point.

Report received and filed.

C. Consideration of Sports Hall of Fame

Director Heider summarized the staff report, a request from City Council that the Commission review and provide comment concerning the proposed Sports Hall of Fame Program. The Program, suggested by Mayor Jim Evert at the July 3, 2012, Council meeting, would showcase local success stories in sports. Council has requested the Commission review the concept and proposed location, as well as make a recommendation as to its involvement in the Program. Staff has researched the proposal, and identified a wall at the aquatics center as an appropriate location. In addition, the Sports Hall of Fame Letter Agreement was included in the staff report for their consideration. Staff recommended the Commission discuss the report and provide a recommendation to City Council.

Mayor Jim Evert explained that the idea came to him while attending a speaking engagement by Sue Enquest. He believes the City should showcase the athletes who were raised, developed their talent, spent the majority of their career, etc. in the City, excluding those that moved or retired here following their careers. A wall at the aquatic park is being considered for a “Wall of Recognition,” and the Friends of San Clemente Beaches, Parks, and Recreation Foundation (“the Foundation”) has agreed to

Form A

Notice of Completion & Environmental Document Transmittal

SCH # _____

Mail to: State Clearinghouse, PO Box 3044, Sacramento, CA 95812-3044 916/445-0613

Project Title: Expansion of the List of City Parks Where Dogs are permitted with Leashes

Lead Agency: City of San Clemente Contact Person: Sharon Heider
Mailing Address: 100 Avenida Presidio Phone: 949.361.8263
City: San Clemente Zip: 92672 County: Orange

Project Location:

County: Orange City/Nearest Community: San Clemente, CA
Cross Streets: Multiple (see Attachment 1) Zip Code: 92672 & 926
Assessor's Parcel No. Multiple Section: Twp. Range: Base:
Within 2 Miles: State Hwy #: 1; I-5 Waterways: Pacific Ocean
Airports: None Railways: AT & SF Rail Schools: Multiple

Document Type:

CEQA: [] NOP [] Supplement/Subsequent EIR NEPA: [] NOI Other: [] Joint Document
[] Early Cons (Prior SCH No.) [] EA [] Final Document
[] Neg Dec [] Other [] Draft EIS [] Other
[] Draft EIR [] FONSI

Local Action Type:

[] General Plan Update [] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [] Other Amend Municipal Co

Development Type:

[] Residential: Units Acres
[] Office: Sq.ft. Acres Employees
[] Commercial: Sq.ft. Acres Employees
[] Industrial: Sq.ft. Acres Employees
[] Educational
[] Recreational
[] Water Facilities: Type MGD
[] Transportation: Type
[] Mining: Mineral
[] Power: Type Watts
[] Waste Treatment: Type
[] Hazardous Waste: Type
[X] Other: Allow dogs in City parks on-leash

Funding (approx.): Federal \$ State \$ Total \$

Project Issues Discussed in Document:

[] Aesthetic/Visual [] Flood Plain/Flooding [] Schools/Universities [] Water Quality
[] Agricultural Land [] Forest Land/Fire Hazard [] Septic Systems [] Water Supply/Groundwater
[] Air Quality [] Geologic/Seismic [] Sewer Capacity [] Wetland/Riparian
[] Archeological/Historical [] Minerals [] Soil Erosion/Compaction/Grading [] Wildlife
[] Coastal Zone [] Noise [] Solid Waste [] Growth Inducing
[] Drainage/Absorption [] Population/Housing Balance [] Toxic/Hazardous [] Landuse
[] Economic/Jobs [] Public Services/Facilities [] Traffic/Circulation [] Cumulative Effects
[] Fiscal [] Recreation/Parks [] Vegetation [] Other

Present Land Use/Zoning/General Plan Designation:

Public and Open Space

Project Description:

The project will allow dogs on-leashes in all City parks.

9A13

Reviewing Agencies Checklist

Form A, continued

KEY

- S = Document sent by lead agency
- X = Document sent by SCH
- ✓ = Suggested distribution

Resources Agency

- Boating & Waterways
- Coastal Commission
- Coastal Conservancy
- Colorado River Board
- Conservation
- Fish & Game
- Forestry & Fire Protection
- Office of Historic Preservation
- Parks & Recreation
- Reclamation Board
- S.F. Bay Conservation & Development Commission
- Water Resources (DWR)

Business, Transportation & Housing

- Aeronautics
- California Highway Patrol
- CALTRANS District # _____
- Department of Transportation Planning (headquarters)
- Housing & Community Development

Food & Agriculture

Health & Welfare

- Health Services _____

State & Consumer Services

- General Services
- OLA (Schools)

Environmental Protection Agency

- Air Resources Board
- California Waste Management Board
- SWRCB: Clean Water Grants
- SWRCB: Delta Unit
- SWRCB: Water Quality
- SWRCB: Water Rights
- Regional WQCB # _____ (_____)

Youth & Adult Corrections

- Corrections

Independent Commissions & Offices

- Energy Commission
- Native American Heritage Commission
- Public Utilities Commission
- Santa Monica Mountains Conservancy
- State Lands Commission
- Tahoe Regional Planning Agency

- Other _____

Public Review Period (to be filled in by lead agency)

Starting Date August 9, 2012

Ending Date September 10, 2012

Signature 

Date 8/9/12

Lead Agency (Complete if applicable):

Consulting Firm: City of San Clemente
 Address: 100 Avenida Presidio
 City/State/Zip: San Clemente, CA 92672
 Contact: Sharon Helder
 Phone: (949) 361-8263

Applicant: City of San Clemente

Address: 100 Avenida Presidio
 City/State/Zip: San Clemente, CA 92672
 Phone: (949) 361-8263

For SCH Use Only:

Date Received at SCH _____
 Date Review Starts _____
 Date to Agencies _____
 Date to SCH _____
 Clearance Date _____

Notes:

**CITY OF SAN CLEMENTE
ENVIRONMENTAL CHECKLIST FORM**

1. Project Title: Expansion of the List of City Parks Where Dogs are permitted with Leashes

Lead Agency Name and Address: City of San Clemente
100 Avenida Presidio
San Clemente, CA 92672

3. Contact Person and Phone Number: Sharon Heider 949.361.8263

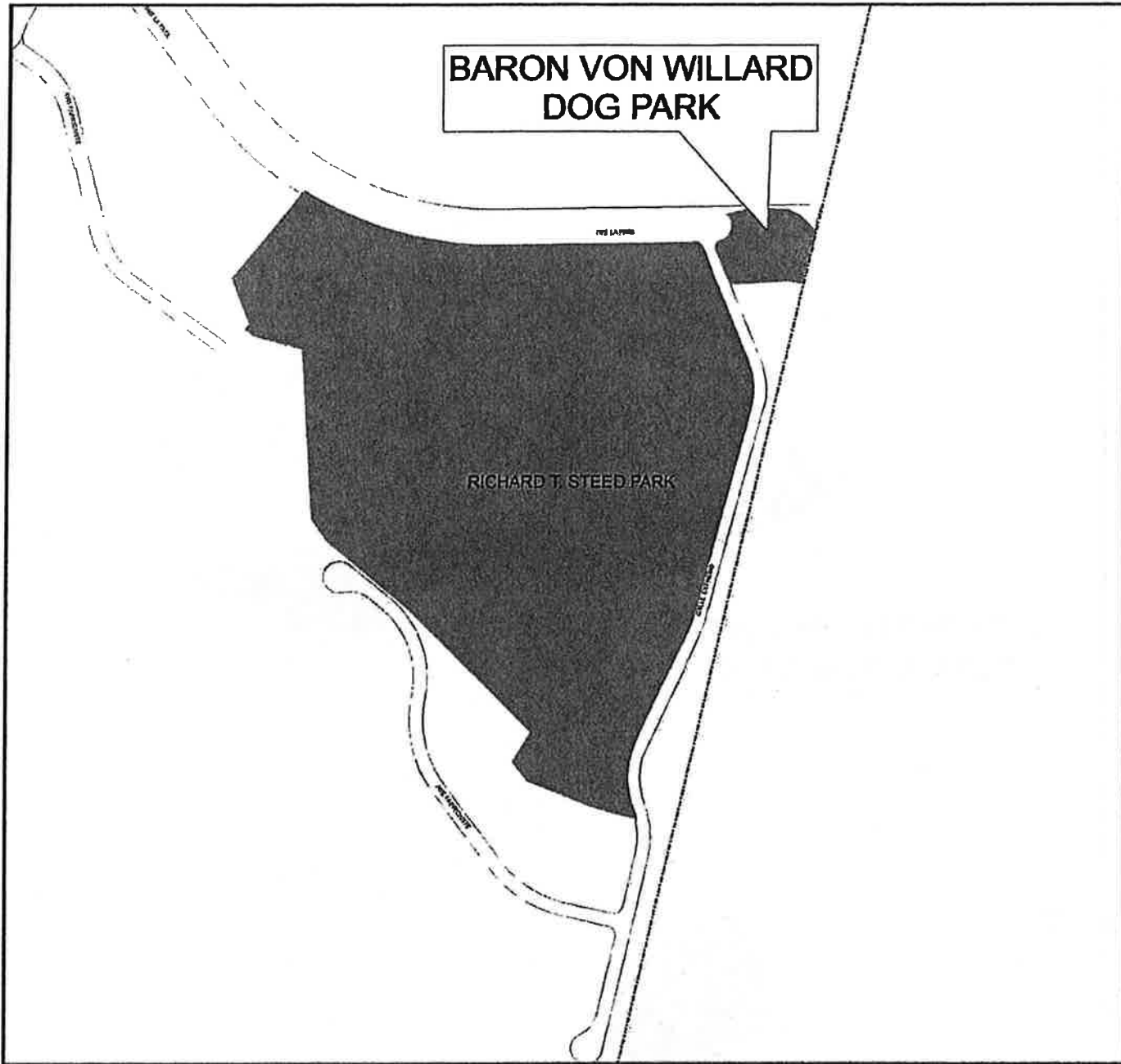
4. Project Location: Baron Von Willard Dog Park
Bonito Canyon Bicentennial Park
Downtown Community Center
Forster Ranch Community Park
Leslie Park
Liberty Park
Linda Lane Park
Marblehead Inland Park
Max Berg Plaza Park
Mira Costa Park
Parque Del Mar
Ralph's Skate Court @ Steed Park
Rancho San Clemente Park
Richard T. Steed Park
San Gorgonio Park
San Luis Rey Park
Talega Park
Tierra Grande Park
Verde Park
Vista Bahia Park
Vista Hermosa Sports Park

