

4.1 AIR QUALITY

The Initial Studies for both the DFPMP and Off-Leash Dog Park Locations Study (Appendices A and B) determined that impacts to air quality involving violations of air quality standards, exposure of sensitive receptors to pollutants, and the creation of objectionable odors would be less than significant. During the public scoping hearing for the environmental document, however, concerns about the effect of dog odors on air quality, and the effect of dust-borne dog-related pathogens (disease producing organisms) were raised. Therefore, the following discussion pertains only to these additional issues of air quality for the Off-Leash Dog Park Locations Study and the DFPMP (off-leash dog use component only). For a discussion of dog feces and water-related public health concerns, refer to Section 4.6 WATER RESOURCES.

The following analysis is based on information contained in the Air Quality Assessments for the three sites, prepared by Jones & Stokes Associates (Appendix 1 of this EIR, bound separately). These reports are incorporated by reference.

4.1.1 Setting

At each of the three sites, dogs leave fecal deposits and urine, which are odorous. Dog feces odors are generally not strongly detectable, except within the immediate vicinity of the fresh feces, and odor lessens as the feces dry (Jones & Stokes, August 2002). Urine is generally considered to be less odorous than feces. Currently, there are “mutt mitt” and disposal container stations, as well as signage regarding pick-up of dog feces, located at each of the three sites. At the DFP, feces observed on the ground near trails are periodically removed by City staff.

The majority of the users with dogs on the DFP (68 percent) appear to be complying with City regulations requiring that they pick up after their dogs, with about 50 percent compliance at the Shoreline Beach Area, and about 34 percent at Hale Park (Rincon, March 2002). According to Section 6.12.020 of the Santa Barbara Municipal Code (SBMC), owners or others having custody or control of a dog shall pick up after their dog on any beach, public park, or other public property. Pursuant to SBMC Section 6.08.020, the responsible person must clean up dog feces created by the dog at the DFP. (Refer to Section 4.4 SAFETY for a further description of the City requirements pursuant to dogs). The County Code (Chpt. 26, Article III, Sec. 26-54) also requires the responsible person to pick-up after the dog at all County recreation areas (e.g., the portion of the Shoreline Beach Area owned by the County). While dog feces odors occur at each of the three sites, using the significance criteria presented below under Item 4.1.3 Significance and Thresholds, current levels of dog use at all of the sites have not resulted in significant odor-related impacts. Current levels would be considered adverse but not significant.

4.1.2 Policy

Both federal and state governments regulate the emission of airborne pollutants, and have established ambient air quality standards for the protection of public health. The United States Environmental Protection Agency (USEPA) is the federal agency designated to administer air quality regulations, while the Air Resources Board (ARB) is the state equivalent in the California Environmental Protection Agency. Local control in air quality management is provided by the ARB through county-level Air Pollution Control Districts (APCDs). The project site is located within the South Central Coast Air Basin, and is under the jurisdiction of the Santa Barbara County APCD (SBAPCD).

The project is subject to the SBAPCD's rules and policies. Consistency with land use and population forecasts in local and regional plans, including the SBAPCD's 2001 Clean Air Plan (CAP), is required under CEQA for all projects. The CAP describes the existing local air quality and emissions, estimates future year emissions, and stipulates measures to be taken to achieve or maintain attainment of air quality standards in the South Central Coast Air Basin.

Proposed projects subject to CAP consistency determinations include a wide range of activities such as commercial, industrial, residential, and transportation projects. By definition, consistency with the CAP means that direct and indirect emissions associated with the project are accounted for in the CAP's emissions growth assumptions, and the project is consistent with policies adopted in the CAP. The CAP relies primarily on the land use and population projections provided by the Santa Barbara County Association of Governments and the California Air Resources Board on-road emissions forecast as a basis for vehicle emission forecasting.

The City utilizes the SBAPCD's environmental guidelines and thresholds for purposes of air quality impact assessment under CEQA. SBAPCD's Rule 303 pertains to the emissions of discharges that result in nuisances, and is the only SBAPCD rule that addresses issues of odors.

“A person shall not discharge from any source whatsoever such quantities of air contaminants or other material in violation of Section 41700 of the Health and Safety Code which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which cause or have a natural tendency to cause injury or damage to business or property.”

SBAPCD Compliance Policy IV pertains to violations of the District Rule 303 and California Health and Safety Code Section 41700 (which prohibits the release of any contaminant into the air that would cause a nuisance). Compliance Policy IV states that any of the following conditions would constitute a violation of District Rule 303 and Section 41700 of the Health and Safety Code:

- Receipt of five or more complaints, from five or more different households within a 24-hour period, in reference to a specific air pollution incident produced by any one source of air pollution.
- Receipt of ten or more complaints, from ten or more different households, over a 10-day period, in reference to ongoing or intermittent air pollutant emissions from any one source of air pollution.
- Any verifiable incident of damage to private or public property caused by the emission produced by any single source of air pollution.
- Any health or life-threatening situation produced by air pollutant emissions from any single source if the hazard is substantiated as such by the Air Pollution Control Officer.

