

Attachment 1

October 21, 2013
Parks Commission Report

Off-Leash Dog Committee Report and Proposal to Allow
Dogs Off-Leash on County Owned Beaches Between 20th
Avenue and Corcoran Lagoon from Sunrise to Sunset and
Proposal to Retain Existing Leash Laws

Including as an attachment the

June 10, 2013
Parks Commission Report

Proposal to Allow Dogs Off-Leash on Live Oak Beaches
Between 20th Avenue and Moran Lake Beach from Sunrise
to 10 AM and 4 PM to Sunset and Proposal to Retain
Existing Leash Laws



JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS PARKS, OPEN SPACE, AND CULTURAL SERVICES DIVISION

979 17TH AVENUE, SANTA CRUZ, CA 95062
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AGENDA: OCTOBER 21, 2013

October 16, 2013

SANTA CRUZ COUNTY
PARKS AND RECREATION COMMISSION
979 17th Avenue
Santa Cruz, CA 95062

SUBJECT: OFF-LEASH DOG COMMITTEE REPORT AND PROPOSAL TO ALLOW
DOGS OFF-LEASH ON COUNTY OWNED BEACHES BETWEEN 20TH
AVENUE AND CORCORAN LAGOON FROM SUNRISE TO SUNSET AND
PROPOSAL TO RETAIN EXISTING LEASH LAWS

Dear Commissioners:

At the June 10, 2013, meeting your commission considered a report and recommendations regarding a proposal to allow dogs off-leash on Live Oak Beaches between 20th and Moran Lake from sunrise to 10 a.m. and 4 p.m. to sunset, as well as a proposal to retain existing leash laws (Attachment 1). At that time your Commission approved the formation of a short-term committee to be comprised of two members of the Parks Commission (Commissioners Roberts and Lang), and three members from two organizations (Live Oak Off Leash Advocates (LOOLA) and Leash Law Advocates of Santa Cruz County (LLASCC)) with alternates and to report back at a meeting of the Parks Commission in the fall. The intent of the committee was to form a working group allowing all parties to explore the issues in further depth.

COMMITTEE

The Committee met three times: August 8, 2013, August 22, 2013, and October 1, 2013. Agendas were prepared and posted on the County Parks Department website. All meetings took place at County Park offices and community meeting rooms at the Simpkins Family Swim Center. The public was invited to attend and permitted time for public comment at the end of each committee meeting.

LOOLA supports revisions to County ordinances to permit dogs to be off-leash in designated beach areas during designated times. After consideration of information regarding beach ownership and permitting requirements, LOOLA presented a revised or new proposal to allow dogs off-leash on County owned beach between 20th Avenue and Corcoran Lagoon only, and revised the hours of such use to be from sunrise to sunset year-round.

LLASCC opposes the establishment of off-leash hours at County beaches and supports additional fenced dog off-leash areas where appropriate. LLASCC shared a proposal for an off-leash dog park master plan. Both proposals are attached (Attachments 2 and 3).

At the conclusion of the third meeting committee members respectfully agreed to disagree. I want to acknowledge the time and effort of all committee members serving on the committee and thank them for their contribution to larger community dialogue regarding issues in their community. Commissioners Roberts and Lang have prepared a summary of the Committee proceedings for your consideration (Attachment 4).

BACKGROUND

Dogs are not allowed off-leash in Santa Cruz County parks, open space or beaches unless within a designated off-leash fenced enclosure. Santa Cruz County parks have three dog parks where dogs are permitted to run and play off-leash in fenced enclosures. These include: Chanticleer Avenue Park, Polo Grounds Park, and Pinto Lake Park. Dogs on-leash are permitted in all County parks and beaches with the exception of Quail Hollow Ranch where dogs are not permitted in sensitive habitat areas and trails located beyond the Quail Hollow ranch house and barns, and Scott Creek Beach due to the sensitive habitat and Snowy Plover nesting areas. Additional dog parks exist within the jurisdictions of the cities in the county.

Supervisor John Leopold requested the Parks Division of the Department of Public Works review a proposal to allow dogs off-leash during certain times on Live Oak beaches between 20th Avenue and Moran Lake, a counter-proposal to retain existing leash laws, and the actions taken by Animal Services Authority (ASA) Board on this issue. Similar proposals have been considered by the Parks and Recreation Commission in the past. Santa Cruz County Parks oversees access and use of Santa Cruz County beaches. The Parks and Recreation Commission was asked to consider these proposals as an advisory body to the Board of Supervisors.

Further information and detail regarding existing regulations, enforcement, and issues related to consideration of a change in leash laws were presented in the June 10, 2013, report to the Parks Commission (see Attachment 1).

DISCUSSION

Formation of the committee permitted further in-depth review and dialogue of issues related to dogs on beaches in Santa Cruz County. Ultimately there was very little agreement between those that support revision of local ordinances to allow dogs off-leash at designated locations and during designated times and those that support the retention of existing leash laws.

As discussed in the June 10, 2013, Parks Commission report, at the conclusion of two long public hearings regarding the initial LOOLA proposal, the Animal Service Authority Board concluded by encouraging the County to expand opportunities for fenced off-leash dog areas. This approach could address the needs of dogs and their owners without jeopardizing the safety and enjoyment of others enjoying County beaches and parks. Underdeveloped and/or

underutilized County Parks could be considered for new fenced off-leash dog areas. Possible locations include: Anna Jean Cummings Park in Soquel, Farm Park in Soquel, Brommer Park in Live Oak, Seascape Park in Seascape, and the Miller Property in Boulder Creek. Development of criteria for fenced off-leash dog areas and review of the park inventory could lead to identification of additional opportunities for fenced off-leash dog areas in County Parks.

RECOMMENDATIONS

It is therefore recommended that your Commission take the following actions:

1. Consider public comment.
2. Direct staff to prepare initial criteria for off-leash dog areas and an initial review of the County park inventory to identify possible opportunities for fenced off-leash dog areas in County parks in accordance with the recommendation of the Animal Services Authority Board with a report back to the Commission no later than April 2014.
3. Take no action with regards to the LLASCC proposal or the newly revised LOOLA proposal to allow dogs off-leash on County owned beach between 20th Avenue and Corcoran Lagoon from sunrise to sunset.
4. Direct staff to forward copies of the Parks Commission reports and final recommendations to members of the Board of Supervisors.

Yours truly,

JOHN J. PRESLEIGH
Director of Public Works

By:

BETSEY LYNBERG
Assistant Public Works Director-Parks

BAL:mh

Attachments

Copy to: Supervisor Leopold
Animal Services Authority
County Administrative Officer



JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS PARKS, OPEN SPACE, AND CULTURAL SERVICES DIVISION

979 17TH AVENUE, SANTA CRUZ, CA 95062
(831) 454-7901 FAX: (831) 454-7940 TDD: (831) 454-7978

AGENDA: JUNE 10, 2013

June 5, 2013

SANTA CRUZ COUNTY
PARKS AND RECREATION COMMISSION
979 17th Avenue
Santa Cruz, CA 95062

SUBJECT: PROPOSAL TO ALLOW DOGS OFF-LEASH ON LIVE OAK BEACHES
BETWEEN 20TH AVENUE AND MORAN LAKE BEACH FROM SUNRISE TO
10 A.M. AND 4 P.M. TO SUNSET AND PROPOSAL TO RETAIN EXISTING
LEASH LAWS

Dear Commissioners:

As your Commission is aware, Supervisor John Leopold has requested the Parks Division of the Department of Public Works review a proposal to allow dogs off-leash during certain times on Live Oak beaches between 20th Avenue and Moran Lake, a counter-proposal to retain existing leash laws, and the actions taken by Animal Services Authority (ASA) Board on this issue. Similar proposals have been considered by the Parks and Recreation Commission in the past. Santa Cruz County Parks oversees access and use of Santa Cruz County beaches. The Parks and Recreation Commission is being asked to consider the following staff report in your role as an advisory body to the Board of Supervisors.

PROPOSALS

Live Oak Off Leash Advocates (LOOLA), proposes that dogs be permitted to be off-leash on Live Oak beaches between 20th Avenue and Moran Lake Beach from sunrise to 10 a.m. and 4 p.m. to sunset daily. The LOOLA proposal is included as Attachment 1. Additional information can be found at the LOOLA website: www.loola.org.

Leash Law Advocates of Santa Cruz County (LLASCC, pronounced Lassie), oppose the establishment of off-leash hours at County beaches and support additional fenced dog off-leash areas where appropriate. The LLASCC statement is included as Attachment 2. Additional information can be found at the LLASCC website: <http://llascc.weebly.com/>.

The Animal Service Authority Board considered similar requests in the past year and on August 13, 2012, took the following actions (see also Attachment 3):

“...review our current policies regarding leash law requirements and request that the Chair of the ASA Board send a carefully worded letter to the Mayors and the Board Chair which: reaffirms our continued commitment to current leash laws as stated in the County's code; that we support the designation and maintenance of off-leash areas where they are enclosed or otherwise fenced or confined to effectively ensure public safety as well as address land use requirements and environmental safeguards; and that it makes it clear that ASA has no jurisdiction regarding the designation of these off-leash areas and that we take no position on designating specific off-leash areas within their jurisdictions but that we request that at an appropriate time, that the jurisdictions consider the possibility of examining enclosed or otherwise fenced or confined off-leash areas in the future which recognize public safety, environmental well being and the well being of the animals.”

EXISTING REGULATIONS AND OFF-LEASH AREAS

Dogs are not allowed off-leash in Santa Cruz County parks, open space or beaches unless within a designated off-leash fenced enclosure. Santa Cruz County parks have three dog parks where dogs are permitted to run and play off-leash in fenced enclosures. These include: Chanticleer Avenue Park, Polo Grounds Park, and Pinto Lake Park. Dogs on-leash are permitted in all County parks and beaches with the exception of Quail Hollow Ranch where dogs are not permitted in sensitive habitat areas and trails located beyond the Quail Hollow ranch house and barns, and Scott Creek Beach due to the sensitive habitat and Snowy Plover nesting areas. Additional dog parks exist within the jurisdictions of the cities in the County. Leash laws for dogs in Santa Cruz County parks, open spaces and beaches are specified in the Santa Cruz County Code:

Chapter 10.04 COUNTY PARKS

Section 10.04.020 Definitions

(F) “Park” means every park, riding and hiking trail, recreation area, beach, community center or building, historic structure or facility owned, managed or controlled in whole or in part by the county and under the jurisdiction of the director in either incorporated or unincorporated territory. [Ord. 4488 § 4, 1998; Ord. 2954, 1980; prior code § 8.60.010].

Section 10.04.090 Bringing animals into parks

A person shall not bring into a park any cattle, mule, goat, sheep, swine, dog, cat or other animal of any kind except as specifically provided in this chapter or as otherwise permitted by the director. [Ord. 2954, 1980; prior code § 8.60.040(g)].

Section 10.04.100 Dogs and Cats

- A. Dogs shall be licensed in accordance with the animal ordinance. A person may bring and maintain in any park, exclusive of golf courses, a dog or cat, if such dog or cat is kept on a leash or chain not to exceed six feet in length and under immediate control of its owner or custodian, or upon written permission of the director when required for authorized park programs, or when dogs are in special areas of parks designated and posted by the park director as dog exercise and training areas (dog parks) and so long as the regulations of the park director with respect to the use of such areas are followed.

- B. Any person owning or having control of any dog or cat which defecates upon property owned or managed by the department of parks, open space and cultural services must immediately remove and dispose of the feces.
- C. Notwithstanding any other provision of this section, the director has the authority to prohibit dogs and cats in any park or part thereof after submitting the proposal to the parks commission for review and recommendation. [Ord. 4666 § 1, 2002; Ord. 4429 § 2, 1996; Ord. 2954, 1980; prior code § 8.60.040(h)].

Chapter 6.12 ANIMAL CONTROL

Section 6.12.010 Dogs at large prohibited.