5. Project Sponsor's Name: City of San Clemente
and Address 100 Avenida Presidio
San Clemente, CA 92672

9A16



VICINITY MAP



BARON VON WILLARD DOG PARK



QA17



VICINITY MAP



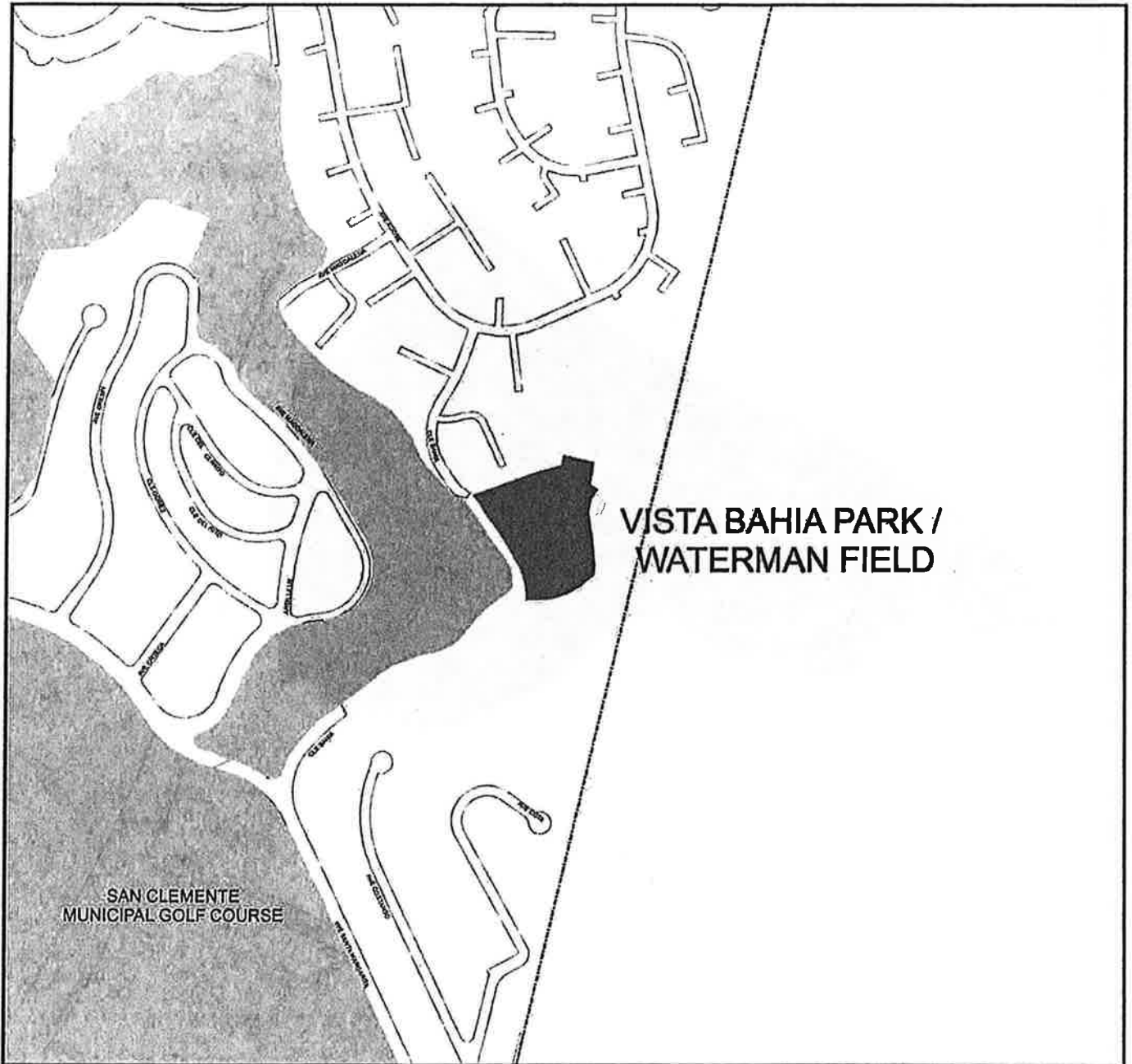
SAN CLEMENTE COMMUNITY CENTER



QA-19



VICINITY MAP



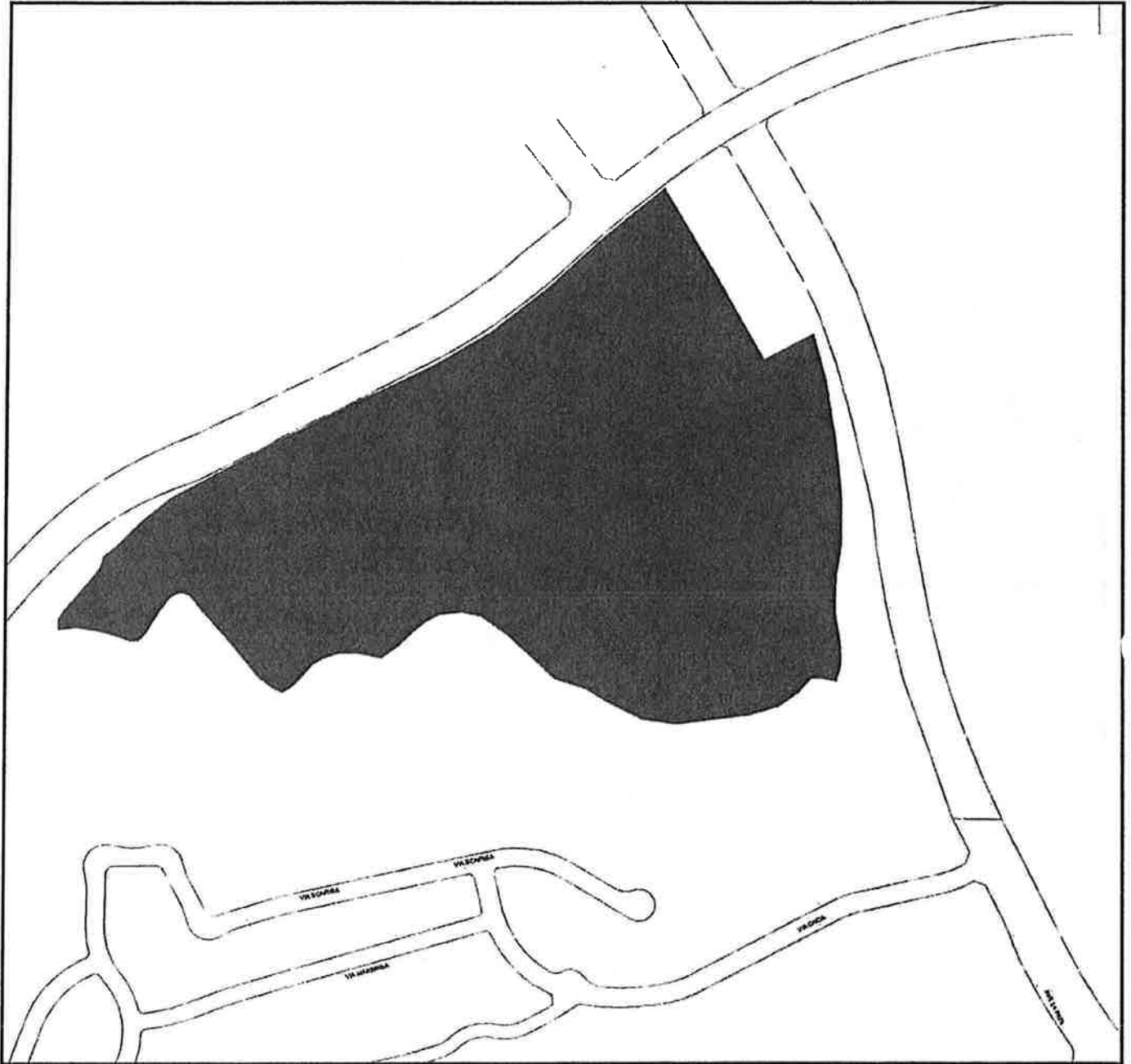
VISTA BAHIA PARK / WATERMAN FIELD



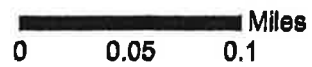
9A-23



VICINITY MAP



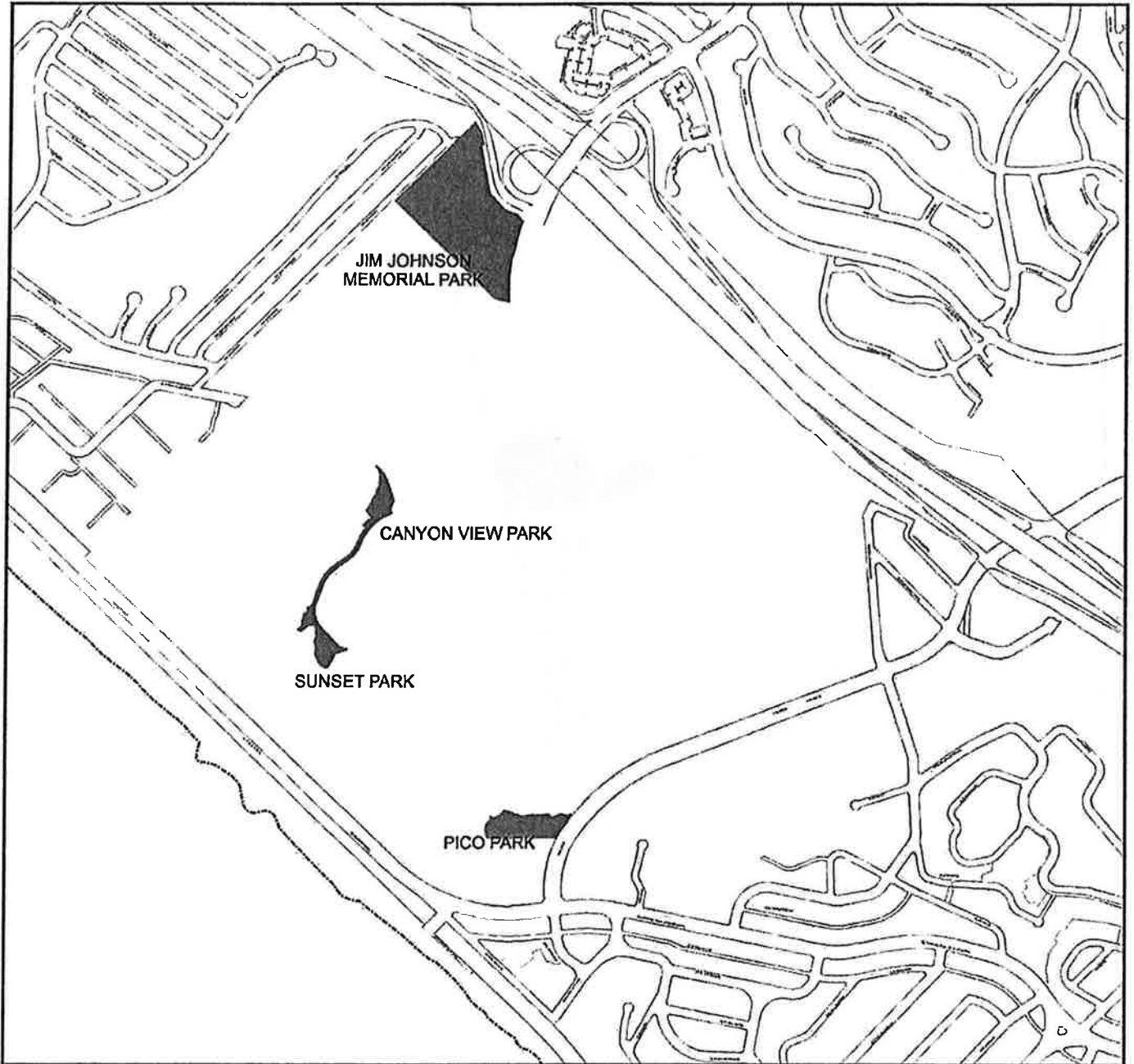
VISTA HERMOSA SPORTS PARK



9A-24



VICINITY MAP



MARBLEHEAD COASTAL PARKS

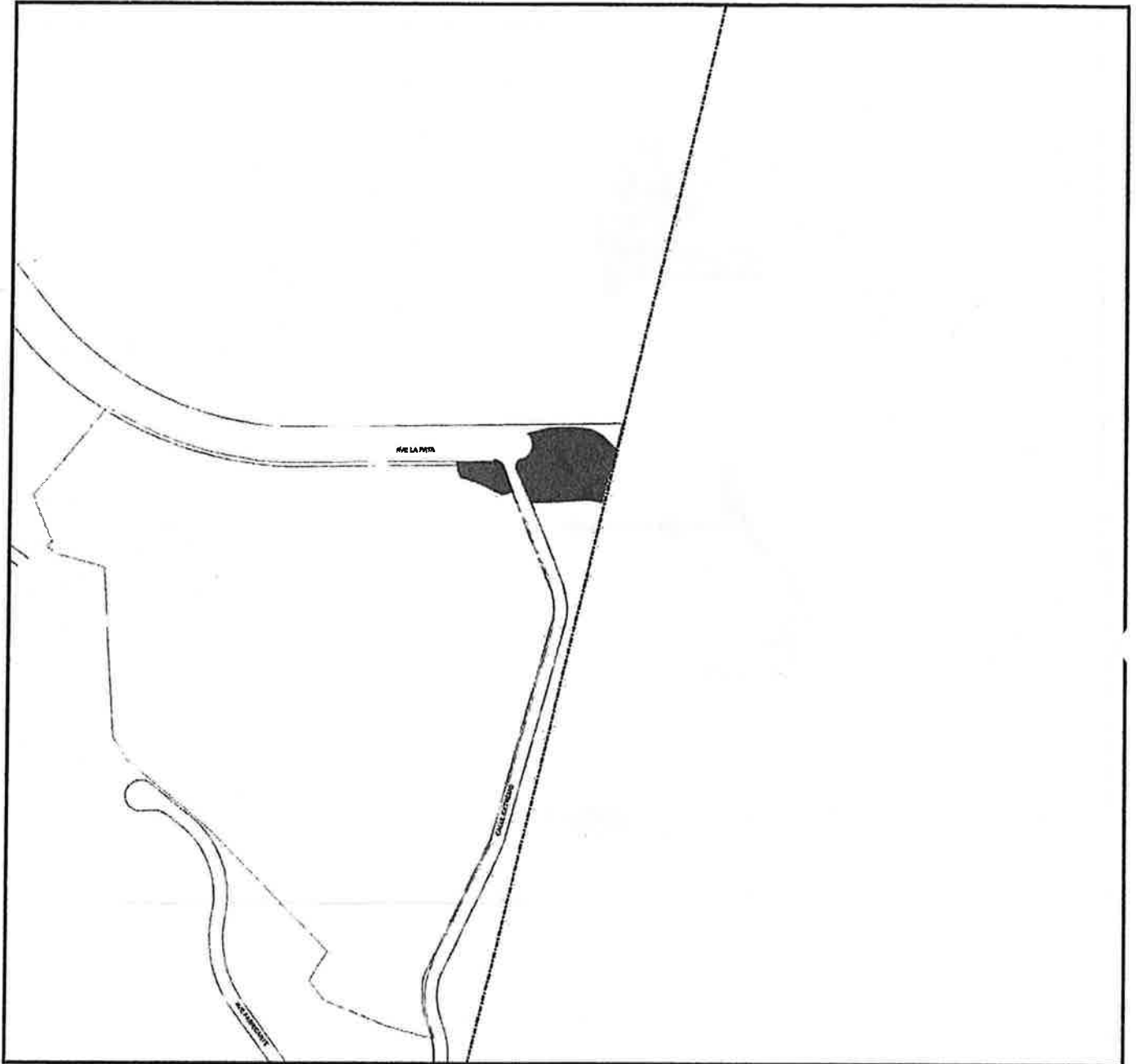


0 0.05 0.1 Miles

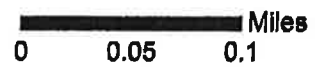
QA-35



VICINITY MAP



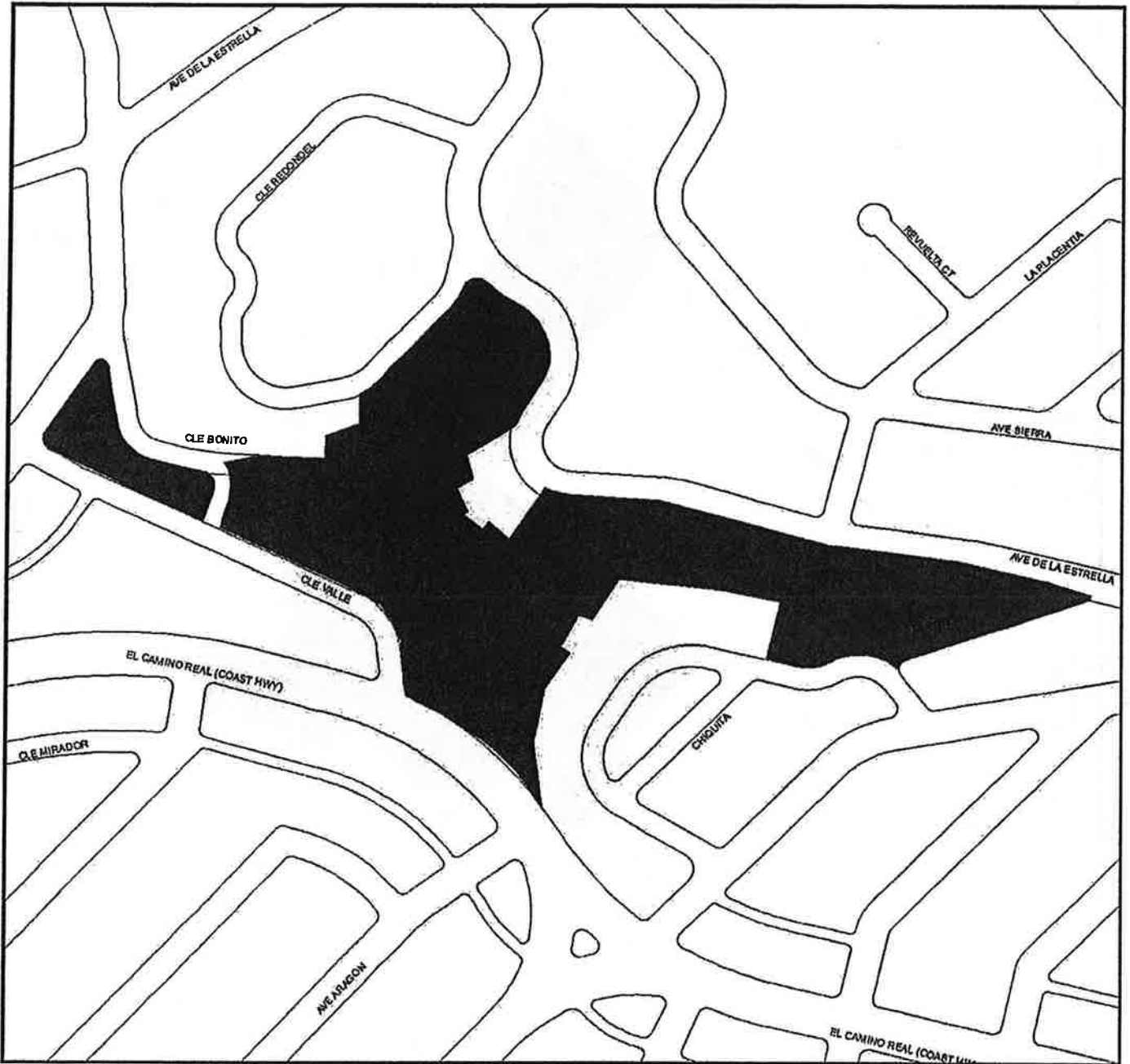
BARON VON WILLARD DOG PARK



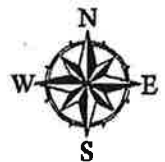
9A-26



VICINITY MAP



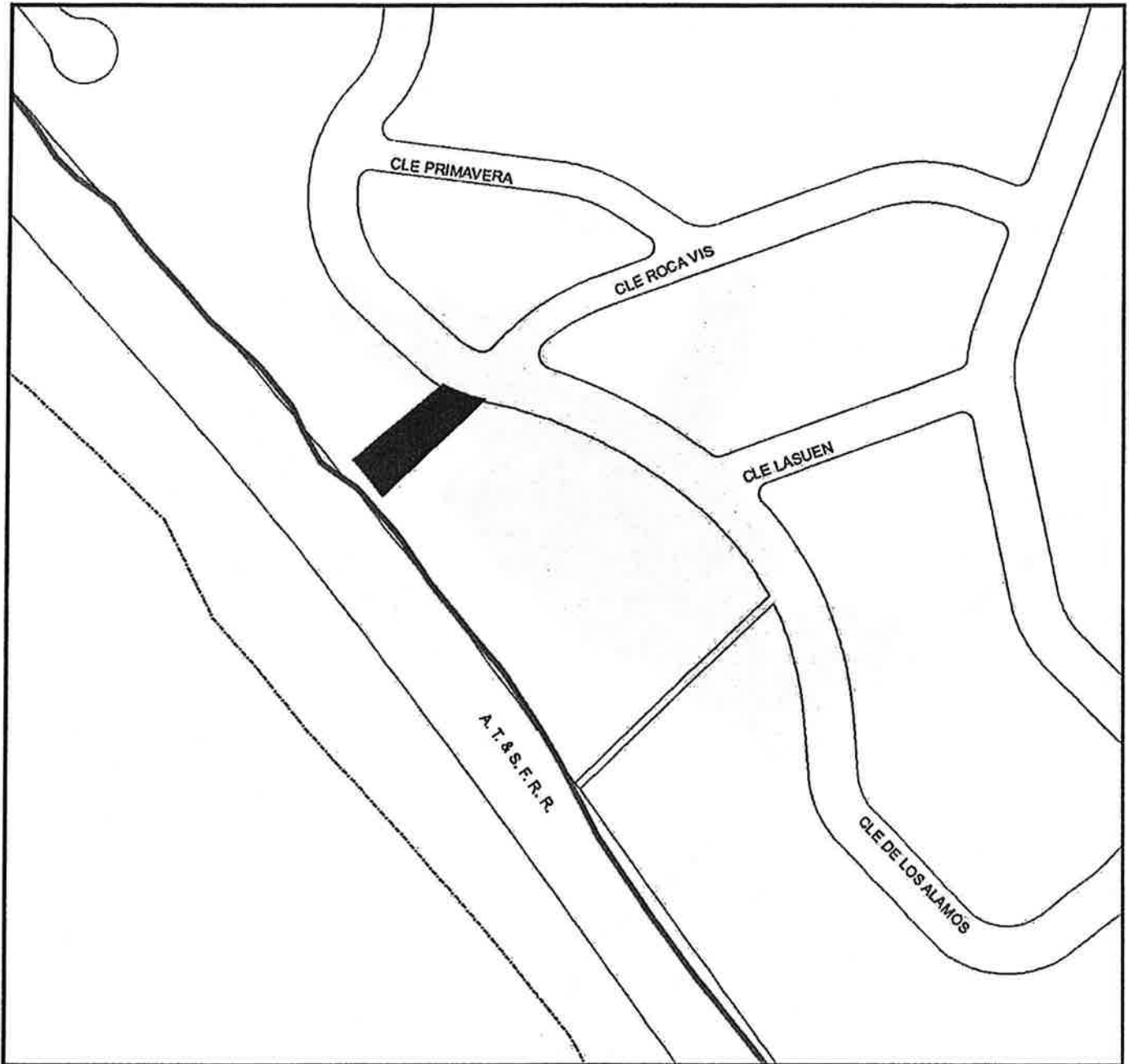
BONITO CANYON BICENTENNIAL PARK



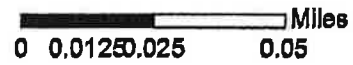
9A-27



VICINITY MAP



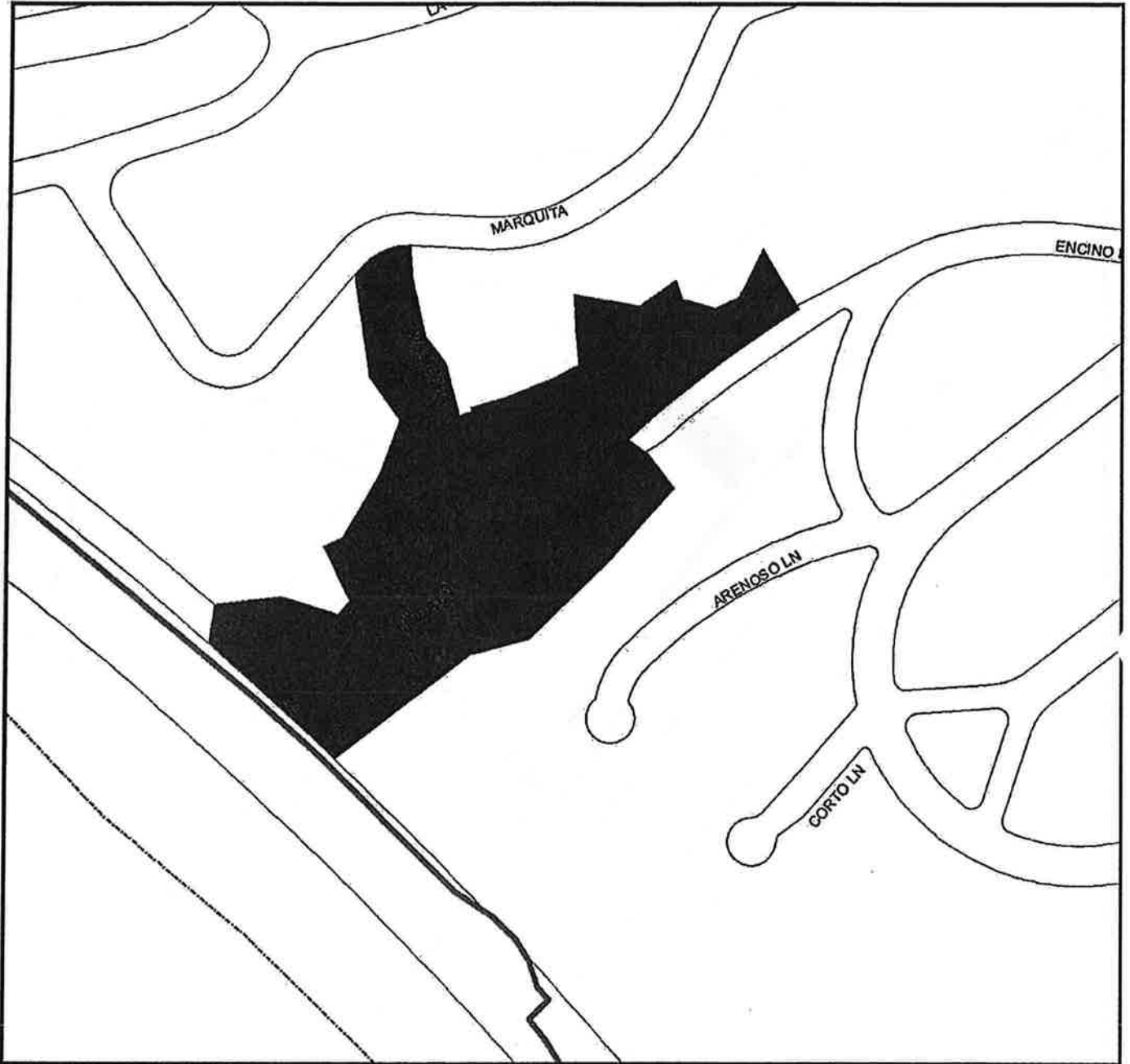
LESLIE PARK



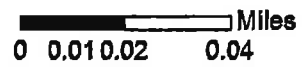
9A-29



VICINITY MAP



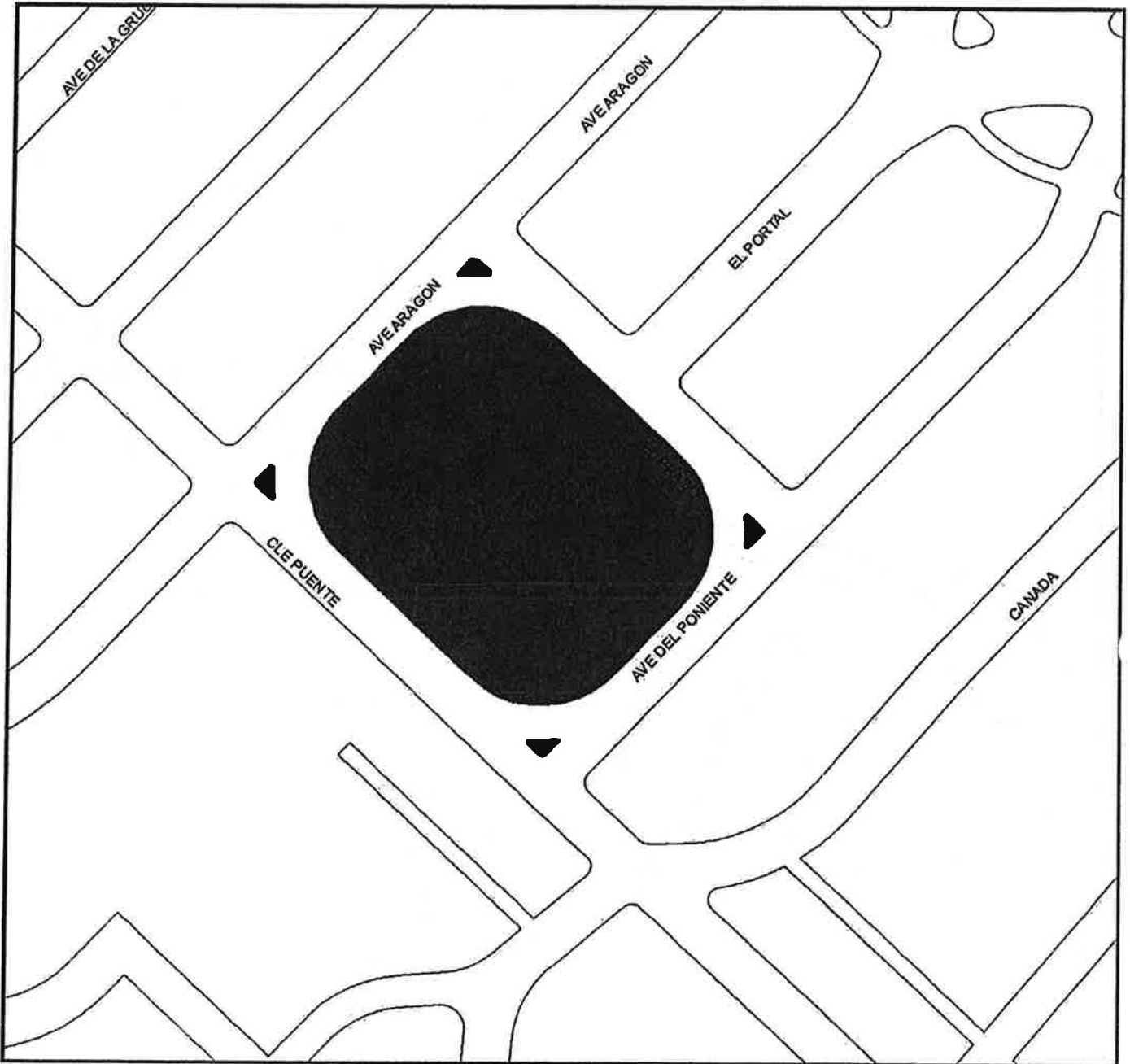
LINDA LANE PARK



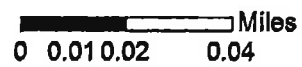
9A-30



VICINITY MAP



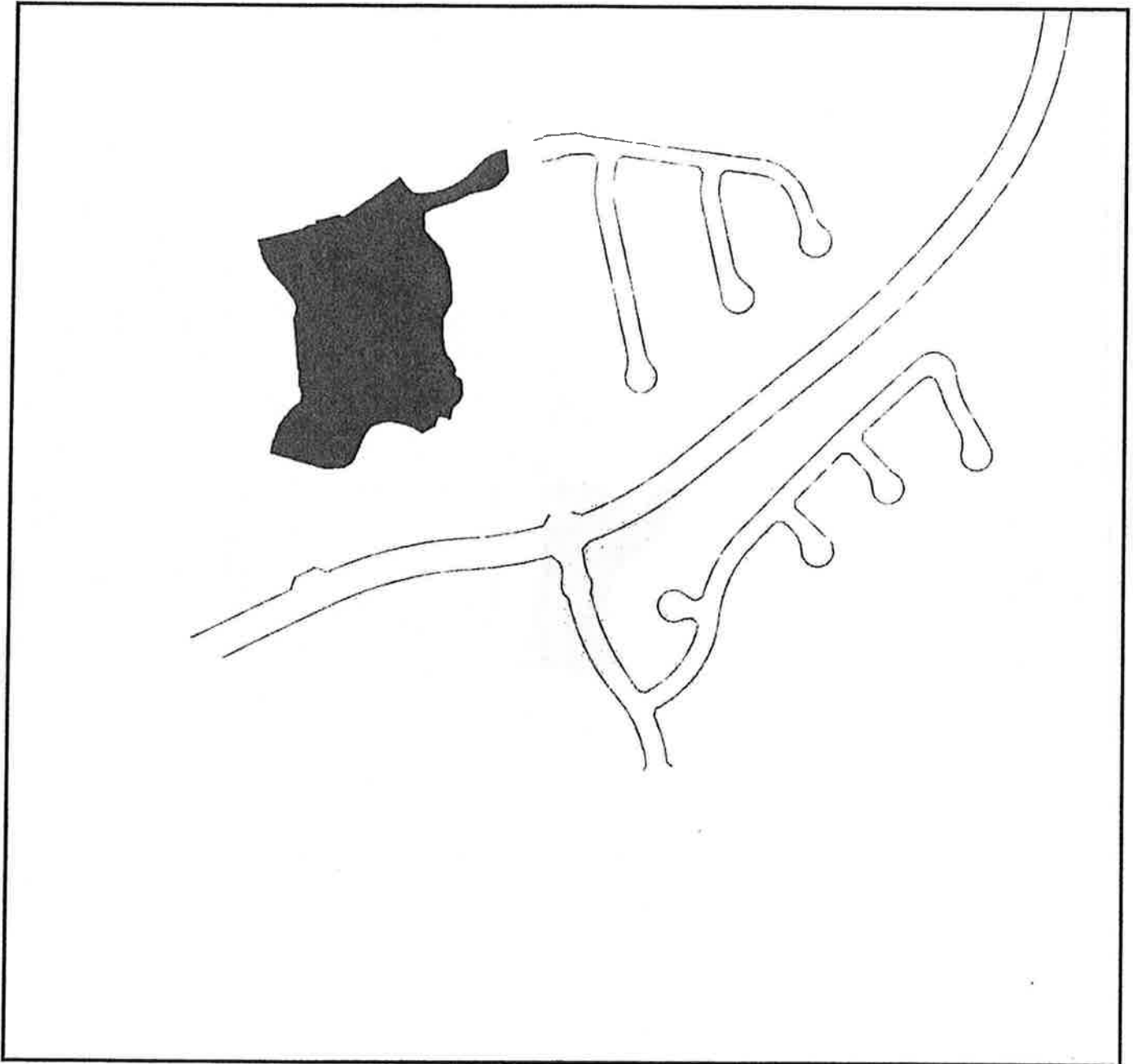
MAX BERG PLAZA PARK



9A-32



VICINITY MAP



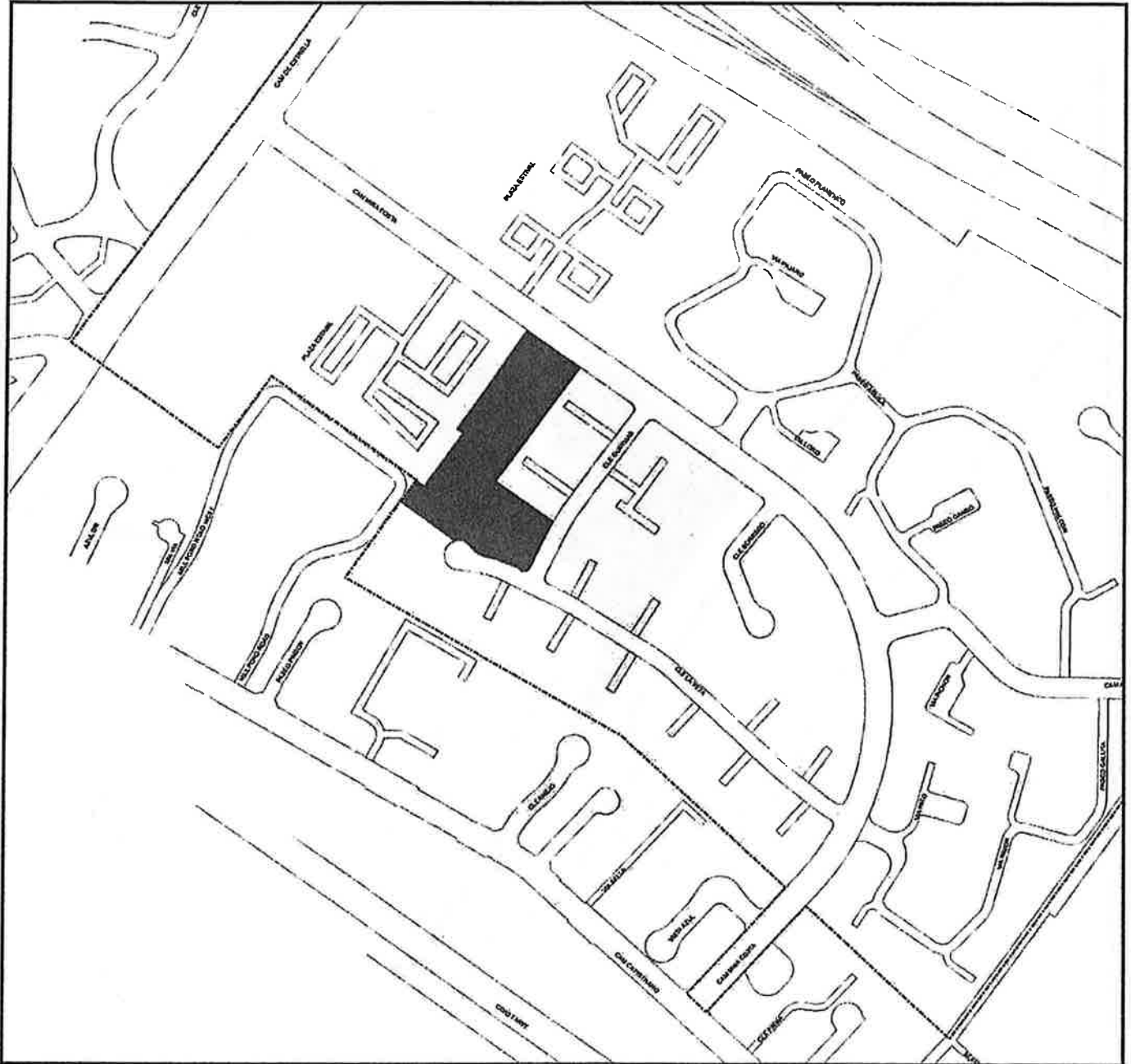
TIERRA GRANDE PARK



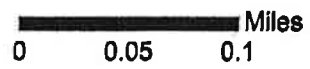
QA-33



VICINITY MAP



MIRA COSTA PARK



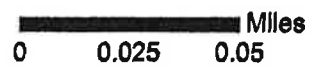
9A-35



VICINITY MAP



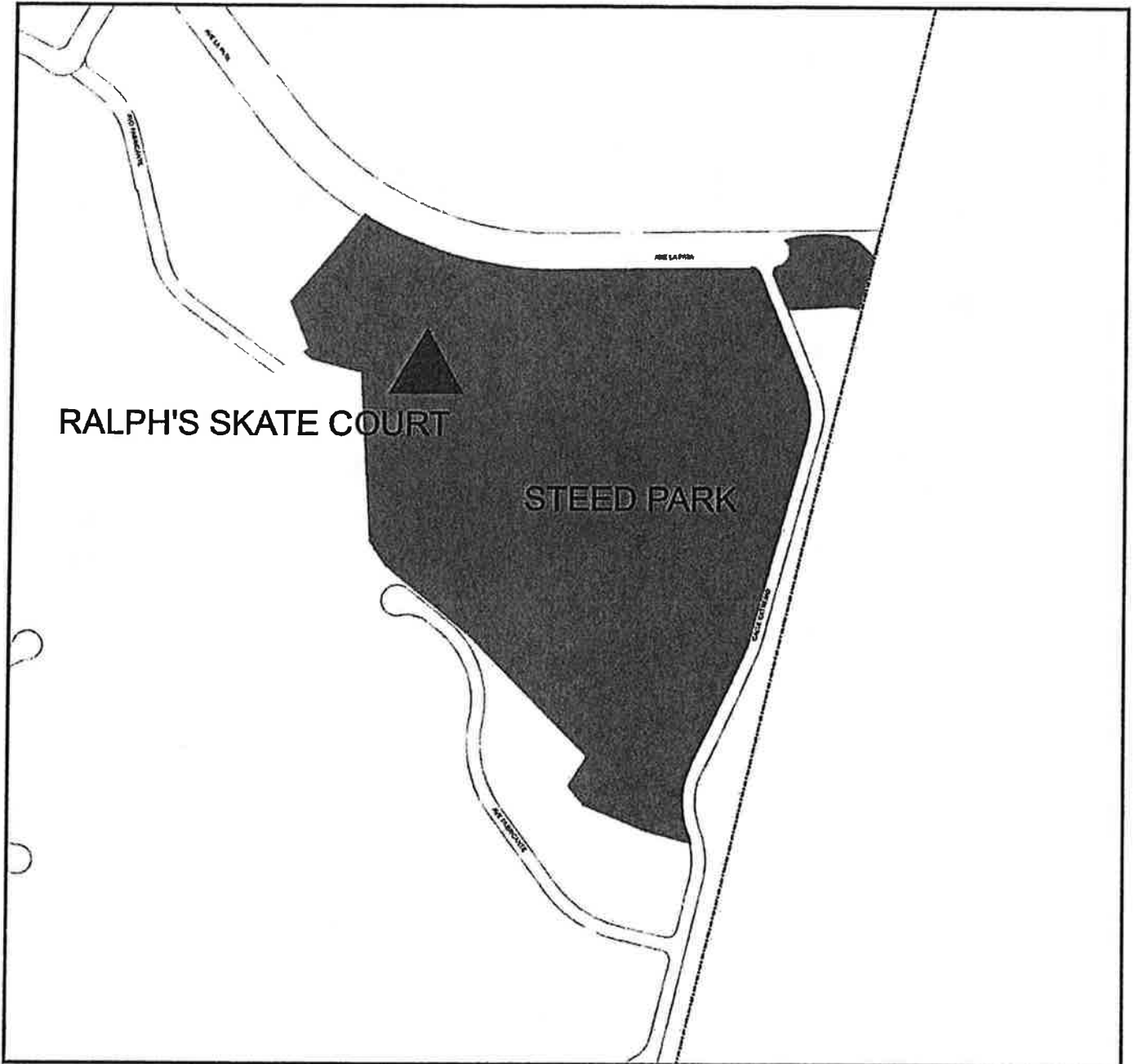
PARQUE DEL MAR



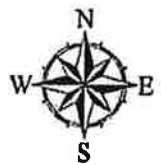
QA-36



VICINITY MAP



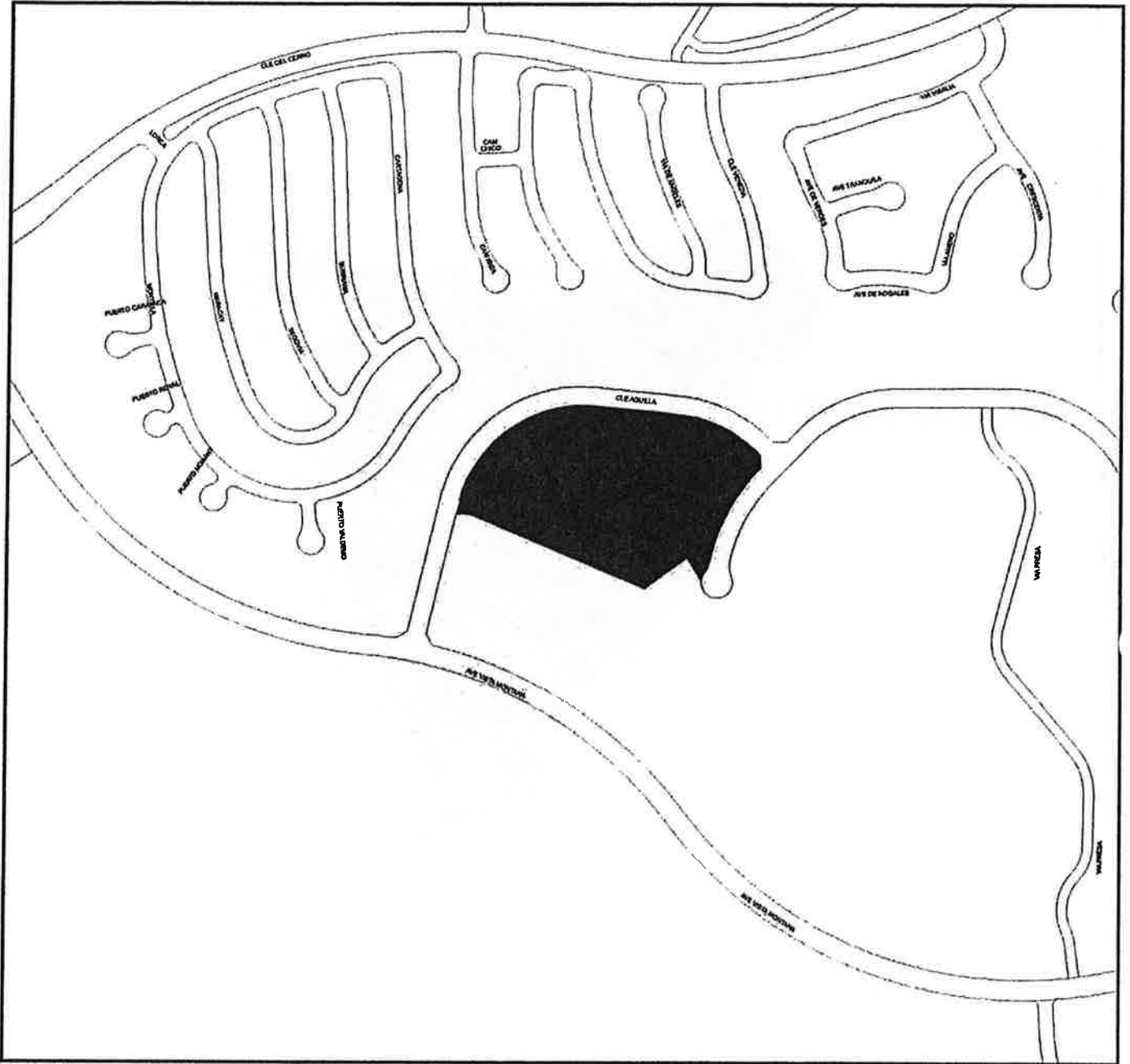
RALPH'S SKATE COURT



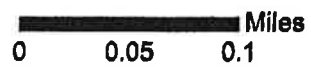
9A-37



VICINITY MAP



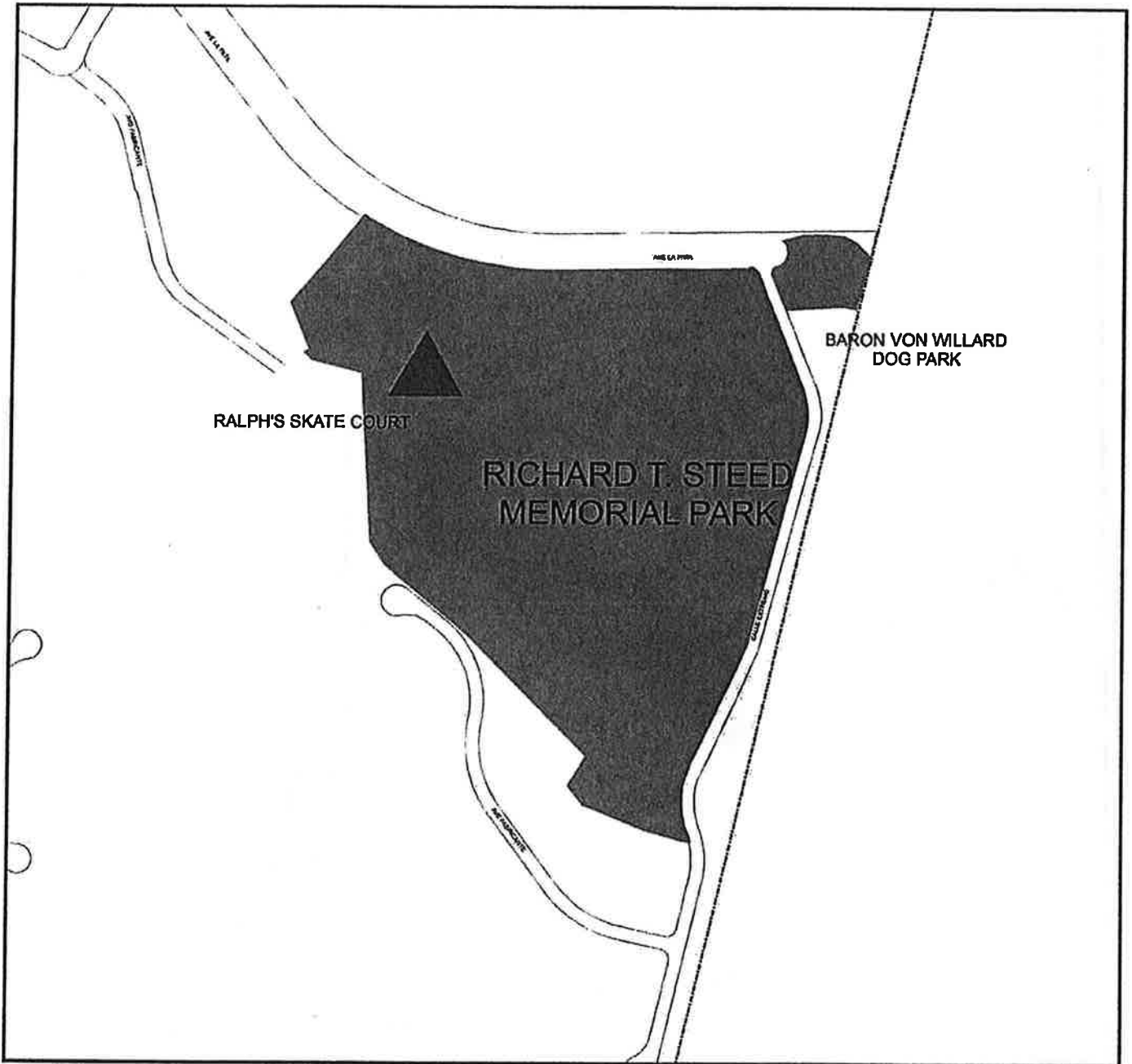
RANCHO SAN CLEMENTE PARK



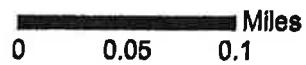
9A-38



VICINITY MAP



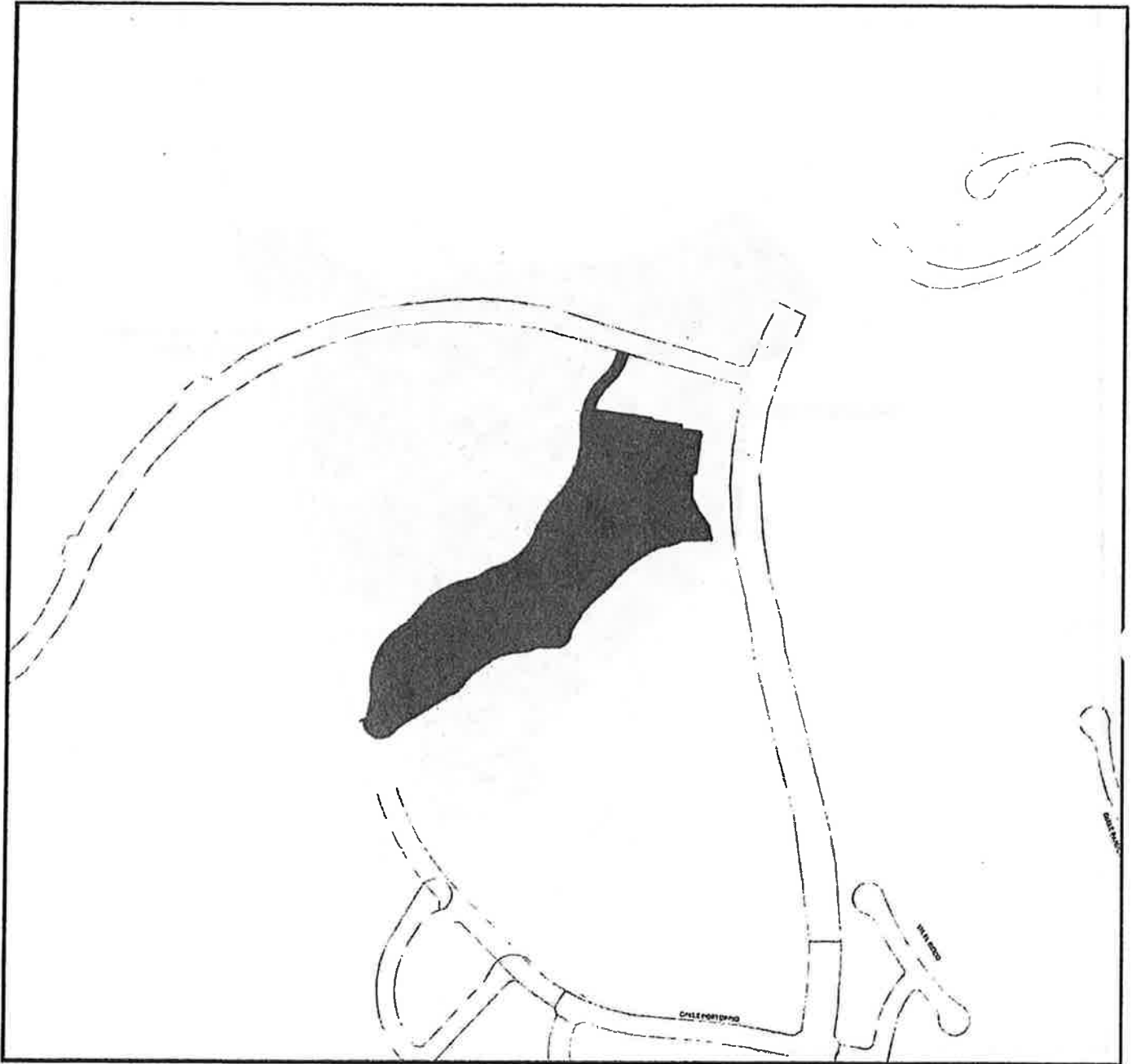
RICHARD T. STEED MEMORIAL PARK



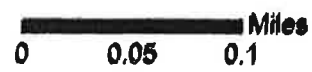
9A 39



VICINITY MAP



LIBERTY PARK



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6. General Plan Designation: Public/Open Space