The SBAPCD uses a set of criteria to assess whether a project will have a significant air quality impact. However, the issue of air emissions that result in a nuisance is not specifically addressed in the significance criteria. According to the SBAPCD, a determination on whether or not the project may have a significant effect on other environmental issues (e.g., nuisance) may be based in part on published or adopted thresholds of significance, and guidance provided by the jurisdiction in which the project is located. For issue areas for which there are no thresholds, the guidance provided in the State CEQA Guidelines shall provide the basis for determining significance. (Santa Barbara County Air Pollution Control District 2000). Appendix G of the State CEQA Guidelines identifies a significant odor impact as the creation of objectionable odors affecting a substantial number of people. Based on guidance from the SBAPCD, as noted above, the odor threshold provided in the State CEQA Guidelines is used in this EIR.

4.1.3 Impact Analysis and Mitigation

a. Significance Thresholds. The following significance thresholds are used to determine air quality related impacts. The first threshold is derived from Appendix G of the State CEQA Guidelines, while the latter is based on Compliance Policy IV of the SBAPCD.

- The project will result in significant air quality impacts if it would create substantial objectionable odors affecting a substantial number of people.
- Any health or life-threatening situation produced by air pollutant emissions from any single source, if the hazard is substantiated.

b. Project Impacts and Mitigation. The following text describes the air quality impacts for the DFP, Hale Park, and Shoreline Beach Area sites from the various dog use alternatives, and from implementation of the DFPMP.

Impact Air-1	The project has the potential to result in substantial odor-related nuisance caused by dogs on the DFP, Hale Park and Shoreline Beach Area sites.
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The DFPMP includes several policies related to management of dog feces at the DFP. The Plan requires that dog owners pick up fecal material left by their dogs and properly dispose of such material, and calls for signage to encourage this, a continuation of existing management. The Plan calls for additional clean-up efforts by staff or volunteers bi-weekly to reduce health concerns. The Plan also calls for establishing a regular schedule for emptying pet waste containers and a complaint log so that the collection schedule could be adjusted in response to complaints. Also, if there are sufficient complaints about fecal deposits not being picked up by dog owners, additional management and enforcement could be arranged. Lastly, the Plan identifies the development of a program, with assistance by a volunteer group, to address pet related problems on-site. These include supplemental clean-up, compliance with regulations, education, and monitoring. The most recent Plan policy approved by City Council requires the City to provide daily pick-up of dog feces and daily enforcement patrols to keep dogs out of sensitive areas. There are no policies related specifically to management of dog feces at the Shoreline Beach Area and Hale Park sites, except SBMC requirements that all dog feces must be picked up and properly disposed of.

Dogs on-leash and off-leash have roughly the same likelihood of affecting odor. Owners of dogs on-leash may be somewhat more inclined to pick-up after their dogs due to increased visibility and accountability, but this circumstance alone is not expected to substantially reduce the level of dog feces on the site. Given that the official designation of the DFP as an off-leash dog park in Alternatives A and C-F is expected to result in substantial increases in use by dogs, even with implementation of the management measures proposed in the DFPMP, substantial odor-related impacts could occur, since a greater amount of dog excrement could be deposited on the site. This, along with a reasonable worst case assumption that there would be a greater overall amount of non-compliance with pick-up requirements since there would be more dogs on-site, would result in odor-related impacts from dog feces being *potentially significant, mitigable* for Alternatives A and C-F at the DFP. For similar reasons, designating Hale Park and the Shoreline Beach Area as dog off-leash sites under Alternatives A and C-F would result in *potentially significant, mitigable impacts*. Mitigation measures would be required to reduce the potential for dog waste to remain on each of the three sites.

The greatest impacts would be associated with alternatives that maximize the amount of time that dogs are allowed off-leash. These alternatives are also the ones with the greatest anticipated number of dogs using the site, and the greatest chance for non-compliance with feces pick-up requirements. Therefore, Alternative A (dogs off-leash all the time) would have the greatest impacts, followed by Alternative E (dogs on-leash two days and off-leash five days of the week), and then Alternative D (dogs prohibited two days a week and allowed off-leash five days a week). Alternative F (dogs on-leash on odd days of the month and otherwise off-leash) and

Alternative C (dogs on-leash everyday between 10 AM and 3 PM, otherwise off-leash) would have similar impacts, and the least impacts of the off-leash alternatives. However, even with these gradations of impacts, the impacts from all off-leash alternatives would continue to be potentially significant, but mitigable.