- A. It is unlawful for the owner or caretaker of any dog, licensed or not, to permit or allow such dog to be at large anywhere in the unincorporated area of Santa Cruz County when there is reasonable cause to believe that the dog has caused or is likely to cause harm to persons or property, or other nuisances such as urinating, defecating, dumping garbage, digging or making noise on the property of others.
- B. The owner or caretaker of any dog found in violation as described above may be contacted by an animal control officer or peace officer and issued a citation for the violation. If the owner or caretaker is not present, and there is no reasonable way to secure the dog to the owner's or caretaker's property to prevent subsequent violations, it may be impounded. If a dog is impounded from the property where the owner or caretaker is not present, a notice of such impound will be left with information about the nature of the impound, the name and address of the impounding agency, and an indication of the ultimate disposition of the dog if it is not reclaimed within a specified period of time. [Ord. 4503 § 3, 1998].

Section 6.12.020 Leash required for dogs off premises.

It is unlawful for the owner of any dog, whether licensed or unlicensed, to permit or allow such dog to be away from the premises of its owner at any time if not under actual physical restraint or control, such as a leash, tether, or in the grasp of a person. [Ord. 4490 § 4, 1998; Ord. 3728 § 20, 1986; Ord. 2170, 1975; Ord. 1447, 1972; Ord. 1371, 1968; prior code § 8.05.401].

ENFORCEMENT

In Santa Cruz County, Animal Control Officers working for the Santa Cruz County Animal Services Authority are responsible for enforcement of animal control laws in Santa Cruz County (Governed by Chapter 6.24). Animal Control officers are on duty from 8:00 a.m. to 10:30 p.m. Calls are generally complaint driven with officers prioritizing their response to calls. Highest priority is given to aggressive animal calls, including animal bites, followed by response to injured or sick domestic or wild animals.

PREVIOUS PROPOSALS

In the spring and summer of 2007, the Parks and Recreation Commission considered the need for additional off-leash dog areas in County Parks. At that time, improvements to the existing dog park at Polo Grounds County Park were being considered. Permitting dogs off-leash in the unfenced Great Meadow at Polo Grounds was suggested, as well as off-leash dogs hours at County beaches and other parks. County Park staff conducted a survey of acreage at all county parks to determine if off-leash areas could be designated and concluded that virtually no space was available or underutilized at County Parks for off-leash use at that time. Staff recommended that fenced off-leash dog areas be considered as part of future new park development. In addition

advocates for fenced off-leash dog areas were encouraged to organize into dog constituent groups and raise funds to purchase property specifically for the purpose of off-leash dog parks. Ultimately, the Commission took no further action regarding unfenced off-leash dog areas. Since that time, the park master plan for Chanticleer Avenue Park was completed and a fenced off-leash dog area has been established in that park.

SANTA CRUZ COUNTY ANIMAL SERVICES AUTHORITY BOARD

In the spring and summer of 2012, the Animal Services Authority Board heard from residents about the availability of off-leash dog areas in the County. The actions of the Board are described earlier in this report and are included as Attachment 3. Also attached is a letter to Supervisor Leopold from the Chair of the Animal Services Board (Attachment 4).

ISSUES & CONSIDERATIONS

Proponents for off-leash hours on Live Oak beaches advocate for the shared use of public space and the importance of the health and social benefits of recreation for both dog owners and their pets. Considerable correspondence describing the benefits for dogs and their owners have been received as well as correspondence opposed to a change in current leash laws (see written correspondence, Attachment 5). Issues related to consideration of a change in leash laws are discussed briefly below.

Public Safety Dogs running on beaches off-leash are known to run into and knock down both adults and children, not only scaring people, but in some cases causing physical injury. Off-leash dogs have been known to attack people and other dogs. Recently a five-year old was hospitalized after being attacked on Rio Del Mar beach by an off-leash dog (see Santa Cruz Sentinel article, Attachment 6).

Enforcement Rules for beach use, including leash requirements, are posted on signage at beach access points. Off-leash dogs are witnessed on Live Oak beaches on a regular basis in violation of these rules. As discussed earlier in this report, due to limited resources Animal Control officers operate on a complaint driven basis rather than regular patrols.

Liability The County's Risk Manager has expressed grave concern explaining that County is self-insured for the first \$1 million of each tort claim and that the County department must pay this cost if the claim results in an insurance settlement and court judgment.

Wildlife Santa Cruz County beaches below the mean high tide line are part of the Monterey Bay National Marine Sanctuary. In addition marine mammals and birds are protected by the Marine Mammal Protection Act and Migratory Bird Treaty Act. Santa Cruz County beaches are also known to provide habitat for endangered and threatened species such as the Pacific Coast Western Snowy Plover which nests on sandy beaches. Shorebirds are known to lay eggs in the back beach area of the Corcoran Lagoon beach and when found are seasonally fenced to provide protection of the eggs and chicks. Unfortunately, dogs allowed to run off-leash are also known to chase, harass and harm wildlife. State and federal rules and the County General Plan include extensive regulations and policies to protect sensitive habitats from disruption, including the following:

County General Plan Policy 5.3.2 – Protecting Shorebird Nesting Sites (LCP)
Discourage all activities within 100 feet of shorebird nesting sites during nesting season (March-July).
Prohibit dogs from beaches having nesting sites.

Sanitary Conditions/Health County Code requires dog owners to pick up and dispose of dog feces. Opponents to off-leash dogs express concern about encouraging additional dog use on beaches and the potential for unsanitary conditions should owners not properly pick up after their dogs.

Maintenance County Park resources continue to be stretched thin due to the difficult economic conditions. County Park staff maintains beach access points providing bags for pet waste and trash cans. County Parks does not have sufficient resources to clean beaches. The County does support Save Our Shores and their volunteer efforts under the Adopt-a-Beach program.

Permits and Environmental Review Live Oak beaches have a Parks and Recreation land use designation. General beach uses are considered a principle permitted use. County Planning staff has concluded that environmental review and permits would be required from Planning and the California Coastal Commission. The level of review under California Environmental Quality Act (CEQA) is unclear. In the case of Lighthouse Field Beach (Its Beach) in Santa Cruz, the City's reliance on an initial study was challenged in court. Ultimately, the court of appeal ruled that the City violated CEQA by ignoring the possibility of increased use by off-leash dogs as the result of the change in policy to allow off-leash dogs. However the Court did not conclude that an Environmental Impact Report (EIR) was necessarily required.

Ownership County owned beaches are shown in blue on the attached map of Live Oak beaches (Attachment 7). County ownership is limited to Sunny Cove, between 20th Avenue and the outlet from Corcoran Lagoon and at Moran Lake. Most is privately owned with a Parks and Recreation land use designation. Much of the privately owned beach between Corcoran Lagoon and Moran Lake is subject to varying beach conditions depending upon the tide and surf. Although the public enjoys access along this entire stretch of beach, public access is not likely to be defined to include dogs. The easements would need to be researched. All property below the mean high tide line belongs to the state.

Cost of Implementation The cost of implementation is undetermined; however, they would be highly dependent upon the level of environmental review and costs of obtaining permits as may be required by the California Coastal Commission. Should an environmental impact report be required, costs could easily exceed \$100,000. Other costs would include changing signage to include off-leash dog hours, maintenance costs, environmental restoration or mitigation costs, liability insurance costs and other related costs including real property and legal costs.

DISCUSSION

Dogs provide enjoyment and companionship for many individuals and families in Santa Cruz County. Outdoor exercise is good for the well-being of dogs as well as owners. Dogs are allowed on-leash in parks and beach locations throughout the County, and are allowed to play and run off-leash at various dog parks. However, many dog owners continue to advocate for additional fenced dog parks and now for off-leash dog hours on Live Oak beaches. While many support off-leash dog hours on beaches, based on recent hearings, many oppose such a change.

Residents and visitors alike are attracted to the scenic beauty of the Monterey Bay, beach activities, beach wildlife, and the ocean. The number one objection to a change in current leash laws is the safety and comfort of other beach users, followed by environmental and wildlife concerns. While staff understands that if dogs are allowed off-leash on Live Oak beaches, dog owners will be attracted to this stretch of beach from throughout the County and beyond potentially displacing other beach users. For example, many who once enjoyed Its Beach at Lighthouse Field in Santa Cruz will no longer visit that beach because of the large number of off-leash dogs and concern for their personal safety. In addition, off-leash dogs raise environmental and wildlife concerns.

The courts have determined that a change in policy of this nature would require CEQA review and coastal permits. Depending upon the level of CEQA review required, costs to implement a change in policy could exceed \$100,000 and County Park resources are very limited.

County Parks is dedicated to providing diverse recreational opportunities in the appropriate setting. For example, when skateboarding became popular, skate features and parks specifically designed for skateboarders were incorporated into many parks. Recently areas have been dedicated for bike pump tracks and bike jumps. Previously the Parks and Recreation Commission concluded that County Parks should as appropriate, plan for fenced off-leash dog areas in the design of new parks. The Animal Service Authority Board also encourages the County to expand opportunities for fenced off-leash dog areas. This approach could address the needs of dogs and their owners without jeopardizing the safety and enjoyment of others enjoying County beaches and parks.

Underdeveloped and/or underutilized County Parks could be considered for new fenced off-leash dog areas. A complete inventory of Santa Cruz County Parks is included as Attachment 8. Possible locations include: Anna Jean Cummings Park in Soquel, Farm Park in Soquel, Brommer Park in Live Oak, Seascape Park in Seascape, and the Miller Property in Boulder Creek. Consideration of these locations for fenced off-leash dog areas would require further site analysis, environmental considerations, funding and maintenance considerations, and neighborhood meetings.

RECOMMENDATIONS

It is therefore recommended that your Commission take the following actions:


1. Consider public comment.
2. Direct staff to consider additional opportunities for fenced off-leash dog areas in County Parks in accordance with the recommendation of the Animal Services Authority Board with a report back to the Commission no later than February 2014.

3. Take no action with regards to the LLASCC proposal or the LOOLA proposal to allow dogs off-leash on Live Oak beaches between 20th Avenue and Moran Lake.

Yours truly,

JOHN J. PRESLEIGH
Director of Public Works

By:

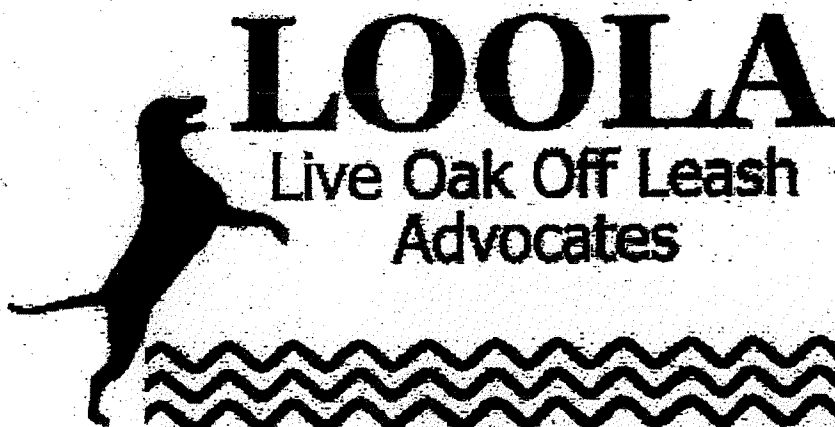


BETSEY LYNBERG
Assistant Public Works Director
Parks, Recreation and Cultural Services

BAL:mh

Attachments

Copy to: Supervisor Leopold
Animal Services Authority
County Administrative Officer



Live Oak Off Leash
Advocates



Attachment 1

Off Leash Policy Proposal

Submitted by Live Oak Off Leash Advocates (LOOLA)

Overview

Santa Cruz County lacks sufficient open space where dog owners can exercise their animals off leash. According to data supplied by the Santa Cruz County Animal Shelter (SCCAS) there are over 51,000 dogs in the county residing in approximately 30,000 households. So, about 1 in 3 households have at least one dog. This is equal to almost 37% of the county's human population. Of course, this does not take into account the many visitors who visit our open spaces with their animals. To service this population there are only 12 off leash areas, with 7 in the city of Santa Cruz, 2 in Scotts Valley, and only 3 in the unincorporated areas. Of these 1 is in Aptos, 1 is in Watsonville, and 1 in Live Oak. This is clearly inadequate to serve a large and growing dog population. For example, there are no off leash areas between the Monterey Bay, 41st Ave, the Yacht Harbor, and Capitola Road, a very densely populated area with a visibly large population of dogs.