7. Zoning: Public/Open Space

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

The City of San Clemente is proposing to amend Municipal Code Section 6.08.020(A) to expand the number of City parks from 3 to 20 where dogs are permitted on-leash.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The various parks throughout the community are existing and surrounded by either residential, commercial, light industrial, public uses (schools), or additional open space and trails.

10. Other public agencies whose approval is required: None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The following Initial Study indicates that the project may result in potential environmental impacts in the following marked categories:

| | | | |
|--|---|-------------------------------|--|
| Aesthetics | Agricultural Resources | Air Quality | |
| Biological Resources | Cultural Resources | Geology/Soils | |
| Hazards/Hazardous Materials | Hydrology/Water Quality | Land Use/Planning | |
| Mineral Resources | Noise | Population/Housing | |
| Public Services | Recreation | Transportation/Traffic | |
| Utilities & Service Systems | Mandatory Findings of Significance | | |

ENVIRONMENTAL DETERMINATION:


On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION has been prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: (a) has been adequately analyzed in an earlier document pursuant to

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applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

SHARON HEINER
Printed Name

8/9/12
Date

City of San Clemente
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

INITIAL STUDY

A. INITIAL STUDY CHECKLIST

| IMPACT CATEGORY | Sources* | Potentially Significant Impact | Less than Significant w/Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|----------|--------------------------------|---|------------------------------|-----------|
| *See Source References at the end of this Checklist. | | | | | |

1. AESTHETICS -- Would the project:

| | | | | | |
|--|-------|--|--|--|---|
