

Working Together to Create a Safe and Enjoyable Park Experience For All Users

Final report and Recommendations on Dog Use in the District's Parklands

Prepared by: Park Advisory Committee

March 2, 2018

I. Background

In 2016, the Volunteer Mounted Trail Safety Patrol testified before the Park Advisory Committee (PAC) on problems with off leash dogs in the District's parklands. In response, the PAC heard a presentation on the evolution of the District's dog use regulations over the past 76 years and recommended including a review of the District's dog use policies in its 2017 work plan. The PAC's action was supported by the General Manager and approved by the East Bay Regional Park District's Board of Directors.

The District's current policies provide for multiuse trails wherever possible. Allowing dogs in the parks is a valued use by park visitors accounting for 26% of visitors' reasons for using the parks as determined in a park user survey conducted in 2008. Management of dog use is governed by Ordinance 38 Section 801, which specifies where dogs are permitted (on or off leash) and where dogs are restricted in order to protect the District's natural resources and for the safety of the public. The last significant revision to the Ordinance 38 dog use policy was in 2012.

II. Scope of Review

The PAC worked closely with District Staff to develop its scope of work. A focus on three key areas guided this review. Areas included were:

- ✓ Evaluation of the District's existing dog policy
Are there parks/trails that should be monitored for compliance and possible future regulatory restrictions under Ordinance 38 section 801?
- ✓ Planning for dogs in the parks
When and how does Planning determine how to accommodate dog use in the District's new parklands?
- ✓ Community Engagement and Education regarding dog use in the parks
How can the District enhance its community outreach and public education to promote trail safety for parkland users, wildlife and dogs?

Presentations were made to the PAC on each of the three areas of focus by the Operations, Public Safety, Planning, and Community Relations Divisions. Public testimony was received during these sessions and was encouraged throughout the PAC's review process. In addition, the PAC convened community listening sessions with dog owner groups, commercial dog walkers and dog advocacy agencies to get their input and suggestions on ways to promote responsible behavior on the District's trails. The PAC also sought the input from the District's cattle grazing tenants, volunteer safety patrols, and representatives of the environmental community.

In November, the PAC released a draft report of its key findings and recommendations that was reviewed by the District staff and distributed to the community. Two public workshops were convened (one in each County) to allow further input. The final report incorporates the many suggestions received from the workshops and e-mail comments received from park users.

The PAC would like to thank the District's staff for their assistance and guidance along with the many community members who met with the PAC to share their thoughts on ways to make our parks enjoyable for all users.

III. Key findings and recommendations

Managing Dog Use in the District's Parks

Dog use in the District's parks is increasing and represents a significant user group. Based on surveys conducted by the District to determine the "user purpose for visiting the parks" walking dogs accounted for 26% of park visits in 2008 -- an increase from 22% in 2007 and 18% in 2005.

The District is considered "dog friendly" with its off-leash dog policy when compared to other parks and open space districts in the Bay Area, and it attracts dog owners and commercial dog walkers from throughout the region. District Staff reported that a significant number of new Foundation members specifically joined due to the dog friendly policies of the District and the benefits of allowing them to bring up to three dogs into the parks at a time. Also, a 2017 public survey commissioned by the District and conducted by Strategy Research Institute determined that 39% of the respondents favored retaining the District's present off-leash dog policy. Dogs are currently generally allowed to be off-leash under voice control on trails and must be on-leash in parking lots and developed areas; they are not allowed to be present in designated environmentally sensitive areas. Commercial dog walkers are currently allowed to walk up to 6 dogs at a time, and are required to obtain a permit to do so.

Managing dog use in the parks requires dog owners and commercial dog walkers' compliance with District Ordinance 8 Section 801.