A distribution of off-leash areas within neighborhoods is important because individuals often prefer to exercise outdoors within walking distance of their homes. This has the added benefit of fewer car trips and congestion, less pollution, and reduced impacts on parking. Moreover, neighborhood open spaces build community and a sense of stewardship and responsibility. This sense of shared ownership and responsibility is the most effective way to control behavior issues by problematic users within each user group. While the percentage of problem users within each group is comparatively small, these users can have a disproportional impact on all public space user groups. Using enforcement as a tool to control problematic behavior is limited by lack of resources and personnel. In most cases, dollars spent on education are three times more effective than those spent on enforcement and punishment. A more effective strategy is encouraging responsible behavior via reinforcing a culture of responsible use through modeling, peer pressure, and education campaigns by both the county and organized user groups.

In an atmosphere of diminishing resources it is critical that users of specific public resources organize and take responsibility for those resources. Therefore, we recommend that the county shift resources and create policy to enable off leash use of areas where user groups exist or can be formed to help maintain those open spaces. Through partnering with organized user groups the county can reduce costs and decrease problem user issues. The consistent use of open spaces reduces criminal and other destructive activities. Regular users provide a degree of protection and surveillance for public open space that facilitates quicker, more efficient, and effective action by both law enforcement and maintenance crews.

Open public space is a limited commodity and dedicating spaces to one use effectively excludes other uses and users. It is not reasonable or acceptable that an activity such as off leash exercising of dogs be uniformly labeled as dangerous or disruptive and thus unacceptable when any issues that could potentially arise involve a small minority of users. No other user group is faced with such a broad prohibition on its activities. Moreover, such a blanket prohibition is a matter of tradition and is not supported by either empirical or anecdotal evidence. It is LOOLA's position that the best course of action is more responsible mixed use of open spaces via time-sharing arrangements where specific user groups get access during certain hours or full time mixed use access. This would maximize the use of existing facilities without the expense of infrastructure other than signage.

Enforcement Policy

Widespread noncompliance with existing leash laws is not an enforcement failure by Animal Control Services (ACS) or a moral failure by dog owners; it is a policy failure. The county has been unwilling or unable to deal with the lack of off leash facilities as the dog population has grown. In the absence of action, dog owners have, over the past 20+ years, established their own solution, which is to create a de facto right of qualified off leash access to public space. To wit, that if their pet is licensed, under control, in proximity, and the owner picks up after that animal, they are free to responsibly use public space as any citizen would. Based on this right established over decades, citizens have made major life decisions and commitments such as where they purchase a home, obtaining a dog or a dog of a certain breed, and establishing daily life patterns via employment and other activities. This right is so deeply established that regular users of the Live Oak beaches believe that these beaches are legally off leash. This includes locals as well as visitors.

It is unreasonable that the qualified right of historical access is now under threat. Serious life commitments have been made and, lacking adequate facilities, dog owners are in the position of technically violating leash laws. Simply put, there is no place for them to go.

Moreover, the enforcement strategy employed by Animal Control Services (ACS) is both arbitrary and capricious. Taking into account the qualified right of historical access and resulting massive noncompliance combined with the limited resources of ACS current enforcement is totally ineffective and so unevenly applied as to be arbitrary and capricious. Further, the technical violation of having a dog off leash in any capacity in a public space and the conceptual reasoning for such a rule (public and animal safety) have been effectively decoupled. In no way is an animal off leash sitting by its owner, an elderly dog walking by its owner, or dog chasing a ball in the surf, and an unattended, out of control, or aggressive animal the same violations. This defies common sense. But under the current enforcement regime they are equal. This type of enforcement does not serve the purpose of the establishment of the leash law.

The current enforcement creates a climate of fear and hostility between ACS and dog owners. What should be a cooperative effort to foster public safety has become adversarial. This atmosphere greatly increases the potential for an unfortunate incident. This is entirely avoidable.

Enforcement of ordinances is always at the discretion of the officer at the scene and is based on the most effective use of resources and the underlying purpose of the law. Therefore, until adequate off leash facilities are made available we recommend that citations be tied to licensing and animal behavior. That is, dogs who exhibit behavior issues such as aggression or do not respond to voice commands, or who are not licensed, would be subjected to citation.

LOOLA Proposal for 20th Ave to Moran Lake Beach

The attached proposal for off leash hours at 20th Ave to Moran Lake beach is a case study of how off leash access areas can be created across the county. LOOLA's over 90 active members have mobilized to formalize our existing open space stewardship by adopting the beach via the Save our Shores program. LOOLA has also developed protocols for engaging problem users on the beach. We have demonstrated wide community support through the gathering of over 2500 signatures endorsing our proposal. Finally, LOOLA has conducted research and fact-finding to support our shared use of this public resource. It is important to note that the Santa Cruz Animal Shelter and Animal Control both endorse the attached LOOLA proposal as well as the need for more off leash areas. We believe that this provides a model for community driven expansion of open space use for off leash activities.

Potential Off Leash Access Areas

There is no one-size-fits-all solution to this issue. Each open space is unique and used by a variety of stakeholders. As is seen with existing off leash facilities, a combination of shared and exclusive space would be a practical solution. It is the opinion of the petitioners that the best and most economical solution in most cases is the responsible shared use of public space. The enclosed proposal for Live Oak Beach Area is such an example. Ideally, existing spaces and infrastructure should be used whenever possible. Therefore, any movement for increasing shared use of public space for the off leash user group would involve a modification or variances on current requirements and regulations on off leash areas. For example, adequate set-back or buffers instead of fencing.

LOOLA members have identified many areas that may be suitable for some level of off leash access.

Existing Park Space

Broomer Street Park

Floral Park on 38th Avenue

Jade Street Park

Anna Jean Cummings (Blue Ball) Park

Highlands Park including San Lorenzo River access

Felton Covered Bridge Park

A bigger area of Chanticleer Park--current dog park is too small

Aptos Village Park - totally unused during the week except in summer, when a Christian day camp rents it out during the weekdays. Used often on summer weekends for weddings and parties.

Lighthouse Field

DeLaveaga end of Park Way and the trails at De LaVeaga Park

Seascape Park

Pogonip

Jose Park at the Eddy Lane end

Monterey Park

Noble Park

Beaches

It's Beach

Scott Creek Beach, Davenport

Hidden Beach Park in Aptos

LOOLA Off Leash Policy Proposal

4

Beer Can Beach Aptos

Trestle Beach Aptos

Sunny Cove

Open Space

Open Space between Lode and Quartz by the Pleasure Point Sanitation Plant

Arana Gulch

Highlands

Loch Lomond (Owned by the City of Santa Cruz)

The Farm on Sequel Dr. (undeveloped & underused - County owned)

County Fairgrounds

The old Del Mar School Softball field is not currently maintained, and it's entirely fenced. (Off 17th Ave. near Portola).

The big field next to the parking lot on the bluff at Seacliff State Beach

Quail Hollow Ranch in Ben Lomond

SkyPark in Scotts Valley (fields far side of dog park)

The old 3-par golf course near Seacliff Inn

Moore Creek

MacGregor Property

Call for Action

We call on the Board of Supervisors to direct the Parks Commission to develop a framework for the expansion of off leash access with all areas of the county. Only through a comprehensive approach can the needs and concerns of all community members be met and our open spaces be used to their full potential.

Proposal for Off Leash Hours on 20th Ave to Moran Lake Beach

Live Oak Off-Leash Advocates (LOOLA) is a collective of local Live Oak community dog owners who support an off-leash initiative for the 20th avenue beach area. Live Oak community dog owners request that Santa Cruz County establish off-leash hours on the 20th Avenue beach area (from 20th Avenue to Moran Lake Beach).

LOOLA circulated a petition to gauge community support for this effort. Petitions were distributed via volunteers and local businesses and a version was published electronically online. The community has demonstrated its support by 2500 signatures from Santa Cruz County residents that support an off-leash initiative.

The petition is worded as follows:

By way of this petition we would like to advocate for off leash hours from sunrise to 10:00 a.m. and after 4 p.m. at Live Oak Beach (from 20th Avenue to Moran Lake Beach) in Santa Cruz, California.

Dog owners that frequent Live Oak Beaches have for many years considered this area a great option for exercising their unleashed dogs. We would like to continue this practice that has existed for so many years, despite the leash law.

Daily vigorous exercise that includes unfettered play with other socialized dogs and games of fetch and Frisbee are essential in maintaining the health of our dogs. We recognize the needs of others who would prefer to use the beach without dog interaction and feel that these off-leash hours would be a fair compromise.

Our Request

For decades Live Oak beaches have been a shared resource for people and animals despite current leash laws. The social aspect of both humans and animals has been a very important daily ritual for many of the local residents within the community. This is particularly true for elderly and retired people. Recently, our community has been disrupted due to the fear of receiving off-leash citations. For this reason we ask Santa Cruz County for a change in policy.

LOOLA understands there will be challenges with monitoring bad animal behavior; bad animal behavior is not very common at this beach area. According to Animal Control Services, there have been no verified reports of actionable animal behavior issues in this beach area. Most of regular users have trained their dogs for correct social behavior while off-leash. This social dog networking creates a bond between dogs of similar size and recreation habits to minimize the need for specific areas based upon the size of the animal. The norm is for open voluntary interaction.

LOOLA has a close relationship with SCCAS, which shares our goal for more off leash access. We propose to expand this cooperation by creating programs and website information to promote responsible dog ownership while in off-leash areas. In some cases this information can be tailored for first time animal adopters to create a foundation of responsible dog ownership. Education and public outreach is key for any change in community policy. Dog owners must understand what is expected while socializing their dog in an off-leash area through positive reinforcement messaging. Education is always a better and more effective use of public resources.

Research

LOOLA has conducted research on potential environmental and legal impacts for the proposed off leash beaches as well as on other communities that provide off-leash shared access to beaches or public open space.

Environmental and Wildlife Impacts

Some community members express concern about the impact of off leash access on the Monterey Bay National Marine Sanctuary that abuts Live Oak beaches. According to Rikki Dunsmore, Ph.D., Monterey Bay National Marine Sanctuary Marine Ecologist and Scott Kathey Federal Regulatory Coordinator Monterey Bay National Marine Sanctuary National Oceanic & Atmospheric Administration U.S. Department of Commerce MBNMS jurisdiction does not extend to area beaches, and the marine sanctuary has taken no official position on the subject of upland leash laws in Santa Cruz County. MBNMS inland boundary stops at the mean high tide line. We would add that Carmel has allowed off leash access to certain beaches since the 1970s with no evidence of negative environmental impacts.

Opponents to off leash access cite concerns about the harassment of wildlife. Marine mammals frequent the area but rarely venture on shore unless they are in distress. Most activity occurs off shore. Despite decades of regular off leash use of these beaches there have been no reported cases of dogs attacking marine mammals. While harassment of marine mammals is a federal crime, this applies only to the act not the potential for the act. If the potential of harassing marine mammals were equivalent to the act then people would have to be banned from beaches as well as dogs. Of particular concern is habitat for the endangered Snowy Plover. The Federal government greatly expanded Snowy Plover habitat in 2011. The only areas designated as critical habitat for Snowy Plover in Santa Cruz County are at Wadell Creek and in Aptos. Live Oak Beaches are potential habitat for Snowy Plover only in the sense that all beaches might be habitat. Again, potential habitat is not equivalent to actual habitat. Moreover, the primary danger to Snowy Plover or other shorebirds is people. People leave trash on the beaches, which attract vermin and predatory birds such as crows or sea gulls. Moreover, the beaches of Live Oak are heavily developed. Natural onshore habitat was effectively destroyed when roads were built that blocked water flows into tide marshes and homes were constructed on coastal bluffs and then protected by riprap. This riprap provides an ideal habitat for vermin that prey on shorebirds. The presence of wading birds such as Heron or Egrets also indicates no ongoing negative impacts by the proximity of off leash dogs. There is no evidence that off leash activity poses a danger to wildlife on Live Oak beaches.

Opponents to off leash access also cite concerns about pollution from dog waste impacting water quality. There is no evidence to support this contention. There has never been a study that linked water quality issues at beaches with dog waste. Bacterial levels in water are usually due to run off and outflows from storm run-off that originate far from local beaches.

Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA)

Opponents to off leash access have argued that any move to allow off leash access in public space would require an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA). Based on our research we believe that making 20th Ave an off leash dog access area would qualify for a Categorical Exemption (Article 19) under CEQA. The CEQA process will determine the potential need for a Mitigated Negative Declaration or an Environmental Impact Report (EIR) is necessary.

