

MEMORANDUM

COUNTY OF SAN MATEO PLANNING AND BUILDING DEPARTMENT

DATE: February 8, 2022
TO: Planning Commission
FROM: Michael Schaller, Senior Planner
SUBJECT: Staff's response to the Mid-Coast Community Council's (MCC's) comment letter regarding County Park's Coastal Development Permit application to conduct an off-leash dog pilot program at Quarry Park and Pillar Point Bluffs

MCC's comment:

Thank you for sending a referral for PLN2021-00333 (Pilot Off-Leash Dog-Walking Program for Quarry Park and Pillar Point Bluffs) to the Midcoast Community Council.

We agree that Quarry Park is ideal for a Pilot Off-Leash Dog-Walking Program.

The large 577- acre Quarry Park is sufficient in size to accommodate the numerous new visitors drawn to the coast by publicizing the off-leash dog park. Visitors to the coast will enjoy running their dogs in the grassy meadows and along the dirt trails through a towering forest instead of the typical ball field or residential park. With little sensitive habitat, the MCC agrees that overcrowding by visitors and dogs will not damage limited resources and appreciate how Quarry Park has already been prepared for problem cases, where off-leash dogs are not well trained and/or controlled by the dog owner, with installation of permanent fencing around the community garden and children's playground to prevent dog access and allow families with small children to freely and safely use the Quarry Park "play area for tots" and community crops are not tainted by dog waste.

STAFF RESPONSE: Comment noted.

MCC's comment:

While we are in favor of the pilot program at Quarry Park, we strongly oppose the Pilot-Program at Pillar Point Bluff.

The 220-acre Pillar Point Bluff is dominated by California native vegetation and borders highly sensitive habitats where dogs are NOT allowed; Fitzgerald marine preserve and Ross' Cove, Pillar Point Marsh, Denniston Creek and other wetland features. The Bluff location has over one hundred occurrences (CNDDDB, iNaturalist observations within 1 mile of Bluff) of use by California special status species including migratory birds of prey (Osprey, Peregrine falcon, burrowing owl), the fully protected, state and federally

endangered San Francisco garter snake, the federally threatened California red-legged frog (Fitzgerald, Denniston Creek, Airport Drive wetland features). Documented violations of the Marine Mammal Act have occurred in these sensitive habitats from off-leash dog attack on protected harbor seal pups that haul out along the rocky beaches which are easily accessed by informal trails leading from the bluffs to the beach. An off-leash dog program at Pillar Point Bluff will bring negative environmental consequences and no enforcement resources are currently provided as the County Ordinance Code (Chapter 3.68) does not authorize park rangers to remove persons from a park if the situation warrants it.

STAFF RESPONSE: 1) Staff is only aware of the one violation of the Marine Mammal Act, from 2018, and is not aware of any evidence that this is an ongoing pervasive problem, instead of a single, isolated instance. 2) Chapter 3.68 of the County Ordinance Code was amended by the Board of Supervisors on November 16, 2021 to enable Park Rangers to remove people from County Parks when they are determined to be in violation of County regulations:

Chapter 3.68 - COUNTY PARK AND RECREATION AREA RULES
Sections:

3.68.080 - General protective regulations.

(y) Any person found to be in violation of this Section 3.68 or any of its subsections shall be subject to removal from the County Park and/or Recreation Area upon the directive of Department personnel or law enforcement. It is unlawful for any person so directed to fail to leave the County Park and/or Recreation Area.

MCC's comment:

The Project Location of Pillar Point Bluff stated in the Negative Declaration, states "that Pillar Point Bluff is bordered along the western edge by the Pacific Ocean and protected tidepools of the Fitzgerald Marine Reserve. The Half Moon Bay Airport and the Pillar Ridge Manufactured Home Community borders the park along the eastern edge. The lands to the north and south of the park are mixed commercial and residential use areas." This description fails to mention the protected NO DOG areas of Pillar Point Marsh and Denniston Creek along the southern border where two large parking lots are located.