The Operations Division reported that the two most common enforcement problems are: dogs off-leash on leash-required trails and staging areas, and dogs in non-permitted areas (natural resource protection areas). This was corroborated by a review of citation data received from the District's Public Safety Division. It should be kept in mind however, that it is difficult to

determine the true magnitude of violations occurring due to failures to report violations and the limited number of Public Safety patrol officers patrolling the parklands. With this caveat in mind, in 2016 there were 113 dog related citations issued, of which (89) violations were for off leash dogs in leash-required areas and (14) citations were issued for dogs in prohibited areas. For 2017 through September, there were 63 dog related citations issued, of which 50 were issued for dogs off leash violations and 10 for dogs in prohibited areas. A majority of these citations during this two-year period were issued for Redwood Park (51), Crown Beach (17), Tilden park (13), and Lake Chabot (11). Volunteer Trail Safety Patrol members reported generally good compliance by dog owners in the parks that they patrol (estimated 80-90% complying with the rules), and that the main problems they observed were failure to collect dog poop, leaving filled poop bags along the trail, and dogs off leash in staging areas, with the most violations observed at Redwood Regional Park's West Ridge trail and Skyline Gate. It should be noted that scheduled improvements to the District's Public Safety dispatch system planned for January 2018, along with better recording of violations observed by the Volunteer Safety Patrol, will result in a clearer picture of dog use conflicts with other park user groups and improve the targeting of the District's enforcement actions.

Other problems noted by the Operations Division included owners leaving dog waste on trails, trail and streamside erosion caused by dogs, as well as aggressive behavior between dogs, dogs and humans, and dogs and wildlife. Negative interactions between off leash dogs and cattle was also reported by the District's grazing tenants. Grazing tenants cited instances of dogs chasing and, in some cases, crippling and killing cattle. Conflicts with off leash dogs has increased over the last few years, particularly during the calving period, creating a concern for the safety for all park users.

Trails with high user congestion also appeared to be most prone to conflict between user groups according to District staff and dog groups that the PAC met with. The Districts' Trail Development Managers' identified Leona Canyon, San Francisco Bay Trail at Albany Bulb, and East and West Ridge trails in Redwood Regional Park as the most frequently used trails in the parks. In addition, both District staff and volunteers reported user congestion on the Mission Peak trail, where the steep grade and poor sight lines make it difficult for dog owners to keep up with and control their dogs. The environmental community identified the District's Bay shoreline as a sensitive area for bird and other species, and in particular the Hayward Shoreline and McLaughlin Eastshore Albany trails as locations where it has concerns that conflicts between dogs and wildlife could occur. Concerns were also raised about possible impacts to native plants from increased nitrogen due to dog urine and about possible impacts to plants and wildlife from dogs venturing off trails.

In community meetings hosted by the PAC, dog owner groups and commercial dog walkers expressed concern about incidents of dog owner violations. They offered a number of suggestions to improve dog owner compliance including community education, improved trail signage, additional trash cans along popular trails, and modifications to staging areas and trail design to minimize environmental problems and conflicts between user groups. They also suggested the need for additional community education for dog owners on the District's off-leash

standards and expectations for voice and sight control for dog use in the parks. They committed to work with the District to implement efforts to promote trail safety, environmental stewardship and respectful behavior on the trails.

Periodic monitoring of trails for conflicts in uses due to changing conditions was determined to be an important factor in maintaining safety for the public and protecting the natural resources in parks. In discussions with District Operations and Planning staff however, there does not appear to be a regular monitoring program that triggers adjustments to dog use on specific trails due to changing trail conditions other than the every two-years update of Ordinance 38. The District's "Technical Analysis of Proposed Changes in a Trail's Use ("checklist") was found to be cumbersome for this purpose and infrequently used. In discussions with dog advocates, while they are receptive to periodic trail monitoring where incidents of dog-related problems have been reported, they cautioned that any monitoring process should be transparent and clear for all to understand and should not be overly complex.

Recommendation

Based on the findings above and with the exception of active cattle grazing areas, the PAC is not recommending changes at this time to the District's existing Ordinance 38 off-leash dog policy. Rather, it was determined that an enhanced program of trail monitoring, community outreach and education was needed for effective management of dog use in the District's parklands.