Filing of a Notice of Exemption triggers a 35-day deadline for any legal challenge under CEQA.

A challenge is only valid if there could be *both* unusual circumstances and a reasonable possibility of a significant environmental impact due to the unusual circumstances and/or that an expert opinion alleging a significant environmental impact. An EIR is required if there is *substantial* evidence that the project may have a *significant* effect on the environment. The determination of whether a project may have a significant effect on the environment is based to the extent possible on scientific and factual data. In cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, an EIR shall be prepared when there is serious public controversy concerning the environmental effect of a project (CEQA Guidelines, Section 15064). It is clear on its face that the types of environmental impacts intended under these laws do not exist for off leash areas.

When any of the following conditions occur the lead agency shall find that a project may have a significant effect on the environment, which will require a Mandatory Finding of Significance. Such a finding shall require an EIR to be prepared (CEQA Guidelines Section 15065):

- When a project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory.
- When a project has the potential to achieve short-term goals to the disadvantage of long-term environmental goals.
- When a project has possible environmental effects, which are individually limited but cumulatively considerable.
- When the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

These classes are considered to apply to instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. That is, not a *general* concern over potential impacts but specific impacts to officially designated areas or species.

The Dog Beach can be issued a Categorical Exemption under CEQA (CA Environmental Quality Act) because:

1. It is not an activity that is prohibited from exception
2. The use of the beach is pre-existing but not codified
3. There is no evidence of degradation of the environment and wildlife. As explained earlier, Snowy Plover habitat in CA was greatly expanded in 2011 and according to the Federal Register does not include any areas in or around Corcoran Lagoon or surrounding beaches. The closest Snowy Plover habitat is north of Santa Cruz or South in Aptos.

Existing Off-Leash Areas, Rules, and Regulations

Here are a few beach or open space communities that have adopted off-leash initiatives, more examples can be provided upon request:

LOOLA Off Leash Policy Proposal

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Santa Cruz City – Mitchells Cove

Dog Regulations

Dogs allowed off leash in undeveloped areas of the park as specified below;

1. Sunrise to 10a.m. – 4p.m. to sunset
2. Dog owners must clean up their dog's defecation !
3. Dogs must be on a leash at all other times

Santa Barbara County

Off Leash Areas and Rules.

Info taken from: <http://www.countyofsb.org/parks/parks01.aspx?id=9228>

Section 26-49.1 of the County Code also permits off-leash canine play areas in our parks and county recreation areas under certain conditions, and in recent years County Parks has worked with owner groups to develop inviting play areas throughout the county. These range from Woof PAC Park at Waller Park in Santa Maria to Arroyo Burro Beach in Santa Barbara to Toro Canyon Park near Carpinteria. Our goal always is to work collaboratively with dog owners and park neighbors so that these canine play areas are well maintained, safe for dogs and people, and do not unduly add to noise or congestion. County Parks is currently working to develop new canine play areas, upgrade existing ones in our regional parks, and encourage more partnerships with dog owners.

Arroyo Burro Beach Park

Located at 2981 Cliff Drive, this county park is the portal for the best known off-leash spot in the Santa Barbara area. Dogs are required to be on leash through the parking lot and bathing beach until, passing Arroyo Burro Slough, dogs are welcome to run free and cavort in the Pacific Ocean surf below the city's Douglas Family Preserve. Self-service dog wash stations provided by Whipples, Inc.
Hours: Daily from 6:00 AM to Sunset

Tucker's Grove Park

Our newest fenced off-leash area at Kiwanis Meadow is now open all hours the park is from 8:00 a.m. to sunset. The new play area is at the eastern end of the park, and is near ample parking and a public restroom. This area also provides easy access to the San Antonio Creek Trail, a mostly shaded 1.5-mile route that heads northeasterly to a trailhead at CA Route 154. Tucker's Grove County Park is located at intersection of Turnpike and Cathedral Oaks Roads.

Sea Lookout Park in Isla Vista

Sweeping views of the ocean from bluff top, with artistic, oversized cedar seating structures. Unenclosed lawn area. Located at Del Playa Drive at Camino del Sur.
Hours: Monday through Friday from 8:00 AM to 10:00 AM, and 4:00 PM to Sunset

Toro Canyon County Park

Located at the entry to this 74-acre wooded park, the off-leash canine play area consists of a fenced lawn area shaded by oak trees. Parking and restroom immediately adjacent. Address: 576 Toro Canyon Park Road.

LOOLA Off Leash Policy Proposal

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Hours: Daily from 8:00 AM to 10:00 AM, and 4:00 PM to Sunset

Tabano Hollow Neighborhood Open Space

Fenced lawn area with trees, drinking fountain, and benches.

Hours: Daily from 8:00 AM to 10:00 AM and from 3:00 PM to sunset

Patterson Neighborhood Open Space

Unfenced lawn area located at University Drive and Calle Aparejo.

Hours: Monday through Friday from 8:00 to 10:00 AM

W.O.O.F Pac Park at Waller Park

Located in the flagship Waller Park in Santa Maria, this 3-acre canine play area features fenced lawn areas for large and small dogs, double entry gates, canine drinking fountains, and benches for seating. Restrooms and Whipples self-service pet spa located nearby. W.O.O.F. stands for "Winners Of Off-leash Freedom."

Hours: Daily from 8:00 AM to Sunset

This dog park is will be closed periodically on Thursdays for maintenance.

Orcutt Community Park, Orcutt

Our newest canine facility opened in Spring 2009 at this new regional park in the Rice Ranch section of Orcutt. This fenced canine play area is about 2.5 acres in size and features small and large dog areas, dog water fountains, and benches for dog owners and friends.

Hours: Daily from 8:00 AM to Sunset

NOTE: These rules may change as circumstances require. They will be prominently posted at each site.

- All of the rules in Santa Barbara County Code 26-49 and 49.1 apply to the use of any designated off-leash area.
- Dogs must be under the voice control of their caretaker.
- Leaving dogs unattended is prohibited. Owner/caretaker must be with dogs.
- No more than 3 dogs per responsible adult (caretaker) allowed per visit.
- Owners must carry a six-foot leash at all times, one for each dog.
- Young children must be closely supervised.
- Owners must clean up after their dogs.
- Dogs with a known history of dangerous behavior are prohibited.
- Aggressive dogs must be muzzled or removed.
- Dogs must be leashed until they are in the posted off-leash area & upon leaving the posted off-leash area, using a six-foot leash. Park users & dog owners assume all risk related to park use.
- The park is open to all park users.
- Puppies less than 4 months of age are prohibited.
- Dogs in heat are prohibited.
- Off-leash usage will be monitored with the assistance of local volunteers, DogPAC members, and County Parks staff.
- Each dog must wear a collar with identification and valid license attached at all times while in

an off-leash area.

- Dogs must have current vaccinations.

SB Co. Ord. 26-49.1

Long Beach

Info from: <http://batedogs.org/beach.html>

ROSIE'S DOG BEACH RULES/LAWS

1. Only one dog per adult. If you have two dogs, please bring an adult friend with you.
2. No dog shall be outside the orange traffic cones without its master on a leash. The cones outline the off-leash area.
3. Wear collar and registration tags at all times.
4. Dogs are not allowed to walk on the bike path (only to cross it).
5. Enter the off-leash area only between the two yellow flags on metal poles at the parking lot.
6. No aggressive dogs.
7. Hours are 6 a.m. to 8 p.m., daily.

More rules for Rosie's:

DOGS ARE NOT permitted on the beach at any time other than the scheduled hours, or at any place other than Rosie's Dog Beach. Each dog must be under the control of an adult, and only one dog per adult is permitted. The dog must be under visual and voice control by the owner at all times. The dog owner shall use a suitable container or instrument to remove dog waste and shall dispose of it in waste containers provided for that purpose. Aggressive dogs are not permitted.

DOG OWNERS ARE entirely responsible for their dog's actions, and accept the risk of allowing their dog to interact with people, other dogs, existing beach conditions, and City vehicles.

LEGAL RESPONSIBILITY

Owners are legally responsible for any injury caused by dogs. All dogs must wear a collar with current tags. Dogs must have current vaccinations, tags and be licensed (a current license from any jurisdiction is okay. (For instance, a dog from Lakewood should be registered with Lakewood Animal Control and must be wearing the dog tag provided by Lakewood Animal Control). Children shall be accompanied by an adult during Rosie's Dog Beach hours. Notwithstanding any other Ordinance or Rule of the City of Long Beach, dogs may be permitted, during the below mentioned times of day, on that part of the beach of the City of Long Beach bounded between the halfway point between Argonne and St. Joseph Avenues (the eastern boundary) and the halfway point between Roycroft and Quincy Avenues (the eastern boundary) from the waterline to the designated boundary markers located approximately 60 yards from the water line (the northern boundary) to be designated by appropriate posting by the Department of Parks, Recreation and Marine. Dogs are permitted on this designated part of the beach for the purpose of exercise. The hours that dogs may be so on the beach shall be set at the discretion of the Director of the Department of Parks, Recreation and Marine. Permission for dogs to be on this designated area of the beaches of the City of Long Beach may be revoked at any time by the Director of the Department of Parks, Recreation and Marine by appropriate posting at the designated area mentioned above.

With regard to said use of this designated part of the beach of the City of Long Beach:

- A. The dog exercise area must be accessed from adjacent parking lot in 90-degree angle to the

- marked boundaries of the dog exercise area.
- B. Each dog must be under the control of an adult, and only one dog per adult is permitted. The dog must be under visual and voice control by owner/guardian at all times. Dogs that do not respond to voice commands are not permitted.
- C. All dogs must wear a collar with current tags.
- D. All dogs must have current vaccinations and licenses.
- E. As a condition of admission to such dog exercise area, the owner/guardian of such dog shall use a suitable container or instrument to remove dog feces and shall dispose of it in waste containers provided for that purpose.
- F. Aggressive dogs are not permitted. Owners are legally responsible for any injury caused by their dogs.
- G. Dogs shall not be left unattended.
- H. Dogs under four (4) months old are not permitted.
- I. Female dogs in heat are not permitted.
- Professional dog trainers may not use the dog exercise area to conduct classes or individual instruction.
- J. Children shall be accompanied by an adult and shall not run, shout, scream, wave their arms, or otherwise excite or antagonize dogs.
- K. Bicycles, roller blades, roller skates, skateboards, strollers, and the like, are not permitted. Wheelchairs and other aids for the disabled are permitted.
- L. Spiked collars on dogs are not permitted.
- M. The owner/guardian of a dog must have in his/her possession a leash for the dog which shall be worn by the dog at all times that the dog is ingressing/egressing the dog exercise area.
- N. Dog owners/guardians shall provide drinking water for their dogs.
- O. No food of any kind is permitted in the dog exercise area during the designated hours.
- P. Dog owners/guardians shall otherwise comply with all rules governing the beaches and relevant parking regulations.
- Q. No one shall play any team sport including but not limited to football, baseball, soccer, rugby and volleyball during the designated dog exercise hours. The use of a frisbee or a small, retrievable ball is permitted.
- R. Use of the dog exercise area by the dog shall constitute implied consent of the dog's owner to all regulations and shall constitute a waiver of liability to the City of Long Beach and an agreement to protect, defend, indemnify, and hold harmless the City of Long Beach, its officials and employees for any injury or damage caused by a dog when the dog is not on a leash.

Rosie's Dog Beach Enforcement

DOG OWNERS WHO FAIL to comply with the regulations set forth by Ordinance may be cited. Citations may be written by: Animal Control Officers, Police Officers, Marine Patrol Officers, Park Rangers and/or Lifeguards.

Carmel

MOST PET-FRIENDLY CITY

How Carmel Positions Themselves for Dog-Friendly Tourism

"Dogs rule in Carmel! While sandy beaches and open expanses are dream destinations for dogs, Carmel also features many indoor places for locals and visitors traveling with their four-legged companions..."