| a) Have a substantial adverse effect on a scenic vista? | 1,3,5 | | | | X |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | 1,3,5 | | | | X |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | 1,3,5 | | | | X |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | 1,3,5 | | | | X |

2. AGRICULTURE RESOURCES -- Would the project:

| | | | | | |
|---|---|--|--|--|---|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | 1 | | | | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | 4 | | | | X |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? | 1 | | | | X |

3. AIR QUALITY -- Would the project:

| | | | | | |
|---|-----|--|--|--|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | 2,3 | | | | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | 2,3 | | | | X |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | 2 | | | | X |
| d) Expose sensitive receptors to substantial pollutant concentrations? | 2 | | | | X |
| e) Create objectionable odors affecting a substantial number of people? | 2 | | | | X |

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| IMPACT CATEGORY | Sources* | Potentially Significant Impact | Less than Significant w/Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|----------|--------------------------------|---|------------------------------|-----------|
| *See Source References at the end of this Checklist. | | | | | |

4. BIOLOGICAL RESOURCES -- Would the project:

| | | | | | |
|--|-----|--|--|--|---|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | 3 | | | | X |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | 3 | | | | X |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | 3 | | | | X |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | 1,3 | | | | X |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | 1,3 | | | | X |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | 1,3 | | | | X |

5. CULTURAL RESOURCES -- Would the project:

| | | | | | |
|---|-------|--|--|--|---|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 | 1,4,5 | | | | X |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | 1,4,5 | | | | X |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | 1,4,5 | | | | X |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | 1,4,5 | | | | X |