1. The following trails are recommended to be monitored and evaluated for future study and potential Ordinance 38 changes. Trail monitoring should include a review of citations and violations reported by District staff, volunteers and trail users, supplemented by independent field surveys (possibly conducted by student interns) to observe and record trail use by all trail users and gather data about the volume of trail use by various user categories and their impacts, to determine if there is any need for consideration of changes in regulations. In addition, the District's Stewardship Division should complete an assessment of the trails to determine potential impacts to habitat, creeks and ponds located in close proximity to the trails being monitored. Trails to be monitored include:
 - Mission Peak,
 - Hayward Shoreline (existing off leash area from Winton staging area north),
 - Portions of McLaughlin Eastshore and Albany trails located within the jurisdiction of the District including the paved shoreline trail,
 - Leona Canyon, and
 - East and West Ridge trails in Redwood Park.

The results of the trail monitoring process will have to be reviewed by Staff, and recommendations made based on data as to whether additional management and/or operational policy changes are warranted.

2. The District should adopt a regular trail monitoring program that is data driven to review the impacts of changing trail conditions resulting from increasing congestion, increasing citations, and other conditions including the presence of sensitive habitat and wildlife that warrant consideration of specific locations to be added to either Attachment B ("Specific

Parks or Areas of Parks Where Dogs are Prohibited”) or Attachment C (“Specific Parks or Areas of Parks Where Dogs Must Be on Leash”) of Ordinance 38 Section 801.

3. Community education and engagement is key, as reported infractions are primarily failure to follow the rules for current restrictions of dogs on leash or dogs prohibited in wildlife protected areas. In addition, community education is needed on the District’s standards and expectations for “voice and sight control” for dog owners who take their dogs off-leash in permitted areas. Refer also to community the engagement and public education recommendations provided in a later section of this report.
4. The District should place more dog waste disposal cans on trails highly used by dog owners and professional dog walkers (for example, West Ridge trail in Redwood Regional Park). A distance of two to three hundred feet out from the trailhead should accommodate most dog poop disposal needs. Refer to community engagement and public education recommendations provided in a later section of this report.
5. The District’s Public Safety Division should continue to target dog use compliance enforcement at staging areas most frequently used by dog owners and commercial dog walkers. Planned improvements to the dispatching system will enhance Public Safety’s targeting and improve response to other areas where dog use conflicts have been reported by the Volunteer Safety Patrol and park users.
6. Require park users who are cited in violation of Ordinance 38 Section 801 dog use policies, to take a District-sanctioned dog training class on trial etiquette and impacts on natural resources. Refer to Community Engagement and Public Education recommendations provided in a later section of this report.
7. Amend Ordinance 38 Section 801.2 Exhibit C to add that dogs must be on leash when cattle are in sight or if posted that cattle are in a particular area or park.
8. Review and add signage at park trailheads where cattle grazing is authorized, citing Ordinance 38 and Civil penalties for livestock harassment. Also work with the cattle grazers to post on the District’s website “real time” information on where cattle are grazing to inform park users. (Refer to Public Engagement and Community Education recommendations provided in a later section of the report.
9. Review signage at all trailheads to ensure that rules are clearly defined, including signs marking sensitive habitat areas.

Commercial dog walker program

The number of professional dog walkers using the parks has dramatically increased over the past few years drawing users from outside the District as other Bay Area parks continue to have dog restrictions or limited access.

In 2017 the District issued 90 commercial dog walkers permits allowing permit holders to use 80 authorized trails (Appendix A) in the parks. There is currently no limit on the number of permits the District can issue. Commercial dog walkers' trail use appears to be concentrated in Alameda and Western Contra Costa Counties, close to their client base and where a majority of authorized commercial dog walker trails area located.

In meetings with a group of commercial dog walkers, they shared their concerns about the number of independent contractors who are not professionally trained and are unable to control their pack of dogs, which is creating unsafe conditions in the parks. They expressed the need for commercial dog walker training and efforts to improve their image in the minds of park users. They made a number of recommendations to improve the District's dog walker program, including working more closely with the District.