<http://www.carmel.com/>

Carmel - Wikipedia

"Carmel-by-the-Sea is an exceptionally dog-friendly city. Most hotels allow dogs to stay with guests. Almost all restaurants that offer outside dining allow dogs in those areas, with most of them also offering water. A few have special "doggie menus." Many retailers allow dogs to accompany their owners in their stores and many have treats available. Water bowls and dog biscuits can also be found in front of many stores. Dogs are not permitted, however in Devendorf Park (on Ocean Ave. between Junipero and Mission Streets). Dogs must be leashed, except on Carmel City Beach, where they are allowed unleashed if they are under voice command from their owners. The police department takes animal welfare seriously and officers will open cars that contain pets without adequate ventilation or water and will remove the pets and cite the owner.[24]" http://en.wikipedia.org/wiki/Carmel-by-the-Sea_California

Pet-friendly Carmel-by-the-Sea (Hotels, restaurants, beaches)

http://www.carmelcalifornia.com/index.cfm/pet_friendly_carmel.htm

Beaches

Carmel Beach

Ocean Ave and Scenic Rd

Carmel, CA, US 93922

Off-leash hours: 6AM to 10PM

County Parks

Garland Ranch Regional Park: <http://www.seemonterey.com/carmel-valley-california/garland-ranchregional-park-carmel-valley-california>

Opportunities for Pet Tourism in Santa Cruz?

Over 49 percent of U.S. adult leisure travelers consider their pet to be part of the family and 18 percent of U.S. adult leisure travelers usually take their pets with them when they travel.

<http://www.nstravel.org/news/press-kit/travel-facts-and-statistics>

Santa Cruz offers hotels, restaurants, a dog-friendly downtown area.

Why not a beach and a park? Why don't we rival Carmel for 'most pet-friendly town?'

Why Doesn't Santa Cruz Rival Carmel for 'Most Pet-Friendly City'?

Is there Money In Pet Tourism?

For 2011, it estimated that \$50.84 billion will be spent on our pets in the U.S. There are approximately 78.2 million pet dogs in the U.S.

http://www.americanpetproducts.org/press_industrytrends.asp

Huntington Beach

Welcome to Huntington Dog Beach Surf City, California

Following these rules while visiting Huntington Dog Beach will help to ensure that your day is happy and enjoyable for both you and your dog:

- Maintain control of your dog at all times.

- Please pick up after your dog and dispose of waste in the trash cans.
- Under the existing city ordinance, 13.08.070, dogs must remain leashed. For the past several years; however, only unleashed, potentially dangerous dogs have been cited or removed.
- If your dog is new to Dog Beach, take it slow. Keep them on their leash until you can be sure of how they will react to the sand, sea, and especially other dogs and people.
- If your dog has a history of being aggressive toward other dogs or people, Dog Beach may not be the best place for him/her.
- Most important rule of all - HAVE FUN!

Moonstone Beach Humboldt County Ca

Owning a dog brings a great deal of enjoyment but also carries with it a series of responsibilities. If owners are not aware of these responsibilities then communities can grow to dislike the dogs in their areas and anti-dog attitudes can develop.

The following is what we are requesting of dogs owners when they use Moonstone Beach:

- Control your dog - If you don't have good voice control over your dog, keep it on a leash.
- Keep your dog with you - Always know where your dog is and what it is doing. Please don't leave your dog unattended at the beach. If you are out surfing and you left your dog on the beach, obviously your dog is not with you and you cannot control it while you are catching waves.
- Be courteous to other beach users - Not everyone likes dogs and many people do not appreciate other people's dogs approaching them. Please be sensitive and keep your dog away from people who obviously are not interested in your dog.
- Pick up after your dog - Dog poop on the beach is a health hazard and gross. Bring a plastic bag with you every time you go out with your dog and make sure you keep an eye on it so you know when it is defecating so you can pick up after it.
- If you own an aggressive dog, keep it on a leash and away from other dogs and people.
- Think twice about bringing your dog to the beach if you won't or can't be responsible for it while it you are using the beach. The other beach goers will really appreciate dog owners cooperation with the requests above. Please take ownership of this beach; it belongs to all of us. If we can just remind each other to do the right thing, everyone can enjoy the beach together and eliminate bad experiences due to irresponsible dog owners.

What area is LOOLA requesting for this off-leash initiative?

LOOLA is requesting the below area to become a new off-leash dog area from sunrise to 10am and after 4pm to sunset 7 days a week.

LOOLA is ready to work with Santa Cruz County to recommend a set of off-leash rules and sponsor stewardship for this Live Oak beach resource for sustainability.

LOOLA wants this program to work and does understand that change will take time in regards to communicating to visiting or local dog owners that bad behaving dogs will not be tolerated.



Why is this important to the community?

LOOLA selected exemplar comments from the petition to let the community speak for itself.

14:10, Apr 02, Name not displayed, CA

We need to be able to compromise on this issue. Residents with and without dogs need to be able to enjoy this stretch of beach. There are many, many, many places to go without a dog. There are very few (and shrinking) places you can go with a dog off-leash. I am a PROPERTY TAX PAYER / homeowner in Live Oak. Santa Cruz, CA

19:13, Mar 26, Janet Hope, CA

Because my health and my dogs health are so important to me. Dogs need to be able to run loose and play, interact with other dogs. It is equally important socially for dogs and their owners! It is community!

13:47, Mar 26, lucinda swan, CA

My family and I live in Santa Cruz. Taking our dogs to the beach is a healthy fun activity for the whole family. Our dogs are an important part of our family. Lucinda Swan

19:06, Mar 20, Ms. Wendy Smith, CA

Why is it important? Because seeing dogs running free on the beach makes me smile big.

21:45, Mar 19, Ms. Madison McDowell, CA

I live in Santa Cruz on the border of Live Oak and I think it is important that our dogs get to run free for

some period of time without leashes. designated hours would be a great idea. thank you.

11:46, Mar 17, Ms. Carole Lindne, CA

Because it brings my dog so much joy to run & play with other dogs. He's 12 years old & we want him to remain healthy and keep his puppy spirit alive. We pick up a minimum of 2 bags of trash every time we go to the beach; in addition to, of course, being responsible about his waste. We CAN share the beach!!

20:50, Mar 10, Ms. deb wine, CA

I recognize the needs of others who would prefer to use the beach without dog interaction and feel that these off-leash hours would be a fair compromise. I would ask that you recognize responsible dog owners needs/desire to use the beach for recreation and enjoyment of its beauty with our dogs. Thank you for considering the needs of all County residents.

19:28, Mar 10, Sita Packer, CA

I have been taking dogs to the beach at 21st Ave. for 17 years. I think it is heartbreaking that the leash law is now being enforced. Both Monterey and Carmel have dogs of leash beaches and they do just fine.

Closing

By practicing and encouraging other community dog owners to follow the principles of good dog ownership and working with the County on various beach projects LOOLA is committed to promoting a cleaner beach experience for all to enjoy. Thank you

Leash Law Advocates of Santa Cruz County
LLASCC (pronounced Lassie)
<http://llascc.weebly.com/>

Statement Concerning Proposals for Off-Leash Areas
15 January 2013

Who We Are

LLASCC represents a diversity of residents from throughout Santa Cruz County. We are dog owners, foster dog owners, former dog owners, and those with no dogs. We support animal welfare, including domestic and wild animals and we support any regulations that foster such welfare. We consider the current county leash law to be the best means to insure the welfare of dogs, public safety and protection of the environment.

We support County Animal Services in the myriad ways they work tirelessly to manage an almost out of control proliferation of domestic animals in the County, especially dogs and cats, whose numbers increase daily. We support their continued enforcement of the County leash ordinance, to provide for public safety and the welfare of all dogs, in all public places (streets, parks, the beach). We support adequate funding so they may do their jobs. To this end, we support increased focus on getting dogs licensed, since less than 15% of dogs in the county are licensed, leaving most pet owners as part of the problem and not contributing to a solution.

We oppose the establishment of off-leash hours at County beaches and support, instead, additional fenced dog off-leash play areas, where appropriate.

The Animal Services Authority Board Recommendation

LLASCC wholeheartedly supports the ASA recommendation for off-leash dog play areas, passed unanimously by its Board of Directors on 13 August 2012, after two separate public hearings and four hours of testimony. The ASA Board realized that it is not in the business of land use planning and was therefore not equipped to consider a proposal for off-leash hours at local beaches. In its recommendation, sent to the Chair of the County Board of Supervisors on 15 October 2012, the ASA Board wisely reiterated exactly the purpose of the Animal Shelter's mission; that is "to provide animal rescue, regulation and humane care that protect the health, public safety and welfare of people and animals in Santa Cruz County."

Since the ASA Board is a Joint Powers Authority and serves the County of Santa Cruz, City of Santa Cruz, City of Scotts Valley, and the City of Watsonville, with representatives from each of the participating jurisdictions, their unanimous vote is particularly meaningful.

Specifically, the ASA Board vote was on the following motion that (emphasis added):

- reaffirms our continued commitment to current leash laws as stated in the County's code;
- supports the designation and maintenance of off-leash areas where they are enclosed or otherwise fenced or confined to effectively ensure public safety as well as address land use requirements and environmental safeguards;

Attachment 2

- makes it clear that ASA has no jurisdiction regarding the designation of these off-leash areas and that we take no position on designating specific off-leash areas within their jurisdictions but that we request that at an appropriate time, that the jurisdictions consider the possibility of examining enclosed or otherwise fenced or confined off-leash areas in the future which recognize public safety, environmental well being and the well being of the animals.

Opposition to Off-Leash Hours at County Beaches

An organized group of dog owners is lobbying Santa Cruz County government to allow dogs to run off-leash on County beaches. In response to renewed enforcement of long-standing County dog leash laws, some dog owners are demanding special consideration and exception from leash laws to allow them to let their dogs run loose on County beaches.

Leash laws for dogs in Santa Cruz County are specified in Title Six, Sections 6.04 to 6.24 in Santa Cruz County Code.

Title 6. Animals. Sections 6.04 to 6.24.090

6.12.020 Leash required for dogs off premises.

It is unlawful for the owner of any dog, whether licensed or unlicensed, to permit or allow such dog to be away from the premises of its owner at any time if not under actual physical restraint or control, such as a leash, tether, or in the grasp of a person. (Ord. 4490 § 4, 1998; Ord. 3728 § 20, 1986; prior code § 8.05.401; Ord. 1371, 10/29/68; Ord. 1447, 7/25/72; Ord. 2170, 8/19/75)

6.12.080 Animal defecation prohibited where.

It is unlawful for the owner of any animal to allow or permit such animal to defecate on any public property or improved private property, other than that of the owner. It is the responsibility of the animal's owner to properly dispose of any solid waste resulting from an act in violation of this section. (Ord. 4490 § 5, 1998; prior code § 8.05.420; Ord. 2170, 8/19/75)

County Code is very specific in not allowing dogs off-leash anywhere in the County, at any time. In order to allow off-leash dogs on County beaches, the County would have to amend Section 6.12 to provide for specific exceptions. Such an amendment would provide argument for weakening County Code to allow off-leash dogs to run throughout the County at any time. Such an exception would become a precedent that could be used to further weaken the leash law.

Furthermore, Santa Cruz County beaches are part of the **Monterey Bay National Marine Sanctuary**, and, as such, are under the jurisdiction of state and federal laws with regard to threatened and endangered species and wildlife harassment in United States Marine Sanctuaries.

United States Code of Federal Regulations, Title 15, Part 922

Section 922.132 Prohibited or otherwise regulated activities.

Except as specified in paragraphs (b) through (e) of this section, the following activities are prohibited and thus are unlawful for any person to conduct or to cause to be conducted:

5. Taking any marine mammal, sea turtle, or bird within or above the Sanctuary, except as authorized by the Marine Mammal Protection Act, as amended, (MMPA), 16 U.S.C. 1361 et seq., Endangered Species Act, as amended, (ESA), 16 U.S.C. 1531 et seq., Migratory Bird

Treaty Act, as amended, (MBTA), 16 U.S.C. 703 et seq., or any regulation, as amended, promulgated under the MMPA, ESA, or MBTA.

Take or taking means:

(1) For any marine mammal, sea turtle, or seabird listed as either endangered or threatened pursuant to the Endangered Species Act, to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect or injure, or to attempt to engage in any such conduct;

(2) For any other marine mammal, sea turtle, or seabird, to harass, hunt, capture, kill, collect or injure, or to attempt to engage in any such conduct.