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| IMPACT CATEGORY | Sources* | Potentially Significant Impact | Less than Significant w/Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|----------|--------------------------------|---|------------------------------|-----------|
| *See Source References at the end of this Checklist. | | | | | |

6. GEOLOGY AND SOILS -- Would the project:

| | | | | | |
|---|---|--|--|--|---|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | 3 | | | | X |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Div. of Mines and Geology Special Pub. 42.) | 3 | | | | X |
| ii) Strong seismic ground shaking? | 3 | | | | X |
| iii) Seismic-related ground failure, including liquefaction? | 3 | | | | X |
| iv) Landslides? | 3 | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil? | 3 | | | | X |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | 3 | | | | X |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | 3 | | | | X |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | 3 | | | | X |

7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

| | | | | | |
|--|-----|--|--|--|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | 3,4 | | | | X |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | 3,4 | | | | X |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | 3,4 | | | | X |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | 1 | | | | X |

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| IMPACT CATEGORY | Sources* | Potentially Significant Impact | Less than Significant w/Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|----------|--------------------------------|---|------------------------------|-----------|
| *See Source References at the end of this Checklist. | | | | | |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | 1 | | | | X |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | 1 | | | | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | 1 | | | | X |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | 1 | | | | X |

8. HYDROLOGY AND WATER QUALITY -- Would the project:

| | | | | | |
|---|------|--|--|--|---|
| a) Violate any water quality standards or waste discharge requirements? | 1,3, | | | | X |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | 3 | | | | X |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | 3 | | | | X |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | 3 | | | | X |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | 3,5 | | | | X |
| f) Otherwise substantially degrade water quality? | 3 | | | | X |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | 3 | | | | X |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | 1,3 | | | | X |

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| IMPACT CATEGORY | Sources* | Potentially Significant Impact | Less than Significant w/Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|----------|--------------------------------|---|------------------------------|-----------|
| *See Source References at the end of this Checklist. | | | | | |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | 1,3 | | | | X |
| j) Inundation by seiche, tsunami, or mudflow? | 1,3 | | | | X |
| k) Potentially impact storm water runoff from construction activities? | 1,3 | | | | X |
| l) Potentially impact storm water runoff from post-construction activities? | 1,3 | | | | X |
| m) Result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work/activity areas? | 1,3 | | | | X |
| n) Result in the potential for discharge of storm water to impact the beneficial uses of receiving waters? | 1,3 | | | | X |
| o) Create the potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm? | 1,3 | | | | X |
| p) Create significant increases in erosion of the project site or surrounding areas? | 1,3 | | | | X |

9. LAND USE AND PLANNING -- Would the project:

| | | | | | |
|---|---------|--|--|--|---|
| a) Physically divide an established community? | 1,3,5 | | | | X |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | 1,3,4,5 | | | | X |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | 1,3,4,5 | | | | X |