In terms of minimizing conflicts with the public, they suggested changes to staging areas and future trail design. They identified staging areas where conflicts are occurring with other users and offered suggestions to minimize problems. With regard to future trails authorized for commercial dog walkers, they prefer ridge trails that are not congested and are away from general park users, creeks and sensitive habitat areas. They also prefer loop trails.

Many of the walkers use the trails twice a day and shared that they go to great extent to pick up dog waste from not only their dogs but also others. They feel they serve as eyes for the District to report problems and value the privilege the District has given them to use the East Bay's parks.

Recommendation

1. Require all persons seeking a Professional Dog Walker 801.11 permit to complete District sanctioned training that focuses on best practices for handling large groups of dogs and features trail etiquette, public safety and the protection of natural resources. Also require all employees of permit holders complete the training.
2. Update the Dog Walker Permit fees structure in comparison to the fees charged by other Bay Area parks. Also evaluate the use the of "Secondary Permit" used by independent subcontractors to determine if it should continue to be an option for Dog Walkers due to the low permit fee charged for use of the District's parklands and concerns with liability insurance coverage.
3. Convene a yearly meeting of professional dog walkers hosted by the District to examine ways to balance public safety, protect natural resources and foster trail etiquette; and provide feedback opportunities for trail maintenance problems.

4. Develop a brochure that outlines trail etiquette, Ordinance 38 and other requirements for Professional Dog Walkers.
5. Evaluate the feasibility of dispersing trail use by increasing the permit fee for trails heavily used by professional dog walkers (\$300 to \$500) or rotating trail use.
6. Encourage all permit holders to be ambassadors of the District including educating park users who may be uneasy around dogs, picking up trash, and reporting violators of parkland use requirements.
7. Trail adjustments recommended to be reviewed by the District to allow commercial dog walkers include: The unpaved portion of Seaview Trail in Tilden– end to end, and Leona Heights near Leona Canyon. In addition, new trails should be considered for Central and East Contra Costa County that also include shaded areas for dogs and walkers/owners.
8. Review staging areas used by professional dog walkers to minimize conflicts with other users. Staging areas recommended to be reviewed include: Wildcat Canyon Alvarado staging area.

District's Process for New areas to be Opened to the Public

Advanced Planning staff provided the PAC with the District's process for determining when and how to accommodate dogs in the District's new parklands and trails. Planning's process includes taking into account the District's Master Plan, Ordinance 38, environmental regulatory permits, conservation easement restrictions, environmental effects identified in California Environmental Quality Act (CEQA) and resulting mitigation measures, and community comments in determining how to accommodate dog use.

Three case studies. - Dotson Family Marsh at– Point Pinole Regional Shoreline (completed project), Oyster Bay Regional Shoreline Land Use Plan Amendment (LUPA, implementation in progress) and Robert Sibley Volcanic Regional Preserve (planning in progress), were reviewed to demonstrate how each project complied with the District's policies and local/state/federal planning requirements with respect to accommodating dogs in the parklands. Staff's presentation demonstrated the District's approach in working with both regulatory agencies and the community to avoid conflicting uses and impacts on habitat through facilities and trail design. Of interest to the PAC was how to minimize downstream conflicts resulting from prior off leash use in currently undeveloped areas that may delay environmental review and/or regulatory approvals.

In each of the case studies, while the District's Master Plan provides for multiple-use facilities to serve the recreational needs of all users, Ordinance 38 plays a pivotal role in its distinction between undeveloped areas (leash optional areas) and developed areas (leash required areas) in prescribing how to accommodate dog use. In a 2017 public survey sponsored by the District,

48% supported action to “revisit” this policy and consider requiring leashes in parks on multi-purpose trails that are shared by bikers, horses and walkers when planning for a new parks or new park facility.

The PAC supports the District taking a closer look at this issue and suggests working with the dog advocacy community to seek a refinement in the application of the “undeveloped area off leash policy” for all new parks and trails that would consider other factors not addressed in the environmental (CEQA) review such as likely user groups, terrain, sight lines that make it difficult for park users to control their dogs, as well as the health and safety of trail users.