Allowing dogs to run loose on County beaches enables harassment of wildlife, which is specifically forbidden by federal law. National Marine Sanctuary guides for public use of beaches within National Marine Sanctuaries specifically address problems caused by allowing dogs to run free within the Sanctuaries.

From the National Marine Sanctuaries web page:

<http://sanctuaries.noaa.gov/protect/oceanetiquette.html>

Wildlife and pets don't mix

"Wild animals can injure and spread diseases to pets, and in turn, pets can harm and disturb wildlife. For example, wild animals recognize dogs as predators and quickly flee when they see or smell dogs. If you are traveling with a pet, always keep them on a leash and away from areas frequented by marine wildlife.

"The Monterey Bay National Marine Sanctuary is home to endangered and threatened species under the federal Endangered Species Act and the California Endangered Species Act. Enforcement of both federal and state Endangered Species laws in the Monterey Bay National Marine Sanctuary is conducted by the California Department of Fish and Game."

County General Plan/Local Coastal Program

The following sections of the County's Local Coastal Program (LCP) of its General Plan clearly demonstrate that dogs on County beaches, especially within the boundary of the Monterey Bay National Marine Sanctuary (MBNMS), must be on-leash at all times. In some cases, dogs may be prohibited from beach areas (environmentally sensitive habitat areas) where the endangered Snowy Plover nests, leashed or not (5.3.2).

Without an amendment of its LCP, the Board of Supervisors may not legally change its current on-leash ordinance with regard to County beaches. Since all bird life of the MBNMS is not static, the entirety of the Sanctuary water/land interface is wildlife habitat that requires protection (Objective 5.1).

We direct your attention to the pertinent sections of the County's LCP.

**GENERAL PLAN AND LOCAL COASTAL PROGRAM
for the COUNTY OF SANTA CRUZ, CALIFORNIA**

12/19/94

BIOLOGICAL RESOURCES

Objective 5.1 Biological Diversity

(LCP) To maintain the biological diversity of the County through an integrated program of open space acquisition and protection, identification and protection of plant habitat and wildlife corridors and habitats, low-intensity and resource compatible land uses in sensitive habitats and mitigations on projects and resource extraction to reduce impacts on plant and animal life.

Policies

5.1.1 Sensitive Habitat Designation

(LCP) Designate the following areas as sensitive habitats: (a) areas shown on the County General Plan and LCP Resources and Constraints Maps; (b) any undesignated areas which meet the criteria (policy 5.1.2) and which are identified through the biotic review process or other means; and (c) areas of biotic concern as shown on the Resources and Constraints Maps which contain concentrations of rare, endangered, threatened or unique species.

5.1.2 Definition of Sensitive Habitat

(LCP) An area is defined as a sensitive habitat if it meets one or more of the following criteria:

(e) Areas which provide habitat for rare or endangered species which meet the definition of Section 15380 of the California Environmental Quality Act guidelines.

(f) Areas which provide habitat for rare, endangered or threatened species as designated by the State Fish and Game Commission, United States Fish and Wildlife Service or California Native Plant Society.

(See Appendix B for a list of specific habitats and/or species.)

5.1.6 Development Within Sensitive Habitats

(LCP) Sensitive habitats shall be protected against any significant disruption of habitat values; and any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Reduce in scale, redesign, or, if no other alternative exists, deny any project which cannot sufficiently mitigate significant adverse impacts on sensitive habitats unless approval of a project is legally necessary to allow a reasonable use of the land.

5.1.7 Site Design and Use Regulations

(LCP) Protect sensitive habitats against any significant disruption or degradation of habitat values in accordance with the Sensitive Habitat Protection ordinance. Utilize the following site design and use regulations on parcels containing these resources, excluding existing agricultural operations:

(d) Prohibit domestic animals where they threaten sensitive habitats.

5.1.10 Species Protection

(LCP) Recognize that habitat protection is only one aspect of maintaining

biodiversity and that certain wildlife species, such as migratory birds, may not utilize specific habitats. Require protection of these individual rare, endangered and threatened species and continue to update policies as new information becomes available.

Objective 5.3 Aquatic and Marine Habitats

(LCP) To identify, preserve and restore aquatic and marine habitats; to maximize scientific research and education which emphasizes comprehensive and coordinated management consistent with the mission of the Monterey Bay National Marine Sanctuary; and to facilitate multiple use and recreation opportunities compatible with resource protection.

Policies

5.3.1 Support the Monterey Bay Sanctuary

(LCP) Support the mission of the Monterey Bay National Marine Sanctuary to facilitate long-term management, protection, understanding and awareness of its resources and qualities.

5.3.2 Protecting Shorebird Nesting Sites

(LCP) Discourage all activities within 100 feet of shorebird nesting sites during nesting season (March-July). Prohibit dogs from beaches having nesting sites.

Programs

(LCP) f. Enforce leash laws to the fullest extent possible. (Responsibility: Board of Supervisors, law enforcement agencies.)

Challenges to Allowing Off-leash Hours on County Beaches

There exists a body of law that must be obeyed in order for any proposed amendments to the current County dog leash ordinance to move forward. The pertinent laws consist, at a minimum, of:

1. The National Marine Sanctuary Act (enforced by NOAA and the CA Dept. of Fish & Game.)
2. The Federal Endangered Species Act (enforced by the US Fish & Wildlife Service)
3. The CA Endangered Species Act (enforced by the CA Dept. of Fish & Game)
4. The California Coastal Act
5. The Local Coastal Program (LCP) of the County's General Plan, (overseen by the CA Coastal Commission)
6. Current County Code: Title 6.12.020 and 6.12.080 (enforced by the County)

This is not a simple issue; it is complex and it will take a lot of time and money from an already stretched County budget in order to create legally sanctioned off-leash use of the beaches of the Monterey Bay National Marine Sanctuary. Keep in mind that the Sanctuary includes the shoreline (its boundary defined in the Act that created it). Additionally, the CA

Department of Fish & Game monitors up to another 1,000' inland of that boundary.

To change the current ordinance and therefore the LCP component of the County's General Plan would require, at a minimum, the following:

1. An initial environmental impact assessment (EA) of the proposed leash law amendment that must be rigorous, not perfunctory. Such an EA would no doubt lead to a full Environmental Impact Report (EIR) under CEQA because of the endangered species habitat at the beach and also because of the *cumulative impact* of creating precedent setting use that may well spread up and down the coast of the Monterey Bay Sanctuary.

2. An application for amending the LCP, from the CA Coastal Commission, which may initiate a requirement for a development permit because of an increase in the "intensity of use."

3. An Incidental Take Permit application to either the CA DF&G and/or the USFWS.

Keep in mind that the following subjects are **not relevant** in either an EA or an EIR and will not be included in either:

How much we love our dogs.

How much dogs need exercise.

How much dog owners will benefit mentally, emotionally, or physically.

Whether or not dog owners are a "special interest group."

However, the following would be required in either an EA and/or an EIR:

1. Alternative analysis of off-leash play areas at County inland parks that can meet the objectives of the proposed project.

2. Mitigation of continued harm to Snowy Plover habitat.

3. An assessment of the cumulative impact of creating off-leash dog parks at beaches of the Monterey Bay National Marine Sanctuary other than those currently proposed.

4. Description of endangered species and their habitats including the impacts of current off-leash dog use (more than just the Snowy Plover)

5. Description of anticipated further habitat degradation due to the proposed LCP amendment.

To substantiate the requirement for a CEQA document for any proposal to allow off-leash dog hours on County beaches, review the following court decision** from 2005, regarding deficiencies of another environmental document that dealt with off-leash dog hours at Lighthouse Field State Beach (emphasis added):

CERTIFIED FOR PUBLICATION
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT H027491
8/10/05

On appeal from the denial of the writ petition, appellant Beach Rescue argues that (1) the initial study is inadequate because it failed to adequately describe the environmental

setting and evaluate the environmental impacts of unleashed dogs at Lighthouse Field State Beach, (2) the City's approval of the amended plan and adoption of a negative declaration was improper because it could be fairly argued, based on substantial evidence, that "the project may have a significant effect on the environment," and (3) the City's deferral of unleashed dog issues to future environmental review resulted in prohibited "piecemeal" environmental review.

We reverse.

CEQA

"CEQA embodies our state's policy that 'the long-term protection of the environment . . . shall be the guiding criterion in public decisions.'

Under CEQA, a "project" includes "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...

"An activity directly undertaken by any public agency," such as "the adoption and amendment of local General Plans or elements thereof," may be a "project."

It is undisputed that the adoption of the revised general plan for LF State Beach is a "project" within the meaning of CEQA.

Section 21060.5 defines "environment" as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance."

Negative Declaration must be based on an analysis that uses CEQA guidelines.

Cumulative Impact: "When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. 'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

The lead agency must prepare an EIR if it "is presented with a fair argument that a project may have a significant effect on the environment," even where it is also "presented with other substantial evidence that the project will not have a significant effect."

****These comments are lifted from the first 9 pages of the 44 page Appeals Court decision for reversal of the Superior Court's finding for the City of Santa Cruz.**

LLASCC Summary/Recommendations

Since dogs running off-leash pose a threat of harassment to marine wildlife, including state and federally listed endangered and threatened species, on beaches within the Monterey Bay National Marine Sanctuary, we recommend that the County not allow any dog off-leash hours on County beaches. Such a sanctioned activity contradicts state and federal laws and long established Santa Cruz County Code. Granting exception for off-leash dogs on County

beaches would place the County in opposition to state and federal regulatory agencies.

We do support the establishment of off-leash dog areas in existing inland parks, such as the Chanticleer Avenue and Jose Avenue parks. These areas would be fenced, with an entrance gate, thus assuring safety for both dogs and their owners as well as other park users.

Dog owners can already use the beaches 365 days a year, at all hours of the day, if their dogs are leashed. We think that time and funds would be better spent on enhancing single-use dog play areas in existing inland County parks, scattered throughout neighborhoods where people and dogs live.

Respectfully submitted,

Michael Lewis
Jean Brocklebank
Leash Law Advocates of Santa Cruz County

**SANTA CRUZ COUNTY ANIMAL SHELTER
BOARD OF DIRECTORS MEETING**

Minutes of Monday, August 13, 2012, 3:00 PM
Board of Supervisors Chambers, Fifth Floor
701 Ocean Street, Santa Cruz, CA 95060

VOTING KEY: M = Mauriello, P=Phares, Md = Maldonado, Sh= Shull, Ma = Martinez, We =
Weiss, Br= Bradley; R=Ridgway

First initial indicates maker of motion, second initial indicates the "second"; upper case letter = "yes"
vote; lower case letter = "no" vote; () = abstain; // = absent

Call to Order and Roll Call: Chairperson Shull called meeting to order at
3:04pm,

Introductions: none

Late Addition or changes to agenda: none

ORAL COMMUNICATION – six people spoke regarding items not on the regular
Agenda.

5.0 CONSENT AGENDA

Approved minutes of the June 11, 2012 Board meeting

Accepted reports of GM and Management Team for June 2012 and July 2012

Accepted stats for June 2012 and July 2012

Approved new veterinarian position

Approved 2012 Conflict of Interest Code biennial notice.

Accepted and approved quarterly reports for all claims under \$10,000

Approved gross pay adjustment for Animal Health Technician

Board Action on Consent Agenda – WeMaBrPMRMdSh

6.0 REGULAR AGENDA

6.1 Approved financial reports for the months of June 2012 and July 2012

Board Action on Regular Agenda – MWeBrMaPRMdBSh

6.2 Dogs off Leash Areas: Motion by Martinez second by Weiss to accept the staff
recommendation, Mauriello requested to modify the motion which was accepted
by the first and the second as follows, Motion to review of our current policies
regarding leash law requirements and request that the Chair of the ASA Board
send a carefully worded letter to the Mayors and the Board Chair which:
reaffirms our continued commitment to current leash laws as stated in the
County's code;

that we support the designation and maintenance of off-leash areas where they
are enclosed or otherwise fenced or confined to effectively ensure public safety as
well as address land use requirements and environmental safeguards; and
that it makes it clear that ASA has no jurisdiction regarding the designation of
these off-leash areas and that we take no position on designating specific off-leash

areas within their jurisdictions but that we request that at an appropriate time, that the jurisdictions consider the possibility of examining enclosed or otherwise fenced or confined off-leash areas in the future which recognize public safety, environmental well being and the well being of the animals.