For the purposes of analysis in this EIR, it is assumed that there would be about the same amount of dog use under Alternative B as currently exists. Unlike the other alternatives, a substantial increase in dog use at the DFP, Hale Park, and Shoreline Beach Area under Alternative B is not anticipated once the area is designated as on-leash dogs only, since there are numerous park sites throughout the City where dogs are allowed on-leash which could be utilized. Therefore, odor impacts under Alternative B would be *adverse but less than significant* at all three sites. Nonetheless, a series of mitigation measures are recommended for this alternative to ensure that dog waste is properly picked up and disposed of.

As previously noted, dog fecal deposits are commonly viewed as being more odorous than dog urine. Air quality impacts from dog urine deposited on the DFP, at Hale Park, and at the SBA sites for all alternatives would be *adverse but less than significant*.

The only aspect of the DFPMP that would result in odor-related nuisance caused by dogs is the off-leash dog use component. This impact has already been considered above in the discussion of the dog use alternatives at the DFP site.

Mitigation Measures. The following mitigation measures Air-1 through Air-5 are **required** for Alternatives A and C-F at the DFP, Hale Park, and Shoreline Beach Area to reduce odor-related impacts to a less than significant level. These same measures are **recommended** for Alternative B at the DFP, Hale Park, and Shoreline Beach Area to ensure that dog waste is properly picked up and disposed of.

MM Air-1 Dog waste bag dispensers (“mutt mitt” stations) shall continue to be maintained throughout the DFP and at the entrance to Hale Park. The dispensers shall continue to be maintained at the entrance to Mesa Lane stairs and throughout Shoreline Park, with additional dispensers added at the Shoreline Park stairs and Thousand Steps. The dispensers shall be regularly stocked to provide dog owners with a means to remove dog wastes. Instructions regarding how to use and properly dispose of the bags shall continue to be displayed.

MM Air-2 Lidded waste containers lined with plastic bags shall be installed throughout the DFP and Hale Park sites where dog waste bag dispensers are located. Such containers shall be installed throughout Shoreline Park where there are waste bag dispensers, and shall be added at Shoreline Park stairs, Mesa Lane stairs, and Thousand steps. The containers shall be emptied daily at the end of day.

MM Air-3

Dog owners shall continue to be required to pick up all fecal matter produced by their pets at any location adjacent to or in the DFP, Hale Park, Shoreline Beach Area, and dispose of it in containers provided at the sites. Owners that do not comply with this provision shall be subject to citation and penalties pursuant to existing City codes, as applicable. City of Santa Barbara Parks and Recreation Department personnel, other designated City staff or individuals, or a designated management entity shall monitor the facilities once or multiple times per day for a total of one hour, and inform any offenders of the waste pick-up rules. If the monitors observe a person repeatedly not cleaning up after his or her dog, they shall summon proper City authorities to cite the offending party, or shall obtain the necessary identification information from the offenders, as feasible, to forward to the City authorities for a third-party citation. Repeat infractions (defined as three infractions) shall result in the loss of dog park privileges at the particular site for a period of one month. Further infractions shall result in permanent forfeiture of dog use privileges. The monitoring schedule and length of time may be revised after a period of one year, or as appropriate, to reflect changing conditions and compliance at the sites; any schedule change shall be approved by the Environmental Analyst.

MM Air-4

To properly dispose of accumulated dog waste, the City shall implement one of two strategies:

- a) **City personnel or other City-designated individuals or entities shall continue to pick up dog waste deposited in receptacles within the DFP and Shoreline Beach Area and Shoreline Park on a daily basis, and shall commence daily pick-up of dog waste in receptacles at Hale Park. The picking up of dog feces left on the ground near the site entrances and left along trails, or on the beach, shall be conducted at least four times weekly including one weekend day, or more, as determined by the Parks and Recreation Department and the Planning Division. For the on-ground pick up, the level of staffing and exact frequency shall be based on the extent of usage at the site; the Parks and Recreation Department shall prepare a schedule in consultation with the Planning Division. The maintenance schedule may be revised in the future, as appropriate, to reflect changing conditions at the sites; any schedule change shall be approved by the Environmental Analyst.**

Or

- b) **The City shall verify that a dog park management entity has been established. This management entity shall collect donations or acquire funds that shall be used to maintain a clean environment at each site. This includes daily pick-up of dog waste in receptacles at all sites and at Shoreline Park, as well as pick-up of feces left on the ground near the site entrances and along trails or the beach. On the ground feces pick-up shall occur at least four times weekly including one weekend day, or more, as determined by the Parks and Recreation Department in consultation with the Planning Division, and on the ground feces pick-up throughout the site shall occur periodically. For the on-ground pick up, the level of staffing and exact frequency shall be based on the extent of usage at the site; the Parks and Recreation Department shall prepare a schedule in consultation with the Planning Division. The maintenance schedule may be revised in the future, as appropriate, to reflect changing conditions at the sites; any schedule change shall be approved by the Environmental Analyst. The entity shall use any funding beyond that required to maintain a waste-free site for the sole purpose of implementing dog-related site improvements and/or education, or it shall donate said funds to the City for that purpose.**