Recommendation

1. As a general approach the District should consider all new trails as multiuse and then consider why specific use groups should be excluded due to concerns for wildlife, natural and historic resources, appropriateness of terrain and other potential conflicts.
2. In considering new commercial dog walker authorized trails, the District should consider designing them as loop trails, located when possible on ridgelines away from creeks and sensitive habitat.

Community Engagement and Public Education

Throughout the PAC’s review process, community engagement and collaboration with dog advocacy groups was determined to be one of the most effective ways for the District to promote trail safety for parkland users, wildlife and dogs.

District efforts to support training opportunities for dog management and trail etiquette including understanding the environmental impacts on natural resources, dog safety training regarding time of year restrictions for algae, foxtails and calving was considered to be an important step toward effective management of dog use in the parks.

Requiring training for Commercial Dog Walkers on best practices for handling large groups of dogs as a condition for their annual permit is also needed to promote public safety and protect natural resources. Similarly, instruction on the District’s “voice and sight control” standards and expectations for dog owners who take their dogs off-leash was identified as a key area to improve dog owner compliance with the District’s off-leash policy and reduce conflicts. In workshops hosted by the PAC, attendees suggested that the District should review and learn from the experiences of other communities to manage their off-leash dog use. Two communities identified included, Boulder Colorado’s “Voice and Sight tag program” which requires a one-hour training session for off-leash dog users and Rockfield Maryland that requires an American Kennel Association “companion dog” certification to participate in their off-leash program.

Also, during outreach meetings with community groups, improved signage at park staging areas, trailheads and on trails to reinforce trail etiquette was frequently identified as an area of opportunity along with the need to create several brochures focusing on rules, maps, and other

collateral materials. Expansion of the Districts' social media outreach was also identified as a way to promote best practices by dog users in the parks and notify users of changing conditions affecting trail use. In addition, increasing the number of special events and informational meetings focusing on trail safety, trail/beach cleanups, and getting along with other trail users, were seen as key steps for an informed community that includes dog users.

Increasing volunteer opportunities for trail cleanup and sponsorship was also suggested by dog advocacy groups and commercial dog walkers as a way to support the District and make the parks enjoyable for all users.

Recommendation

1. District sponsored training
 - Provide training for Commercial Dog Walkers on best practices for handling large groups of dogs and trail etiquette as a condition to receive their Annual Permit.
 - Pilot a training program for off-leash dog owners on “voice and sight control” for highly congested or problem trails to determine its effectiveness and required administrative support. Dog owners who complete this class would receive a special tag for their dog for public identification.
 - District sponsored training costs should be offset by an increase in Commercial Dog Walker permit and dog owner tag fees.

2. Community educational opportunities
 - Offer educational opportunities on trail etiquette and impacts on natural resources and wildlife – either classroom, at a park site, or online for District volunteer groups, foundation members and park users. Dog owners who complete training could be given a District logo ribbon for their dog indicating that the owner has completed training or with sponsored funding, an on-leash poop bag belt pack or other recognition.
 - Expand social media promoting dog handling tips.
 - Provide short videos online such as “walk and talk” trainer sessions including training on handling conflicts with dogs and people.
 - Publish articles on environmental impacts on natural resources and wildlife and tips on dog safety in the park, in publications such as Bark Magazine.

3. Community engagement opportunities
 - Link dog owner groups websites to EBRPD website for further education and local events.
 - Promote Volunteer Trail Safety Patrol (VTSP) Canine Patrol.
 - Encourage Professional Dog Walkers to volunteer at District's informational events and public outreach efforts.
 - Sponsor “adopt a trail” program for periodic cleanup of trash on trails.