Board Action on Regular Agenda – MWeBrMaPRMdSh

Meeting adjourned at 4:40 pm. Next regular meeting is scheduled for 10/15/2012 at 3pm.

Executive Session – ASA Board closed session for personnel evaluation – Melanie Sobel, General Manager



Santa Cruz County Animal Shelter

2200 7th Ave., Santa Cruz, CA 95062
580 Airport Boulevard, Watsonville, CA 95076
Phone: (831) 454-7200 Fax: (831) 454-7210

Melanie Sobel
General Manager

October 15, 2012

The Honorable Supervisor John Leopold
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz, CA 95060

RE: *Designation and Maintenance of Off-Leash Dog Areas*

Dear Supervisor Leopold:

This past spring and summer, the Santa Cruz County Animal Services Authority Board (ASA Board) heard from dozens of residents about the availability of off-leash dog areas in the county. Over two meetings and nearly four hours of public testimony, the ASA Board heard arguments about the positive and negative impacts of off-leash dog areas on animal behavior and health, the environment and wildlife, and the lifestyles of families. It is clear that this is a complicated community issue with considerable passion on both sides.

Ultimately, although urged to make recommendations on the designation of off-leash dog areas in the county, the ASA Board decided to take no action.

The ASA Board is firmly committed to upholding local leash laws yet we also recognize the positive social value of off-leash areas to dogs and their families, if there are proper controls on these areas, including fencing and enclosures, to ensure public safety and provide adequate environmental safeguards. Further, the ASA Board recognizes the complexity of local land use decisions and takes no position on designating specific areas within any jurisdiction. We believe that at a time you determine is appropriate you may wish to consider expanding opportunities for fenced off leash areas that address your community's needs and which recognize public safety, environmental safeguards and the well-being of the animals.

Thank you for your consideration. If our Board may assist you in this endeavor, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tina Shull', is written over the word 'Sincerely,'.

Tina Shull
ASA Board Chair and
Assistant City Manager, City of Santa Cruz

Cc: Susan Mauriello, County Administrative Officer

City of Santa Cruz • County of Santa Cruz • City of Scotts Valley • City of Watsonville

Attachment 4

October 17, 2013

Dear Commissioners,

Enclosed is the amended LOOLA proposal for off leash access to Live Oak beaches. This revision is the result of research and work completed as part of the Parks and Recreation Committee to address requests for off leash beach access. This amendment to the previously submitted proposal removes many of the structural barriers to implementation and is a pragmatic approach to address the concerns of the county and community stakeholders.

LOOLA contends the county has a responsibility to address the recreational needs of its residents as represented by the nearly 4000 signatures in support of some sort of off leash beach access. Taking off leash dogs to exercise on the beaches of Live Oak is a historical and time-honored cultural activity and is part of the fabric of our community. Moreover, we contend citizens have a right to the responsible use of open space and dog owners have been responsibly using the beaches of Live Oak for generations. We are simply requesting Parks and Recreation recognize and validate this use and place it within a framework that serves the interests and concerns of a majority of beach goers.

The issue of dogs on the beach has been contentious. However, all parties agree the status quo is no longer viable and serves the interests of no one. The definition of insanity is doing the same thing over and over and expecting a different result. Regardless of existing ordinances, it is abundantly clear that a sizable population of residents have decided that off leash use of the beach is a legitimate activity and there is no evidence that this long-term use has had a negative impact outside the scope of other sanctioned activities. Moreover, it is also clear Animal Control Services does not have the resources to impact this use nor are such enforcement strategies effective or desirable against widespread non-compliance. This is a sure indication that current policy no longer reflects community norms or reality.

Too often, vocal and aggressive minorities of users who seem to feel their rights exceed those of their neighbors have stymied progress and responsiveness to the changing needs of our community. This has been the case for skateboarders, Frisbee golfers, and mountain bikers. Like these groups, we simply wish to responsibly share our limited open spaces.

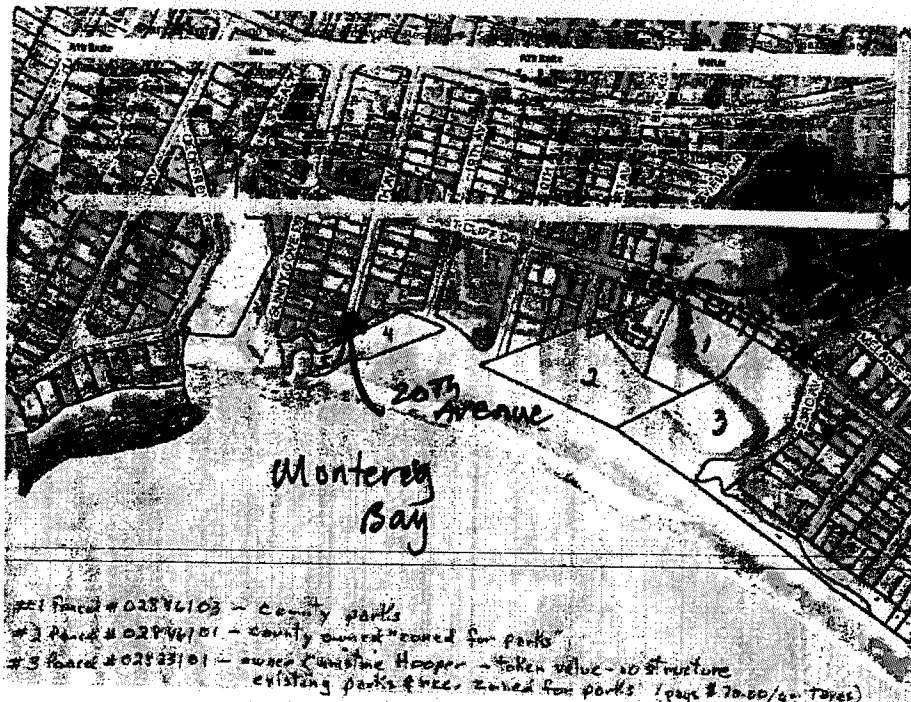
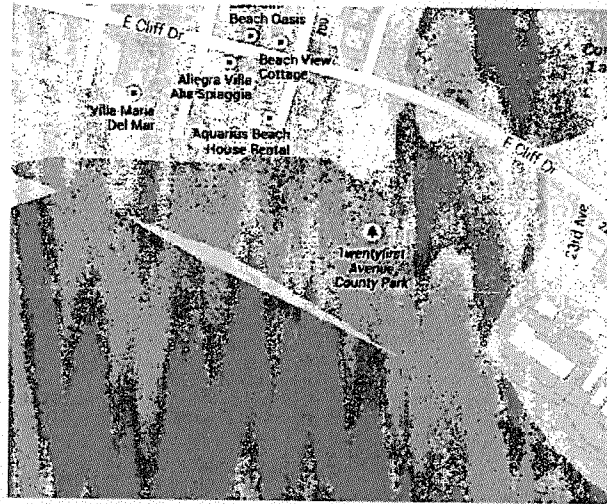
We urge the Commission to endorse the LOOLA proposal and pass it along to the County Board of Supervisors for consideration. Our proposal is clearly within the scope of Parks and Recreation purview and is in step with the expansion of off leash access across the nation.

Sincerely,

Live Oak Off Leash Advocates Steering Committee

Revised LOOLA Proposal 21st Avenue County Park

We propose year-around off leash access to 21st Avenue County Park from sunrise to sunset.



Corcoran
Lagoon

Monterey
Bay

#1 Parcel # 02846103 - County parks
#2 Parcel # 02846101 - County owned "zoned for parks"
#3 Parcel # 02846101 - owner Kristine Hooper - taken value - no structure
existing parks & trees, zoned for parks (page # 70-80/9 - Taxes)

Background

LOOLA's initial proposal for off leash hours on the Live Oak beach from 21st Avenue County Park to Moran Lake Park before 10 am and after 4 pm was based on sharing the space with other beach goers and to distribute the use load over a greater area. Almost 4000 county residents have signed petitions in support of off leash beach access and LOOLA has over 100 members. There is significant support for creating off leash recreational opportunities on county beaches.

Rationale

According to the County and the Coastal Commission staff, the private property along the beach between 25th Ave and Moran Lake would pose huge and possibly insurmountable logistical barriers to any permit

process since each landowner would have to sign-off on any plan and numerous agreements and easements would need to be researched and potentially amended. This would add years and tens of thousands of dollars with a low probability of success.

We require expanded hours to all day because we are greatly reducing the amount of space involved and we need enough hours to distribute use load on the beach. Moreover, some opponents of off leash access have complained designated off leash hours would preclude them from using this particular stretch of Live Oak beach as they pleased. Under our revised proposal people who do not wish to share the beach with off leash users will have access to Moran Lake Park, Sunny Cove, and the public access private beach areas at all times.

It is LOOLA's position that this is a significant compromise and demonstrates our willingness to adjust our proposal based on logistical realities. Our request encompasses less than 5% of the beaches in Santa Cruz County.

Response to the Staff Report

Below we have provided information to be added to that provided in the initial Parks and Recreation Staff report. We feel that a full examination of the facts related to the concerns made by staff and the claims of opponents of off leash access will show the concerns expressed are either unfounded or, in the context of other uses and impacts, irrelevant.

Enforcement Issues

Enforcement Rules for beach use, including leash requirements, are posted on signage at beach access points. Off-leash dogs are witnessed on Live Oak beaches on a regular basis in violation of these rules. As discussed earlier in this report, due to limited resources Animal Control officers operate on a complaint driven basis rather than regular patrols.

Laws, rules, and regulations are not carved in stone and should be designed to serve the interests of the general public. Those interests change over time impacted by changes in culture, human behavior, and the pragmatics of enforcement. The situation at Its Beach and Light House Field as cited in the staff report is the result of the inability of local government to address off leash beach access and put it within a functional regulatory framework that acknowledges existing and well-established use patterns and the limitations of enforcement. People want to, and will continue to, take their dogs to play off leash on the beach and the only viable option is to provide space and time for this legitimate activity. This benefits all parties by separating users groups who may conflict and provides a functional foundation for enforcement by provided reasonable alternative venues for different activities.

There is no evidence to support an outsized harm or negative impacts of off leash activities beyond those caused by authorized uses. Todd Stosuy of Animal Control Services (ACS) has repeatedly stated that they do not have, and are unlikely to have, the capacity to forcibly eliminate off leash use on Live Oak beaches. For that matter, the county has demonstrated it does not have the capacity to control other more destructive and disruptive activities such as illegal fires, camping, lagoon breaching, or alcohol and drug consumption. The presence of dog owners and their animals over the course of day, especially during early morning and evening hours, is a significant deterrent to these other destructive activities.

Off leash activities are permitted in a wide variety of venues and there is nothing in particular about 21st Ave County Park that would preclude changing its designation to an off leash area. Moreover, education for dog owners (and all beach goers for that matter) is a much better use of resources. Responsible users and dog owners within a designated off leash area are much more likely to seek help from ACS for out of control or dangerous people and dogs since they that they will not be targeted along with troublemakers.

In a recent encounter an ACS officer startled some alcohol-drinking beach goers. Then one told the other not to worry about since her was "just looking for off leash dogs." We find this both sad and ironic.

Liability and Public Safety

Liability The County's Risk Manager has expressed grave concern explaining that County is self-insured for the first \$1 million of each tort claim and that the County department must pay this cost if the claim results in an insurance settlement and court judgment.

The issue of county liability as a result of off leash dog activity is rendered moot by AB-265. To wit:

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:
SECTION 1.

Section 831.7.5 is added to the Government Code, to read:
831.7.5.

- (a) A public entity that owns or operates a dog park shall not be held liable for injury or death of a person or pet resulting solely from the actions of a dog in the dog park.
- (b) This section shall not be construed to affect the liability of a public entity that exists under the law.
- (c) "Public entity" has the same meaning as Section 811.2, and includes, but is not limited to, cities, counties, cities and counties, and special districts.

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB265

Concerning the risks to public safety, the potential of being attacked by a dog, let alone being seriously injured or killed, are insignificant in comparison to many daily activities. It is critical that any discussion of the dangers of off leash dogs, or dogs in general, be put in perspective.