10. MINERAL RESOURCES -- Would the project:

| | | | | | |
|---|---|--|--|--|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | 3 | | | | X |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | 3 | | | | X |

11. NOISE -- Would the project result in:

| | | | | | |
|---|-----|--|--|--|---|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | 1,4 | | | | X |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | 3 | | | | X |

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| IMPACT CATEGORY | Sources* | Potentially Significant Impact | Less than Significant w/Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|----------|--------------------------------|---|------------------------------|-----------|
| *See Source References at the end of this Checklist. | | | | | |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | 3 | | | | X |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | 3 | | | | X |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | 1 | | | | X |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | 1 | | | | X |

12. POPULATION AND HOUSING -- Would the project:

| | | | | | |
|---|-----|--|--|--|---|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | 1,3 | | | | X |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | 3 | | | | X |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | 3 | | | | X |

13. PUBLIC SERVICES—Would the project:

| | | | | | |
|--------------------------|---|--|--|--|---|
| Fire protection? | 3 | | | | X |
| Police protection? | 3 | | | | X |
| Schools? | 3 | | | | X |
| Parks? | 3 | | | | X |
| Other public facilities? | 3 | | | | X |

14. RECREATION—Would the project

| | | | | | |
|--|-----|--|--|--|---|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | 1,3 | | | | X |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | 3 | | | | X |

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| IMPACT CATEGORY | Sources* | Potentially Significant Impact | Less than Significant w/Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|----------|--------------------------------|---|------------------------------|-----------|
| *See Source References at the end of this Checklist. | | | | | |

15. TRANSPORTATION/TRAFFIC -- Would the project:

| | | | | | |
|--|-----|--|--|--|---|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | 3 | | | | X |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | 1,3 | | | | X |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | 1 | | | | X |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | 3, | | | | X |
| e) Result in inadequate emergency access? | 3 | | | | X |
| f) Result in inadequate parking capacity? | 1 | | | | X |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | 1 | | | | X |

16. UTILITIES AND SERVICE SYSTEMS -- Would the project:

| | | | | | |
|---|---|--|--|--|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | 3 | | | | X |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | 3 | | | | X |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | 3 | | | | X |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | 3 | | | | X |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | 3 | | | | X |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | 3 | | | | X |

| IMPACT CATEGORY | Sources* | Potentially Significant Impact | Less than Significant w/Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|----------|--------------------------------|---|------------------------------|-----------|
| *See Source References at the end of this Checklist. | | | | | |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | 3 | | | | X |
| h) Require or result in the implementation of a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. a water quality treatment basin, constructed treatment wetland, storage vault), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)? | 1,3,4 | | | | X |

17. MANDATORY FINDINGS OF SIGNIFICANCE:

| | | | | | |
|--|-------|--|--|--|---|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | 1,3,4 | | | | X |
|--|-------|--|--|--|---|

| | | | | | |
|--|--------|--|---|--|---|
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | 1,3,4 | | | | x |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | 1,2,3, | | X | | |

PREVIOUS ANALYSIS:

Per CEQA Guidelines Sections 15063 (*Initial Study*), 15152 (*Tiering*), 15153 (*Use of an EIR from an Earlier Project*), and 15168 (*Program EIR*), previous analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in a previous EIR or Negative Declaration. In this case, the following previous environmental impact reports address impacts of the current project:

Therefore, per CEQA and case law, the following items apply:

- a) Earlier Analysis Used. Identify earlier analyses and state where they are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

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c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.

SOURCE REFERENCES:

| | |
|---|---|
| 1. | <i>General Plan, City of San Clemente</i> |
| 2. | <i>CEQA Air Quality Handbook, South Coast Air Quality Management District, April, 1993</i> |
| 3. | <i>General Plan EIR, City of San Clemente, May 6, 1993</i> |
| 4. | <i>Zoning Ordinance and Zoning Map, Title 17 of San Clemente Municipal Code, City of San Clemente</i> |
| 5. | Field observations of the sites and the surrounding areas by Sharon Heider, Director of Beaches, Parks, and Recreation for the City of San Clemente |
| Note: The preceding source documents are available for public review at the City of San Clemente Planning Division, 910 Calle Negocio, Suite 100, San Clemente, California. | |

B. EXPLANATIONS OF CHECKLIST RESPONSES:

The proposed project will allow dogs on-leash in all of the City parks. Dogs are already being brought into the various parks illegally, and by allowing them to be there will allow for more control and regulation on how they can be in the park as well as allowing for more enforcement regarding cleaning up after dogs in parks. This project includes no actual physical development as this is to allow dogs on-leash in existing public parks, and there are no environmental impacts associated with the proposed project.

Aesthetics

There are no potential environmental impacts to Aesthetics because:

- a) The proposed project will not have a substantial adverse effect on a scenic vista, in that the expansion of dogs on-leash in the City parks will potentially lead to more people enjoying and utilizing the park facilities and appreciating the scenic vistas and no new structures are proposed associated with the project, thus no scenic vistas will be impacted by the project.
- b) The proposed project will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway, in that no development is proposed that could negatively impact any scenic resource.
- c) The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings, in that the project is to allow on-lease dogs within City parks and not negatively impact any aesthetic resources.
- d) The proposed project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area, in that no additional lighting is proposed for any park, but will allow dogs to be on-leash and in City parks.

Agricultural Resources

There are no potential environmental impacts to Agricultural Resources because:

- a) The proposed project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepares pursuant to the Farmland

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- Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use, in that no new development of any kind is proposed with this project.
- b) The proposed project will not conflict with existing zoning for agricultural use, or a Williamson Act contract, in that the no new development is occurring, and this will result in only expanded use of existing City parks.
 - c) The proposed project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use, in that the project does not include any physical change to the land and will only allow expanded use of existing City parks.

Air Quality

There are no potential environmental impacts to Air Quality because:

- a) The proposed project will not conflict with or obstruct implementation of the applicable air quality plan, in that the project will not develop anything only allow dogs on-leash in City parks. The project's proposed land use intensity is consistent with the land use designations of the City's General Plan and is therefore also consistent with land use projections of the AQMP. The project site is located in the South Coast Air Basin (SCAB), within which air quality management is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The proposed project site is subject to the air pollution control thresholds established by the SCAQMD and published in their CEQA Air Quality Handbook. The SCAQMD is responsible for preparing a regional air quality management plan (AQMP) to improve air quality in the SCAB. The AQMP includes a variety of strategies to accommodate growth, to reduce the high levels of pollutants within the SCAB, to meet State and federal air quality performance standards, and to minimize the fiscal impact that pollution control measures have on the local economy. Project emissions do not exceed daily emission criteria of the South Coast AQMP.
- b) The proposed project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, in that the SCAQMD provides thresholds of significance for air quality constituents by construction and operational activities. However, given that there will be no construction activities associated with the approval of the project, this project would not generate substantial amounts of air pollutants. Also, the project's proposed land use intensity is consistent with the land use designations of the City's General Plan and is therefore also consistent with land use projections of the AQMP.
- c) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors, in that approval of project will not result in any development as the City parks will remain as they are today. The project's proposed land use intensity is consistent with the land use designations of the City's General Plan and is therefore also consistent with land use projections of the AQMP.. According to the California Air Resources Board (CARB), the proposed project is in a State and Federal non-attainment area for O₃, PM_{2.5}, and PM₁₀.¹ (SCAB has been in attainment for CO since December 2002 and on June 11, 2007, the U.S. Environmental

¹ California Air Resources Board. *Area Designation maps*. Available at: <http://www.arb.ca.gov/desig/adm/adm.htm>, accessed on April 14, 2008.

Protection Agency reclassified CO as in attainment.²⁾ The SCAQMD has established significance thresholds for the purpose of assessing a project's air quality impacts. The approach behind these thresholds stems from the AQMP forecasts of attainment of State and federal Ambient Air Quality Standards (AAQS) and SCAG's forecasted future regional growth. Based on SCAQMD's methodology, the proposed project would have a significant cumulative air quality impact if the ratio of daily District-related population vehicle miles traveled (VMT) exceeded the ratio of daily District-related population to countywide population, which it does not.

- d) The proposed project will not expose sensitive receptors to substantial pollutant concentrations, in that the project will not result in any construction, and will only allow dogs on-leashes in City parks. Project emissions are not significant enough to result in pollutant concentrations that would affect sensitive receptors.
- e) The proposed project will not create objectionable odors affecting a substantial number of people, in that the project will be to allow dogs in City parks on-leashes only and will not increase in odors as City parks are open air facilities, and any increase odors by dogs being present in parks will disperse before odors would affect a large number of people.

Biological Resources

There are no potential environmental impacts to Biological Resources because:

- a) The proposed project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, in that the City parks are already developed, and all existing landscaping will be maintained and allowing dogs on-leashes in the parks will not negatively impact any resources, thus no biological resources will be impacted.
- b) The proposed project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, in that the City parks have been completely developed and the existing landscaping and structures will be maintained, thus no biological resources will be impacted.
- c) The proposed project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, in that there is no proposed development with this project but will allow dogs on-leash in City parks, thus there will be no impact to biological resources.
- d) The proposed project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, in that the project will not develop anything physically at any City park site and instead will

² South Coast Air Quality Management District 2007. *Final 2007 AQMP*. Available at: <http://www.aqmd.gov/aqmp/AQMPintro.htm>, accessed on April 14, 2008.

allow for dogs in the parks on-leash, thus there will be no impact to biological resources.

- e) The proposed project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, in that no policies or ordinances are being amended or changed that would affect biological resources. The project is to allow dogs within City parks on-leash, thus there will be no impact to biological resources.
- f) The proposed project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, in that the project is to allow dogs in City parks on-leash, and will not impact sensitive biological resources covered by the Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) for the County of Orange.

Cultural Resources

There are no potential environmental impacts to Cultural Resources because:

- a) The proposed project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, in that this project has nothing to do with any historic structures or allow dogs on-leash in historic structures, thus no impact to historic structures will occur.
- b) The proposed project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5, in that nothing is proposed that would modify, require, or impact any archeological site by allowing dogs on-leashes to be in City parks.
- c) The proposed project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, in that there is no proposed actions associated with dogs being permitted in City parks on-leash that would impact any known or unknown paleontological resource or site or unique geologic feature.
- d) The proposed project will not disturb any human remains, including those interred outside of formal cemeteries, in that the proposed project is to allow dogs in City parks on-leash and nothing else is proposed that would cause the disturbance of any burial sites.

Geology and Soils

There are no potential environmental impacts to Geology and Soils because:

- a) The proposed project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides, in that the project will not result in any new development, but rather allow people to bring dogs on-leash to existing City parks. Approval of the project will not result in additional development. The City of San Clemente is not listed on the California Geological Survey's list of cities and counties affected by Alquist-Priolo Earthquake Fault Zones.³ Research of maps indicates that the

³/ California Geological Survey. Alquist Priolo Earthquake Fault Zones, accessed

site is not located within an Alquist Priolo Fault Zone.⁴ Therefore, a fault rupture would not occur on the site during future seismic events. The project site is located within Orange County which is in a moderate to high seismically active area. Approval of the project could not change or expose people or structures to potential substantial adverse effects regarding the risk of loss, injury or death involving strong seismic ground shaking. Any future proposed improvements will be constructed according to the most current California Building Code. Differential seismic settlements are generally negligible and not anticipated to adversely affect the site. The proposed project will not result in substantial soil erosion or the loss of topsoil, in that the parks are already developed. No soils will be modified associated with the proposed project. Any future park improvements will be reviewed and evaluated to ensure compliance with National Pollution Discharge Elimination System (NPDES) requirements.

- b) The project will not locate any new development on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, in that the project is for dogs to be allowed on-leash in City parks that are already developed. The proposed project is within existing facilities and will not have any environmental impacts and will not create or impact a landslide.
- c) The proposed project will not be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property, in that the project will not develop anything new on any City park site, and only allow dogs to be in parks as long as they are on-leash. Any park modifications that may occur in the future be reviewed at that time as to ensure there will not be any environmental impacts and will not impact any expansive soil if it did exist on any park site.
- d) The proposed project will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, in that the necessary infrastructure already exists within City parks and no facilities are proposed.

