

COUNTY OF SAN MATEO

PARKS DEPARTMENT

DATE: February 6, 2020

**TO:** Parks and Recreation Commission

**FROM:** Nicholas J. Calderon, Parks Director

**SUBJECT:** Parks Department Recommendation regarding Off-Leash Dog Access Pilot Programs and Policies in San Mateo County Parks

**RECOMMENDATION:**

1. Receive and accept the proposed amendments to the County Ordinance Code regarding Off-Leash Dog Access Pilot Programs and Policies within San Mateo County Parks and Recreation Areas; and
2. Make a recommendation to the Board of Supervisors to adopt the Department's recommendation

**BACKGROUND:**

At the October 23, 2018 Board of Supervisors meeting, the Board amended the County Ordinance Code to allow dogs on-leash within designated and signed areas at Quarry Park, Mirada Surf, Devil's Slide Trail, Pillar Point Bluff, Coyote Point Recreation Area, and the Fitzgerald Marine Reserve. At the same meeting, the Board also directed the Parks Department to develop (1) a recommendation for a pilot program that would expand on-leash dog access opportunities, and (2) a recommendation for an off-leash dog access pilot program.

To help inform the Department's recommendations, the Department formed the San Mateo County Parks Dog Pilot Project Work Group ("Work Group"). The Work Group was comprised of two members of the Parks Commission, three park rangers, members of the Midcoast Community Council and Pescadero Municipal Advisory Council, and representatives from the dog owner, environmental, equestrian, and mountain bike communities. The goals of the Work Group were to:

- 1) recommend to the Department one or two parks where new on-leash dog access can be piloted and evaluated; and
- 2) provide a recommendation to the Department about possible off-leash dog access pilot locations and policies.

All Work Group meetings were open to the public. Meeting agendas and notes were posted on the Department's website and public comment was accepted during meetings and through email. Through its efforts, the Work Group identified two locations to pilot

expanded on-leash dog access: Coyote Point Recreation Area and Junipero Serra Park. In order to fully understand the opportunities and impacts created by expanded on-leash dog access, the Department has extended the term of the on-leash dog access pilot program from December 15, 2019 to June 15, 2020.

In accordance with the second goal of the Work Group, a recommendation was developed regarding off-leash dog access at Quarry Park and Pillar Point Bluff, which is outlined in Exhibit A. The Work Group's recommendation was used in the formation of the Department's recommendation detailed herein.

### **DISCUSSION:**

The Department's off-leash dog access recommendation outlined herein was developed with consideration given to the following:

- the mission of the Parks Department, including providing recreation opportunities and protecting sensitive resources;
- the Dog Management Policies adopted by the Board of Supervisors in 2018;
- off-leash dog access programs in other jurisdictions; and
- the recommendation made by the Work Group and feedback received during the Work Group meetings.

In order to promote healthy, safe, and varied experiences for all park users and to protect natural resources, the Department recommends piloting off-leash dog access on designated and signed trails at Quarry Park and Pillar Point Bluff for 12 months. The trails on which off-leash dog access will be allowed are shown in green on the maps attached. Off-leash dog access will not be allowed on trails that are immediately adjacent to known sensitive resources or trails that are so narrow that off-leash dog access will likely create conflicts with other users. Trails on which dogs need to be leashed are shown in orange on the maps attached. In accordance with existing Department policies, dogs will not be allowed off trail or in playgrounds.

#### **A. Permitting**

Implementation of the Department's recommendation for off-leash dog access is contingent on the findings of a California Environmental Quality Act (CEQA) review and issuance of a Coastal Development Permit (CDP). The Department is in contract with a consultant to prepare an Initial Study for off-leash dog access at Quarry Park and Pillar Point Bluff. The Initial Study is anticipated to be completed in March 2020, at which time the Department will know if further environmental review is required. Once CEQA requirements have been satisfied, the Department will apply for a CDP.

#### **B. Policy Guidelines for Off-Leash Dog Access Pilot Program**

In order to implement the off-leash dog access pilot program, in addition to satisfying CEQA requirements and obtaining a CDP, Chapter 3.68 of the County's Ordinance Code must be amended. In its current form, Section 3.68.080(i) prohibits park visitors from recreating in County Parks and Recreation Areas with dogs off-leash. The Department recommends that the Board amend the County's Ordinance Code to require the following:

1. Off-leash dog(s) must be under voice and sight control:
  - a) Voice and sight control requires that the owner/handler must be in control of dog(s) at all times and must be able to recall and leash dog(s) at any time.
  - b) Owner/handler must have a leash for each dog under owner/handler control.
  - c) Dog(s) must return immediately when called (maximum of 10-second return time).
2. Dog(s) must remain on designated and signed trails, within view and earshot, and no more than 25 feet away from owner/handler.
3. Dog(s) must be on-leash in developed areas (i.e. near traffic, parking lot, lawn or play field, deck, picnic areas, etc.).
4. No more than two off-leash dogs allowed per owner/handler.
5. Dogs are presumed to NOT be under control when they:
  - a) Threaten, harass, chase or otherwise display aggression towards any person, animal or wildlife;
  - b) Display threatening behavior;
  - c) Physically harm people directly or indirectly by their actions;
  - d) Touch or jump on other park users who have not invited or engaged in interaction with the dog; or
  - e) Do not return when called (maximum of 10-second return time).
6. Owner/handler must have physical control of dog(s) when approaching or being approached by park users not also engaged in off-leash dog recreation.