Maps and descriptions of the environmental characteristics of that park do not adequately reflect the flora and fauna that is actually present, which makes it hard to know what to protect. Much of the park contains highly-sensitive and well-developed coastal scrub, as well as coastal prairie which warrants protection (the Neg Dec fails to mention the coastal prairie, even though it appears in earlier studies such as the 2002 Fitzgerald Marine Reserve studies). Watersheds there are complex. Drainage of dog waste to wetlands is a problem that will increase in magnitude as more dogs are present, particularly since the southern cross-trail goes through a seasonal wetland. Informal side-trails are an invitation to expand dog-access areas beyond what is noted on maps.

STAFF RESPONSE: The Board of Supervisors adopted the Initial Study/Mitigated

Negative Declaration on November 9, 2021, determining that it was adequate and satisfied the requirements of CEQA and that the Pilot Program would not result in any significant environmental impacts. The current CDP application does not provide a basis for requiring additional environmental review pursuant to CEQA Guidelines Section 15162. Pilot Program restricts off-leash dog activities to areas that are buffered from sensitive habitats, and within established paths of travel. Potential impacts to wetlands and biological resources will be avoided by limiting off-leash dog activities to established trails for a one-year period, during which time the potential for impacts will be monitored, and if detected addressed.

MCC's comment:

If this Pilot Program were to proceed at Pillar Point Bluffs, we would ask that signage be extremely clear in delineating which trails are open to on- and off-leash dogs. We think that the cross-trails that run east-west must only allow dogs on-leash, because they lead to the Ross Cove trail, which is on-leash only, and they traverse sensitive habitat, including seasonal wetlands. These east-west trails must be clearly signed at the east end of the side-trails.

STAFF RESPONSE: The Parks Department is agreeable to this request and the following additional condition of approval will be added to the project:

6. The applicant shall install additional "on-leash" signage on east-west cross trails which lead to the Ross Cove trail. Such signage shall be placed on the east end of the cross trails. Additionally, signage clearly stating "no dogs on the beach" shall be placed on any trails leading down to Ross Cove.

MCC's comment:

We would also ask for additional in-person enforcement in order to ensure that the standards listed in the plan are heeded. It seems especially important to limit the size of any group of people with dogs in order to provide better supervision of dogs.

STAFF RESPONSE: Planning staff conferred with the Parks Department Director on this request. It was pointed out that Parks patrols Pillar Point Bluff daily, and works to educate the public and gain voluntary compliance with all applicable ordinances. The suggestion that the County limit the size of groups with dogs is something that could be considered if and when Parks seeks to renew this permit application and monitoring identifies this as a potential problem, which has not been the case to date.

MCC's comment:

We recognize the huge amount of work and coordination San Mateo County Parks and community members have devoted to get to this point. We know that dogs play an important part in the lives of many people in our community and that recreating with dogs off-leash can be a value to both people and animals and that is why we support the Pilot Off-Leash Dog-Walking Program at Quarry Park.

Unfortunately, the MCC must weigh the needs of pet owners against the needs of our

entire community including minorities, the elderly or disabled, families with children, and non-dog owners who use the bluffs for recreation (meditation, family walks, and photography as it is one of the few bluff locations with an ADA accessible dirt-packed trail where a person can view a sunset over the ocean while watching the full moon rise over the harbor). By approval of a pilot program and subsequent publication of Pillar Point Bluff as uniquely available for off-leash dogs on numerous social media sites, this will bring new dog owners to the coast which will discourage non-dog owners from freely and safely using these parks.

STAFF RESPONSE: One of the objectives of the Coastal Act is to facilitate equal access to the coast for all citizens. The coast is a magnet destination for many California residents and visitors. The Coastal Act does not provide for preferential treatment of certain groups, residents, or visitors. It is also worth noting that off-leash dogs have historically used the trails in both parks. Although off-leash dog use became technically forbidden once the land was acquired by the County, there is no evidence suggesting that a return to prior practice will result in a substantial increase in visitors above historic levels.

MCC's comment:

We can all agree that Pillar Point Bluff is a rare environmental and geological resource, one that should be shared with locals and visitors alike. Opening the area to off-leash dogs would force many people, including those who have been using these trails for years, to go somewhere safer.

Therefore, we strongly oppose an Off-Leash Dog-Walking Program at Pillar Point Bluff.

STAFF RESPONSE: Comment noted.