MM Air-5 **Conspicuous but aesthetically compatible signage shall be installed at the DFP, Hale Park, and the Shoreline Beach Area entrances, stating the site's rules, hours of operation, and citation and penalty process, and emphasizing that the site is a self pick-up facility.**

The following mitigation measure applies only to the Shoreline Beach Area. For Alternatives A and C-F, it is **required**; for Alternative B, it is **recommended**.

MM Air-6 **The City shall coordinate with the County of Santa Barbara to ensure that the dog waste bag dispensers at the Arroyo Burro Beach County Park continue to be regularly maintained and stocked, lidded waste containers are installed and emptied daily, and signage regarding proper disposal of bags is displayed. If necessary, the City shall provide assistance to the County to ensure that this maintenance occurs.**

Residual Impact. Implementation of the above required mitigation measures would reduce the potentially significant impacts of Alternatives A and C-F to *less than significant* levels. Implementation of the recommended mitigation measures for Alternative B would ensure that dog waste is picked up and properly disposed of, and minimize adverse but less than significant impacts. Many of these measures would require additional staff or volunteer hours, since they involve increased maintenance and enforcement responsibilities. If the City Council determines that any of the required mitigation measures are infeasible, the impacts would remain unavoidably significant for Alternatives A and C-F at each site. Additionally, since complete compliance with and enforcement of many of the dog-related regulations called for in the mitigation measures required for Alternatives A and C-F at each site may not be possible, there remains the potential for minor dog-related odor impacts once the mitigation measures are implemented. However, the remaining impacts would be less than significant.

Impact Air-2	Pathogens from dog waste may adversely affect humans as a result of airborne dust and inhalation.
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There has been some public concern expressed about dust-borne dog-related pathogens (disease causing organisms) constituting a public health risk. However, there is no evidence of pathogens from dog waste that could realistically infect humans via the dust and inhalation pathway. The most likely pathogens, *E. coli*, *Cryptosporidium parvum* and *Giardia lamblia*, are associated with water as the critical contamination pathway (refer to EIR Section 4.6 WATER RESOURCES for a discussion of water quality effects). *Parvo* is also not an airborne pathogen. Other pathogens, such as *listeria* and *salmonella*, are associated with ingestion of contaminated food. *Toxoplasma gondii*, a parasite that can be ingested after handling contaminated soil, is associated with cat, rodent and bird feces. Since none of these can realistically be acquired via the inhalation pathway, and proper hygiene, such as washing hands with warm water and soap prior to eating, is typically sufficient to prevent contamination from physical contact, impacts from increased dog use associated with all alternatives at the three sites, and implementation of the off-leash dog use component of the DFPMP, would be *less than significant*. No mitigation measures would be required.

As noted in the discussion of Impact Air-1, the off-leash dog use alternatives could result in a substantial increase in dogs at the various sites, which could lead to a greater occurrence of dog waste being left on the ground, raising concern about dust-borne pathogens. This would be more probable with Alternative A (dogs off-leash all the time), and would decrease in likelihood for the remaining alternatives in the same manner as iterated for Impact Air-1, with Alternative B (dogs on-leash all the time) the least likely. Nonetheless, impacts under all alternatives would still not result in significant impacts, since it is highly unlikely that pathogens from dog feces would be inhaled.

Residual Impact. Since impacts would not be significant, and not require mitigation measures, there would be *less than significant* residual impacts.

c. Policy Consistency. The DFP, Hale Park, and the Shoreline Beach Area are existing facilities, and the various dog-use alternatives would not trigger population growth. The

full range of alternatives at each site is consistent with land use and population forecasts, and the adopted Clean Air Plan (CAP). All of the alternatives at the three sites are consistent with APCD rules and regulations governing nuisance odor, with implementation of the required mitigation measures.

d. Cumulative Impacts. The project is not expected to contribute to population growth, and no new development is proposed as part of implementation of the dog use alternatives. The CAP considers existing and proposed development in determining attainment of air quality standards, and relies primarily on the land use and population projections provided by the Santa Barbara County Association of Governments. Therefore, the potential project contribution to cumulative impacts has already been taken into account in the CAP. With regard to nuisance odor, there are no other projects being proposed in the surrounding area that would lead to increased nuisance odors, particularly dog-related. So, cumulative impacts would be considered *less than significant*.