All other requirements specified in Chapter 3.68 will remain in effect. This includes, but is not limited to, picking up and removing dog waste, not allowing dogs to damage natural resources, and requiring dogs to be registered and to wear tags. Violators will be subject to a penalty detailed in Chapter 3.68 or Title 6, depending on the severity of the violation.

Additionally, the County's Ordinance Code does not give park rangers the authority to remove a person from a park. Therefore, the Department is seeking an amendment to Section 3.68 of the County Ordinance Code to allow a park ranger to remove any person from a County Park or Recreation Area for violating an ordinance. While this action will be used as a last resort, it provides park rangers the ability to act when they deem a person to be a threat towards public safety, or the natural resource.

### **C. Work Group Recommendation**

The Work Group's recommendation carried significant weight in preparation of the Department's recommendation. The Department's recommendation only differs in two ways from the that of the Work Group. First, the Work Group recommended that Ross' Cove Trail at Pillar Point Bluff be open to off-leash dog access. Because of informal and formal access paths leading from Ross' Cove Trail to the beach and the high potential for an off-leash dog to access the beach and threaten marine life, the Department is not recommending that off-leash dogs be allowed on Ross' Cove Trail.

Second, the Work Group proposed that “Dogs must be under control at all times and leashed up whenever necessary for the safety and/or comfort of other park users, or protection of sensitive species”. However, requiring individuals who are not comfortable with dogs to vocalize discomfort in time for an individual to recall and leash their dog is an unreasonable constraint to put on all parties. Also, because dogs off-leash will have access throughout Quarry Park and Pillar Point Bluff, there is no opportunity for people who enjoy those parks to route a hike that avoids dogs off-leash. For this reason, reasonable protections need to be put in place for those not recreating with dogs. The Department is proposing that all owners/handlers must have physical control of dog(s) when approaching or being approached by park users not also engaged in off-leash dog recreation.

**D. Staffing:**

Allowance of off-leash dog access in County Parks and Recreation Areas will place a new demand on staff resources, including enforcement and cleaning up after dogs. With this new demand, staff will have less time to conduct maintenance and repairs of park facilities and engage directly with park visitors, which may adversely impact visitor experience. The Department is unable to quantify this impact at this time.

**E. Evaluation Criteria**

The Department recommends piloting off-leash dog access at the locations identified above for 12 months to allow for evaluation of the use throughout all four seasons, and recommends using specified evaluation criteria to assess the pilot program (refer to attachment for detailed list). The Department reserves the right to identify additional criteria based on information made available during the CEQA process and feedback collected from the Parks Commission and Board of Supervisors.