Hazards and Hazardous Materials

There are no potential environmental impacts to Hazards and Hazardous Materials because:

- a) The proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, in that there is no new development proposed with the project so no hazardous materials will be transported.
- b) The proposed project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, in that the project does not include any physical development, thus no hazardous material event can occur.
- c) The proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, in that the project does not propose any actual physical change to the environment or construction in anyway, thus there is no impact.

www.consrv.ca.gov/CGS/rghm/ap/affected.htm, accessed August 8, 2008.

⁴ / Southern California Geotechnical, 2005, "Preliminary Geotechnical Feasibility Study", Prepared for Meta Housing Corporation.

- d) The proposed project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment, in that the project sites are fully developed City parks and no new development or activities are proposed to occur which would impact hazardous materials.
- e) The proposed project will not result in development being located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the site result in a safety hazard for people residing or working in the area, in that there are no airports within many miles from the City of San Clemente and the City parks are existing and not new development is proposed. Therefore, no significant impact would occur near a local airport or airstrip.
- f) The proposed project will not designate an area within the vicinity of a private airstrip, or would the district result in a safety hazard for people residing or working in the project area, in that the project is proposed to slightly expand the use of existing City parks by allowing dogs on-leashes within the public parks, no new development is proposed. Therefore, no significant impact would occur.
- g) The proposed project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, in that the City parks are already developed and the use of dogs within the parks on-leash will not impact or create a need for extra emergency evacuation plans, so there will not be any impacts to the City's emergency response plan or emergency evacuation plan as all plans have taken into account the existence of the structure.
- h) The proposed project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, in that wildlands can be defined as wholly undisturbed areas where wildlife remains in its natural state. The project sites are fully developed and are located throughout the community. There is no additional impact or danger to anyone than already exists as no new development will occur associated with the project. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury or death from wild land fires than already exists from the existing City parks.

Hydrology and Water Quality

There are no potential environmental impacts to Hydrology and Water Quality because:

- a) The proposed project will not violate any water quality standards or waste discharge requirements, in that the project is for dogs to be permitted in City parks on-leash and dogs are already being taken to City parks without being permitted. There will be no increase in usage of the existing facilities, and there is no new development associate with the project, thus there will be no impacts to water quality.
- b) The proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted), in that there is no physical development occurring associated with this project thus nothing will potentially impact the recharging of groundwater.
- c) The proposed project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner

- which would result in substantial erosion or siltation on- or off-site, in that the project includes no actual physical development of any kind so there is no potential chance of change to any streams or rivers.
- d) The proposed project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, in that the project does not include any actual physical development or movement of earth. Due to no additional development occurring on the site, there will be no impact to drainage patterns or alteration of any streams or rivers.
 - e) The proposed project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, in that the project does not include any physical development of any kind, thus no impact to the storm drain system.
 - f) The proposed project will not otherwise substantially degrade water quality, in that the project does not include any new physical development as the City parks are fully completed. Due to the fact no additional development is proposed there will be no impact to degrade water quality.
 - g) The proposed project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, in that the proposed project does not include any housing development.
 - h) The proposed project will not place within a 100-year flood hazard area structures which would impede or redirect flood flows, in that the proposed project does not include any physical development of any kind and therefore structures would not impede or redirect flood flows.
 - i) The proposed project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, in that the project is for dogs to be on-leash in City parks which already exist and are fully developed. Since they are already in existence this project will not expose any people to new harm more than what potentially already exists, which is minimal to none.
 - j) The proposed project will not be inundated by seiche, tsunami, or mudflow, in that the project only allows dogs to be on-leash in existing City parks. The General Plan EIR identifies a tsunami hazard zone along the coast below the 20 foot elevation contour. The City's parks are all at an elevation greater than 20 feet above sea level.
 - k) The proposed project will not potentially impact storm water runoff from construction activities, in that no additional development or construction is proposed for the project as the City parks where the dogs will be allowed on-leash already exist, so there is no potential impact to water runoff associated with construction activities.
 - l) The proposed project will not potentially impact storm water runoff from post-construction activities, in that no additional construction is proposed and all sites have been developed in accordance with all storm water and water quality requirements at the time that they were built or last improved. Being that all structures within the parks are existing and no additional development is proposed there will be no impact to post-construction storm water runoff.
 - m) The proposed project will not result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work/activity areas,

in that the project is to just allow dogs in City parks on-leash and has no affect to any storm water or runoff of any kind in any existing City park. No hazardous materials are known to exist in any City park and there are no fueling stations. All water runoff for the parks are in conformance with all required local, state, and federal requirements.

- n) The proposed project will not result in the potential for discharge of storm water to impact the beneficial uses of receiving waters, in that there is no proposed activity associated with this project within any City park or development that will potentially impact the beneficial uses of receiving waters.
- o) The proposed project will not create the potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm, in that there is no proposed activity associated with this project in any City park or development that will potentially impact the flow velocity or volume of storm water runoff.
- p) The proposed project will not create significant increases in erosion of the project site or surrounding areas, in that there is no proposed activity associated with the project in any City park or development that will potentially impact erosion.

Land Use

There are no potential environmental impacts to Land Use because:

- a) The proposed project will not divide an established community, in that the project is fro dogs to be permitted on-leash in all City parks currently developed and no additional development or subdivision of any park is proposed to occur.
- b) The proposed project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted to avoid environmental impact, in that the proposed project is to allow dogs on-leash in all City parks and the use of the parks is consistent with all applicable planning documents.
- c) The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan, in that the project does not include any actual development but allow dogs to be on-leashes within existing City parks.

Mineral Resources

There are no potential environmental impacts to Mineral Resources because:

- a) The approval of the project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, in that there are no known significant mineral deposits in the City of San Clemente.⁵ Therefore, the approval of the project would not impact any known nonrenewable mineral resources of statewide or regional value.
- b) The approval of the project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan, in that there are no known significant mineral deposits in the City of San Clemente.⁶ Therefore, the approval of the project would not impact any known nonrenewable mineral resources of statewide or regional value.

⁵/ City of San Clemente General Plan, 1992, 10 (Natural and Historic/Cultural Resources Element), II (Opportunities and Constraints [Issues]), F (Mineral Resources), p. 10-3.

⁶/ City of San Clemente General Plan, 1992, 10 (Natural and Historic/Cultural Resources Element), II (Opportunities and Constraints [Issues]), F (Mineral Resources), p. 10-3.

Noise

There are no significant environmental impacts to Noise because:

- a) The proposed project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, in that the project is for dogs to be allowed in the existing City parks on-leashes and will not expand the hours of operation of those parks, thus will not be in violation with the local noise ordinance.
- b) The proposed project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels, in that the project is for dogs to be permitted within existing City parks on-leash and not result in additional hours of operation which would be in conflict with the local noise ordinance. Also, there is no additional development proposed for the parks with this project thus reducing the potential impact associated with groundborne vibration and noise levels.
- c) The proposed project will not be a substantial permanent increase in ambient noise levels in the North Beach vicinity above levels existing without the proposed project, in that people are already bringing dogs to City parks and this will allow that to legally occur and any ambient noise level increases due to the project will be less than significant.
- d) The proposed project will not be a substantial temporary or periodic increase in ambient noise levels in the vicinity of the parks above levels existing without the project, in that people are already illegally bringing dogs on leashes to City parks and this would allow dogs to be at these facilities legally and any temporary or periodic ambient noise level increases due to the project will be less than significant.
- e) The proposed project will not be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels, in that the project does not include any new development so it cannot subject people to any additional air traffic related noise.
- f) The proposed project will not be within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels, in that the project does not include any new development so it will not subject people to any additional air traffic related noise.

Population and Housing

There are no potential environmental impacts to Population and Housing because:

- a) The proposed project will not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure), in that the project will not develop or create any new demand as it is to allow dogs in existing City parks on-leash and will not induce substantial population growth, thus there is no impact.
- b) The proposed project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, in that the project does not involve any development of any kind thus will not disperse any parking.
- c) The proposed project will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere, in that the project is to allow dogs on-leash within City parks and does not include any development that would displace people.

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Public Services

There are no potential environmental impacts to Public Services because:

- a) The proposed project will not result in reduced fire protection to the area, in that the project is to allow dogs on-leash in existing City parks and no new physical development will occur as a result of the project.
- b) The proposed project will not result in reduced police services, in that the project will not impact police services. There are already dogs in City parks and whatever minimal increase of dogs that may be brought on-leash to City parks will result in even more minimal need for police service, thus there is no significant impact.
- c) The proposed project will not result in reduced school services/facilities, in that no additional development or activity is proposed that could impact any schools within the City.
- d) The proposed project will not result in reduced park facilities, in that this project will legalize dogs on-leashes within City parks, which is already occurring illegally.
- e) The proposed project will not result in reduced general public facilities, in that the area surrounding the parks are already developed and all public facilities have been established.

Recreation

There are no potential environmental impacts to Recreation because:

- a) The proposed project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, in that dogs are already being brought on-leash illegally to City parks, this would allow them to be in City parks legally.
- b) The proposed project will not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment, in that the proposed project does not include anything that would necessitate the expansion or addition of new park facilities.

Traffic/Transportation

There are no significant environmental impacts to Traffic/Transportation because:

- a) The proposed project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system, in that the project is for dogs in City parks on-leash throughout the City and there will be no increase to parking because of this as parks are distributed throughout the City.
- b) The proposed project will not impact, individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways, in that the project is for dogs to be allowed on-leash in City parks and will not result in any way in an increase in traffic.
- c) The proposed project will not substantially increase hazards due to a design feature or incompatible use, in that staff has reviewed the proposed project there is no potential impact in any way to traffic as a result of allowing dogs on-leashes in existing City parks.
- d) The proposed project will not affect intersections, in that the project is to allow dogs in City parks on-leash and will not result in any impact to any intersection as a result of this.

- e) The proposed project will not result in inadequate emergency access, in that the project will not result in additional development that would restrict emergency vehicle access.
- f) The proposed project will not result in inadequate parking capacity, in that the City parks are fully developed and dogs are already being brought into the parks on-leash illegally and this will result in them being there legally.
- g) The proposed project will not conflict with adopted policies, plans, or programs supporting alternative transportation, in that the project is to allow dogs in parks on-leashes and the most common way to arrive at a City park with a dog is by walking or biking thus supporting alternative forms of transportation other than car.

Utilities and Service Stations

There are no potential environmental impacts to Utilities and Service Stations because:

- a) The proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, in that the project will not create any new physical development, thus there will be no impacts.
- b) The proposed project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, in that the project will not include any new physical development in any way.
- c) The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, in that the project does not include any physical development of any kind.
- d) The proposed project will have sufficient water supplies available to serve the area from existing entitlements and resources, or for new or expanded entitlements needed, in that the allowance of dogs on-leashes is for existing City parks and they are fully operational and no expansion is proposed with this project.
- e) The proposed project will not result in a determination by the wastewater treatment provider which serves or may serve the area that it has inadequate capacity to serve the District's projected demand in addition to the provider's existing commitments, in that the City parks already exist and there are no proposed expansions of facilities.
- f) The proposed project will be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, in that the minimal additional trash this will generate by throwing away dog feces will be minimal and be a less than significant impact to the land fill.
- g) The proposed project will comply with federal, state, and local statutes and regulations related to solid waste, in that California AB 939 requires that up to 50% of MSW be recycled to extend the life of landfills throughout the state. This law is being implemented by the City and will reduce by half the MSW that will be generated by the operations on the project site. Facilities already exist within City parks to address this issue and this project will not impact or change these goals.
- h) The proposed project will not require or result in the implementation of a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. a water quality treatment basin, constructed treatment wetland, storage vault), the operation of which could result in significant environmental effects (e.g. increased vectors or odors), in that the project will not involve any physical development at all.

Due to the project being a request to allow dogs on-leash in all City parks and will not create any significant environmental impact to the community and in fact will be a significant benefit. Since there are no negative environmental activities and no physical development for any City parks, there will be no significant adverse impacts on wildlife resources including wild animals, birds, plants, fish, amphibians, and selected ecological communities.