4. Pilot a year study of new trail signage to educate users on trail etiquette

- Review dog-oriented signage and consider new key messaging in selected areas, including explanation of reasons for restrictions, stenciled signs on pavement and “bag it” signs stenciled on garbage cans.
 - Review and add trail signage noting cattle grazing areas and include reference to Ordinance 38 and Civil penalties for livestock harassment.
5. Produce new informational brochures and expand online notice of parks/trails impacted by changing use
 - A new dog brochure(s) in different languages.
 - Maps highlighting authorized Professional Dog walker trails.
 - Notification of cattle grazing areas.
 6. Review number and placement of garbage cans, and establish a “best practice” for placement
 - Locate new trash cans 200 to 300 feet from trail heads on popular trails.
 - Poop pickup pilot program – test a variety of methods including signage and volunteer cleanups on different trails and measure the results and then roll out the best ones.
 - Research “Park Spark” initiative that turns dog waste into green waste on site.
 - Consider using compostable poop bags.
 7. Opportunities for joint events with dog advocacy groups
 - Pilot new “Trail Manners” and other events/activities with Public Safety.
 - Revive the Districts’ “pup and pony” events to educate younger children and their parents on how to approach dogs and horses.
 - Beach cleanups.
 - Trail safety talks with VTSP Canine team.
 - Once-a-quarter trails cleanup event by/with professional dog walkers.
 8. Evaluate the data on incidents and dog behavior compliance to inform further actions taken on community engagement and public education. Public Safety documentation of incidents should include: location (park and location within park), time of day, parties involved, nature of incident, whether dogs were on – or off-leash, any injuries sustained, and any other pertinent information.

IV. Suggested Framework for Action

The PAC set forth a number of recommendations based on its review of dog use in the District’s parkland after working with District staff and hearing from a broad range of community interests. Dog use in the parks continues to grow and represents an important use for dog owners who value the companionship of dogs for their recreation and trail safety. Off-leash dog use however is a “privilege” for park users and must be carefully balanced within the District’s

mission to “protect and preserve the Districts natural and cultural resources for generations to come” while providing a safe and enjoyable park experience.

Over the course of the past year, the PAC reviewed the District’s dog use management, planning, and community engagement efforts to understand the concern of staff, the community and actions needed to address this growing use. Based on this review, the PAC at this time does not recommend changes to the Districts existing off-leash dog policy but rather recommends monitoring specific trails/parks where additional management and/or operational changes may be warranted in the future. In addition, community outreach and collaboration with dog advocacy groups on public education promoting trail safety for park users will be key need for dog owner’s compliance with the District dog use policies. Ordinance 38 revisions are however recommended for transitional grazing areas in order to protect cattle.

Since these recommendations touch primarily on Public Safety, Operations, Community Relations and Planning the PAC suggests that the District establish a working group of the principal Divisions with a lead staff to coordinate the work of the review team and serve as the point person to work with community groups who have volunteered to assist with carrying out aspects of the community engagement and education efforts. The PAC believes that implementation will take 3 to 5-years and the recommendations will need to be considered within the framework of competing demands for District resources – both staff and financial.

Towards this end, it is suggested that the first year of implantation focus on working with the dog advocates and environmental groups in putting in place the training program for the Commercial Dog Walkers program and initiating a monitoring pilot program for one of the four parks recommended to be studied for potential ordinance 38 changes. Also, during the first year, changes to Ordinance 38 regarding dogs off-leash in cattle grazing areas should be considered.

For year’s two through three the District should consider a number of the community outreach and education recommendations including signage, waste removal and in particular piloting a “Voice and Sight Control training program” for highly congested or problem trails by the end of year three.

In year’s four through five the District should complete the initial list of recommended parks to be monitored, establish a regular District wide monitoring program and complete the list of suggested trail adjustments and new trails for commercial dog walkers. The monitoring should initially focus on Eastern Contra Costa County, where changes in population are anticipated due to new development.

The actions recommended will take time to implement and require the cooperation and support of the community. Only through the active participation and engagement of dog advocacy and environmental groups will the District be successful in protecting wildlife, and the natural resources while ensuring that our trails remain a special destination for East Bay residents.

The PAC would like to express its gratitude for the opportunity to advise the District on how to improve management of dog use in the parks to create a safe and enjoyable park experience for

all users. We welcome receiving annual reports on the District's progress and suggestions on ways the Park Advisory Committee can assist with implementation.