

REPORT OF GENERAL MANAGER

NO. 05-24

DATE January 19, 2005

C.D. 14

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HERMON PARK - NEGATIVE DECLARATION AND CONSTRUCTION OF OFF-LEASH DOG EXERCISE AREA IN A PORTION OF THE PARK

* K. Chan	<u>CM/ACC</u>	J. Kolb	_____
J. Combs	_____	F. Mok	_____
H. Fujita	_____	G. Stigile	_____



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Review, consider, and recommend that the City Council adopt the proposed Negative Declaration for an off-leash dog exercise area in a portion of Hermon Park as described below, which finds that the establishment of this off-leash area, will not have a significant adverse effect on the human and natural environment;
2. Approve the construction of an off-leash dog exercise area in the designated fenced area in a portion of Hermon Park, subject to the approval of the final project plans by the Department and subject to allocation of full funding for the project;
3. Request the City Attorney to prepare an ordinance amending Section 63.44 of the Los Angeles Municipal Code, as requested by Council on August 10, 2004 (C.F.I. 04-0940), authorizing the designated fenced area of Hermon Park as an off-leash dog exercise area, and that dogs will not be allowed in any other areas of the park, off-leash;
4. Request the City Council to approve the ordinance amending Section 63.44 of the Los Angeles Municipal Code as prepared by the City Attorney;
5. Upon City Council approval of the ordinance, direct staff to file a Notice of Determination with the Los Angeles City and County Clerks.

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SUMMARY:

At the request of the community members and supported by the Neighborhood Council, the Department has reviewed the proposal to develop a new off-leash dog exercise area located on 1.32 acres at the north end of Hermon Park (a portion of the Arroyo Seco Park). The exercise area would be comprised of two separate areas enclosed by a 6-foot high chain link fence, each with its own double-gate entry to accommodate large and small dogs. Amenities such as a dog watering/drinking fountain, disposable bag dispensers, and a community bulletin board would be provided as a part of the project. No additional parking for the improvement is proposed. Based on the initial project scope, the Department confirmed funding of \$77,000.00 from the Department's Municipal Recreation Program account (Fund 205, Department 88, Account 0255), to complete the project and initiated review of the project in accordance with the California Environmental Quality Act (CEQA).

Subsequently, the Department has prepared, a proposed Negative Declaration (ND) for the establishment of a permanent off-leash dog exercise area at Hermon Park. The ND was filed with the City Clerk on August 20, 2004. A public notice was published in the Los Angeles Times on September 2, 2004, announcing the availability of the ND for public review. The draft ND was circulated to governmental agencies and the public for review and comments for a 30-day period from September 2 to October 2, 2004.

During the environmental review, a total of 10 comment letters were received that raised several issues of concern, including aesthetic effects of the project to the historic Arroyo Seco Parkway (currently called the Pasadena Freeway (US 110)), drainage into the Arroyo Seco wash, further interruption to wildlife migration along the Arroyo Seco corridor, and potential impacts to sycamore trees located on the project site. In response to these concerns, Department staff is recommending the following modifications to the project:

- Align the proposed chain-link fence along the toe of the slope that comprises about 35% of the project site to protect the view shed of the historic Arroyo Seco Parkway (which has been officially designated a National Scenic Byway). This modification will have the added benefit of reducing erosion concerns by preventing the loss of turf on the sloped area from constant dog activity;
- Installation of black vinyl-coated chain-link fencing to further obscure the project fencing within the view shed, in accordance with design recommendations of the Arroyo Seco Parkway Corridor Plan; and
- Installation of a decomposed granite (DG) surface in the proposed large dog exercise area of the park to provide better on-site drainage and maintenance, and to prevent off-site drainage of animal wastes and sediments into the adjacent Arroyo Seco wash.

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A Final ND has been prepared, consisting of the Draft ND, the public and agency comments received, and the staff responses to the relevant environmental concerns raised. The responses to these concerns have resulted in project modifications. The Final ND is attached to this report for the Board's review and consideration, and recommendation that the City council adopt the Final ND.

These project design modifications, would reduce the overall size of the proposed dog exercise area from approximately 1-acre to a ½-acre, which would be well below the Department's standard of more than three acres for these types of facilities, however, this configuration best meets the situation at this park. Moreover, additional funding would be required to fully implement the installation of the vinyl-coated fencing (\$20,000) and the DG surface (\$100,000), requiring an additional allocation of \$120,000.00 not currently identified.

In addition, the project will require a modification of the City's Municipal Code to allow dogs to remain off-leash within the approved designated area of Hermon Park. On August 10, 2004, the City Council approved the motion to direct the City Attorney to draft the necessary Ordinance for the amendment of the Los Angeles Municipal Code (LAMC Sec. 63.44) to allow the establishment of the off-leash dog exercise area at Hermon Park.

Department will not proceed with the actual construction of the off-leash dog exercise area unless the additional funding required in the amount of \$120,000.00 becomes available. It should be noted that the City Council could approve the amendment to the ordinance creating the off-leash dog exercise area prior to it actually being built.

Staff believes that the establishment of the off-leash dog exercise area at the Hermon Park, as modified, will not have a significant adverse effect on the environment, and recommends that the Board adopt the Final ND and approve the project subject to review of the plans by the Board and identification of funding. Councilmember Antonio Villaraigosa of Council District 14 concurs with these recommendations.

This report was prepared by Paul Tseng, Project Manager, Bureau of Engineering and Paul Davis, Environmental Specialist III, Environmental Management Division, Recreation and Park.