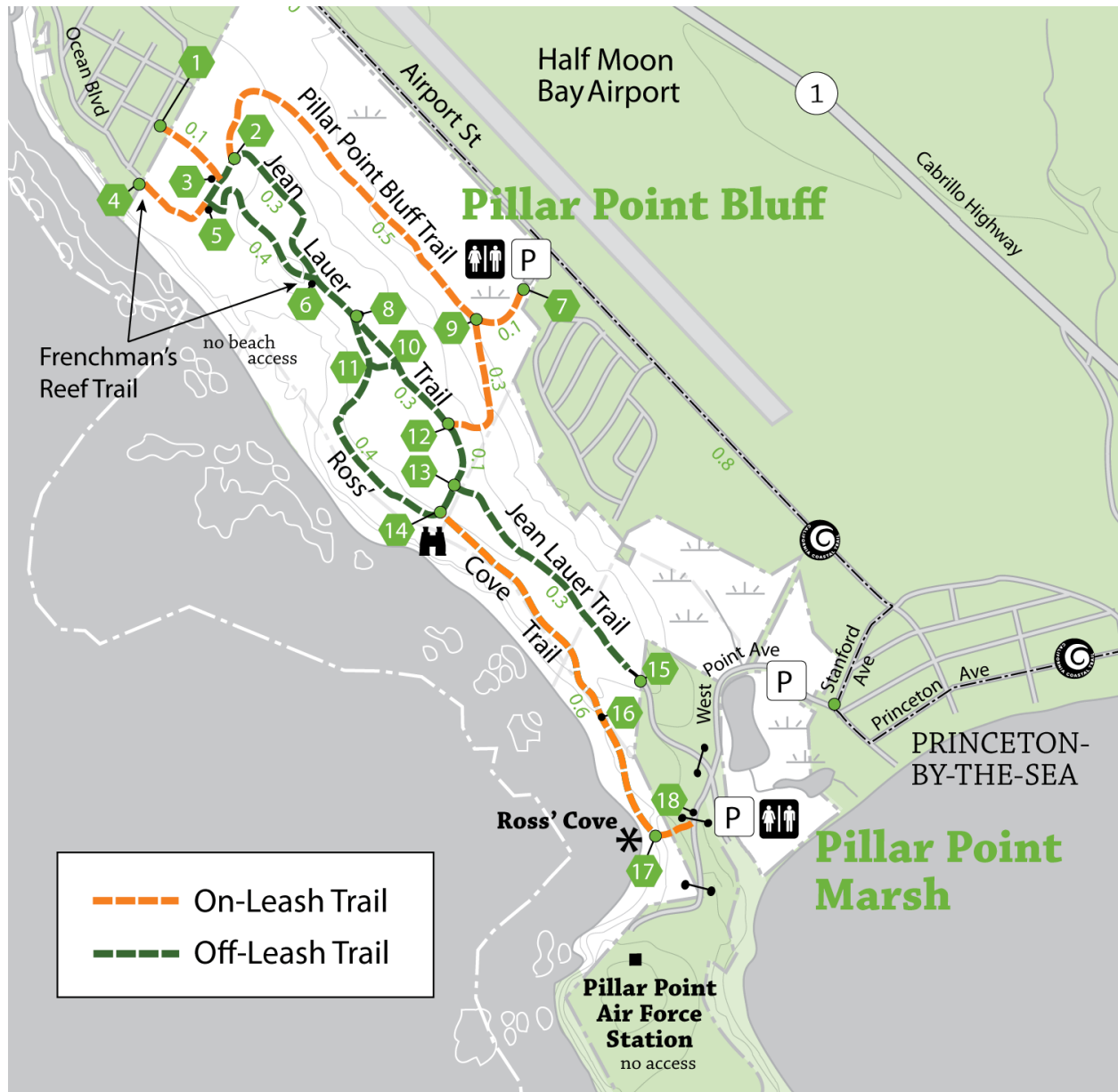
**FISCAL IMPACT:**

One-time costs for fencing, signage, and other infrastructure required to implement the off-leash Dog Access Pilot Program is estimated at approximately \$44,000 at Quarry Park and \$2,500 at Pillar Point Bluff. Further, to complete the Initial Study for both Pillar Point Bluff and Quarry Park to satisfy CEQA will cost \$18,617.

**Attachment 1:** Maps of Parks recommended by the Parks Department for Off-Leash Dog Access



Attachment 1 cont.



## Attachment 2: Evaluation Criteria for the Off-Leash Dog Access Pilot Program

### Off-Leash Dog Access Pilot Project Evaluation Criteria

Criteria	Methodology/Method for Tracking	Baseline	Frequency	Lead
<b>Environmental Impacts</b>				
Vegetation	Staff will survey trails before, during and after pilot period for presence of native and non-native vegetation and any species of concern within a buffer on either side of trails in pilot parks. Visual observations will be recorded in digital collector forms. Special survey will be done for any plants of concern.	Visual assessment pre-pilot.	Before pilot, and during pilot.	Natural Resources
Wildlife	Staff will monitor change in presence, behavior, location, and timing of wildlife as recorded by the wildlife cameras and any other type of wildlife surveys needed. Any visual observation of dogs harassing wildlife will also be recorded.	Data collected before initiation of the pilot.	Ongoing monitoring before and during pilot.	Natural Resources
Water Quality	Number of unattended dog waste observed by staff, including measurement of number of bagged waste and unbagged waste, and if applicable, any other tracking requirements per the Regional Water Quality Control Board. Will be tracked by Ranger field forms and in digital collector form.	Visual assessment, including pre-pilot data observation.	Ongoing monitoring.	Natural Resources; Ranger staff
<b>Visitor Interactions</b>				
Visitor Interactions	Staff will gather information regarding visitor interactions with dogs through field forms. Courtesy notices, incident reports, citations and public written comment will also be included.	Field forms collected before off-leash dog access pilot.	Ongoing monitoring.	Ranger Staff
<b>Parks Resources</b>				
Staff Workload	Number of staff time hours required to implement pilots, including evaluation criteria monitoring as well as interactions between rangers and dogs and dog owners. The number of ranger contacts will also inform this measurement.	Field forms collected before off-leash dog access.	Total will be reported at end of pilot.	Fiscal Staff; Ranger Staff
Signage and other infrastructure	Measured by cost of improvements and infrastructure required for dog access, including signage and additional waste stations, including initial costs and any ongoing costs such as maintenance.	Assume baseline of zero.	Total will be reported at end of pilot.	Fiscal Staff
<b>Park Use</b>				
Park visitor numbers	Measured by change in number of park visitors using existing visitor counters, comparing pre and during pilot numbers. Data will be collected by automated trail counters.	Compare count data from corresponding month for the previous year.	Ongoing monitoring before pilot and during pilot.	Visitor Services