Non-Fatal Dog Bites

According to the CDC (Centers for Disease Control) and NCIPC (National Center for Injury Prevention and Control) in a report titled "20 Leading Causes of Nonfatal Injury," there were an estimated 355,073 dog bites that required medical treatment nationally in 2011 (the most recently available statistics). The NCIPC data does not provide any additional information on bite severity or location, however, a survey of bite incidents by the AVMA (American Veterinary Medical Association) reports that two thirds (66%) of all bites occur in the home where the dog lives. Of these incidents in the home, over 70% involve children under 2 years of age, most of whom are known by the dog. The remaining one third (33%) occur in all other areas. Neither the NIH or VMA keep any statistics regarding on-leash vs of-leash incidents.

Based on the above statistics and U.S. Census data from 2010, 1 person per 878 is likely to be bitten in any location. By removing the 66% of incidents that occur in the home the likelihood decreases to 1 incident per 2,631 in all areas outside the home. This includes on-leash incidents as well as off-leash incidents and makes no distinction based on the severity of the bite.

While all bite incidents are extremely unfortunate, any decision on how to address the problem will benefit from some perspective. For example:

- Americans are over 26 times as likely to seek medical attention for a fall.
- Over 13 times as likely to be treated for being struck by a foreign object.
- Nearly 10 times as likely to seek medical attention for overexertion.
- Over 7 times as likely to be treated for a vehicle accident.

In fact, Americans are more likely to be treated for poisoning, assault, cuts, burns and bicycle accidents. The evidence clearly shows that while the number if incidents are not insignificant, they are far below the numbers of a whole host of everyday activities. The evidence does simply not support the theory that dog bite incidents are a major threat to public safety.

Fatal Dog Attacks

According to an exhaustive 2011 study conducted by the NCRC (National Canine Research Council) titled "Investigative Reports of Dog Bite-Related Fatalities, 2011" there were 31 fatalities attributed to dog attacks. While 31 deaths is extremely sad the facts surrounding the incidents tell a consistent story.

- Of the 31 attacks, all but one of them (97%) occurred either on or adjacent to the property where the dog lived.
- 29 (93%) of the victims were known to the dog. Most were family members. Others were neighbors or other visitors to the property.
- 13 (42%) of the victims were children. All occurred on the property where the dog lived and most occurred while the children were left unsupervised with the dog.
- Ten of the victims (32%) were killed by their own dog.
- Only 1 fatality occurred in a public space by dog unknown to the victim. This incident involved a transient who was found dead at his encampment from dog bites.

Interestingly, in 21 of the 31 cases (68%), the dogs were classified as 'Resident Dogs'. The NCRC defines resident dogs as "...dogs..., whether confined within a dwelling or otherwise, whose owners isolate them from regular, positive human interactions. Owners often keep resident dogs isolated on chains, in junkyards, in basements, or allow them to roam unattended. Owners of resident dogs often fail to provide basic humane care for their dogs resulting in animals that suffer from malnutrition or chronic disease or illness."

While shocking, these statistics clearly show the focus of those concerned with public safety should focus on education of both dog owners and the public at large about the dangers of leaving children unsupervised with dogs, and how the lack of socialization with humans increases the risk of fatal attacks dramatically.

Sanitary Conditions and Health Concerns

Sanitary Conditions/Health County Code requires dog owners to pick up and dispose of dog feces. Opponents to off-leash dogs express concern about encouraging additional dog use on beaches and the potential for unsanitary conditions should owners not properly pick up after their dogs.

The impact of dog feces or urine on the beach and ocean are insignificant in comparison to other contamination sources both natural and human generated. Run-off from inland areas and human trash, especially cigarette butts and plastics, are the primary culprits. For example, Save Our Shores picked up 3500 butts on Cowell Beach July 4, 2013.

Excrement Contamination on the Beach

Seagull excrement, along with urban runoff, are the primary sources of contamination of beach sand and shoreline waters with microbes such as Enterococcus, E. coli, Campylobacter, and Salmonella. Using dogs as a deterrent to foraging or nesting seagulls reduced the gull population by 50% in one study, which reduced E. Coli and Enterococcus bacteria in the water by 29% and 38%, respectively. The dogs were managed by owner/handlers, who prevented them from disturbing desirable or protected species, such as piping plovers. (Source: *Journal of Environmental Science & Technology*, August, 2012). Controlling seagulls with dogs is effective in improving water and beach quality. (Source: American Association for the Advancement of Science website, August 31, 2012).

A dog affects the environment only in the course of which behaviors their humans allow. The people who use the beach are the ones who have a positive or negative effect on the environment of that specific beach. Human feces, dog feces, marine mammal feces, and bird guano all have a negative effect when concentrated in small areas. Save-our-Shores Beach Keepers program is based on the hypothesis that local people have already been picking up trash and stewarding the beaches they use. It has been a successful program for that reason. The degree to which the local community uses and takes care of a beach is directly related to the

health of that beach. 21st Ave County Park and surrounding beach are among the observably cleanest in Santa Cruz for just that reason.

Wildlife

Wildlife Santa Cruz County beaches below the mean high tide line are part of the Monterey Bay National Marine Sanctuary. In addition marine mammals and birds are protected by the Marine Mammal Protection Act and Migratory Bird Treaty Act. Santa Cruz County beaches are also known to provide habitat for endangered and threatened species such as the Pacific Coast Western Snowy Plover which nests on sandy beaches. Shorebirds are known to lay eggs in the back beach area of the Corcoran Lagoon beach and when found are seasonally fenced to provide protection of the eggs and chicks. Unfortunately, dogs allowed to run off-leash are also known to chase, harass and harm wildlife. State and federal rules and the County General Plan include extensive regulations and policies to protect sensitive habitats from disruption, including the following:

21st Ave County Park and adjacent beaches have been heavily used as unsanctioned off leash areas for at least 40 years. The protection of nesting shorebirds or other wildlife is required for all activities, not just off leash dogs. Wildlife is plentiful on these beaches by any measure. While the potential for dogs harassing wildlife exists, it is not assured. Humans are more likely to intentionally or unintentionally harass wildlife. Regular observations reveal off leash dogs and other wildlife in and around Live Oak beaches coexisting with little conflict. There is no evidence to support a problem with wildlife harassment or the injury or death of wildlife by dogs on these beaches. This is despite years of heavy use. This is a very urban beach we are considering.

Furthermore, human beings and large heavy equipment moving sand around and lifeguard and State Trooper trucks patrolling the beach in trucks do far more harm than dogs, yet this activity is sanctioned.

If we are truly concerned about wildlife, a major focus of the County should be more on human use than dogs. Currently there are about 4 little "camps" of people who live on 21st Ave County Park beach full time - right at the top edge of 21st Ave County Park next to/underneath the rocks at the back. These people leave trash everywhere, are all drug addicted and use neighbors' yards for their toilets, (most of the "off leash dog people" pick up their dog's poop every time). In addition, they took down the wood on the guardrail to use for a bonfire, and they leave hot coals almost daily.

It is interesting to note that Santa Cruz County has plenty of County resources (Animal Control Services) to ticket off leash dogs causing no harm to wildlife, and NO County resources to help address homeless people living on the beach and polluting it far worse than any dog.

Again, while dogs or any use has an impact on the environment, this impact needs to be in context with other uses and impacts.

Western Snowy Plover/Shoreline Nesting Birds

Moran-Corcoran Beach corridor is not designated as federal critical snowy plover habitat. Loss of snowy plover habitat and population is likely due to coastal development (including inland runoff), predation, and human disturbance. (Source: Andrea Jones, Director, Audubon California's Important Bird Areas Program/Western Snowy Plover Organization, personal communication, February, 2013). In fact, sand-nesting shoreline birds have successfully laid eggs and fledged chicks on Corcoran beach this summer, despite the presence of unleashed dogs.

Tidewater Goby Critical Habitat

Although Corcoran Lagoon is considered "Critical Habitat" in the Recovery Plan for the California Tidewater Goby, the principal threats to that lentic (pond-like) wetland habitat have nothing to do with dogs or any other non-human mammals. The threats include loss of habitat to development, pollution by inland runoff, water diversion, underground water overdraft, creek and/or river channelization, cattle grazing and feral pig activity which increase sedimentation, non-native species which prey on the goby, (e.g., crayfish and bass), drought, and loss of genetic diversity. The goby's habitat is in pond water approximately 9"-36" in depth in the plant life and in undercut bank areas. This habitat is on the mauka side of E. Cliff Dr. from Corcoran and Moran Lakes beaches and does not include the seasonal summer pond which appears once the shoreward sandbar builds up. As dogs do not play in the lagoon itself, they are not considered a threat to the endangered tidewater goby. (Source: Code of Federal Regulations, U.S. Dept. of Fish and Wildlife Service Report "*Endangered and Threatened Wildlife and Plants: Designation of Critical Habitat for Tidewater Goby*" Final Rule issued February 6, 2013.

Attracting Off Leash Beach Goers/Scaring Away Tourists

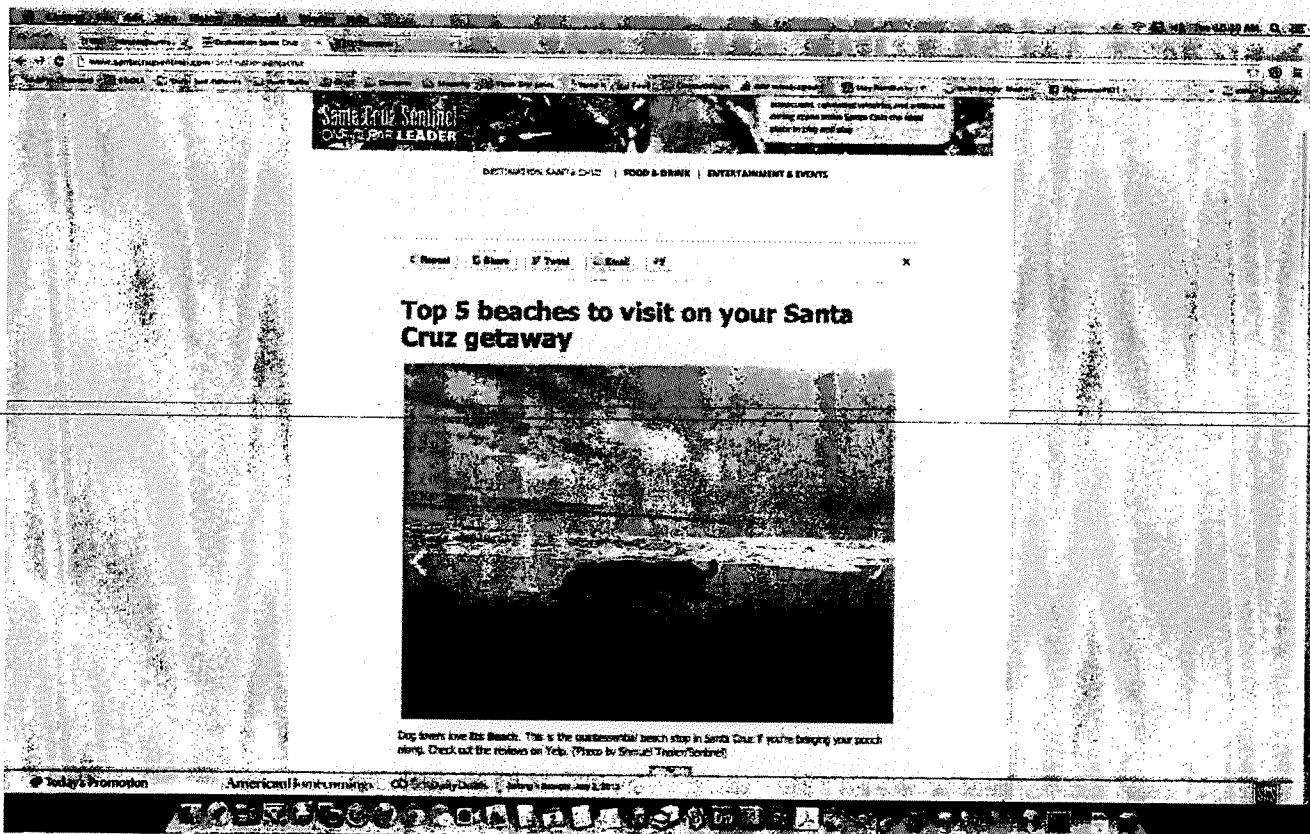
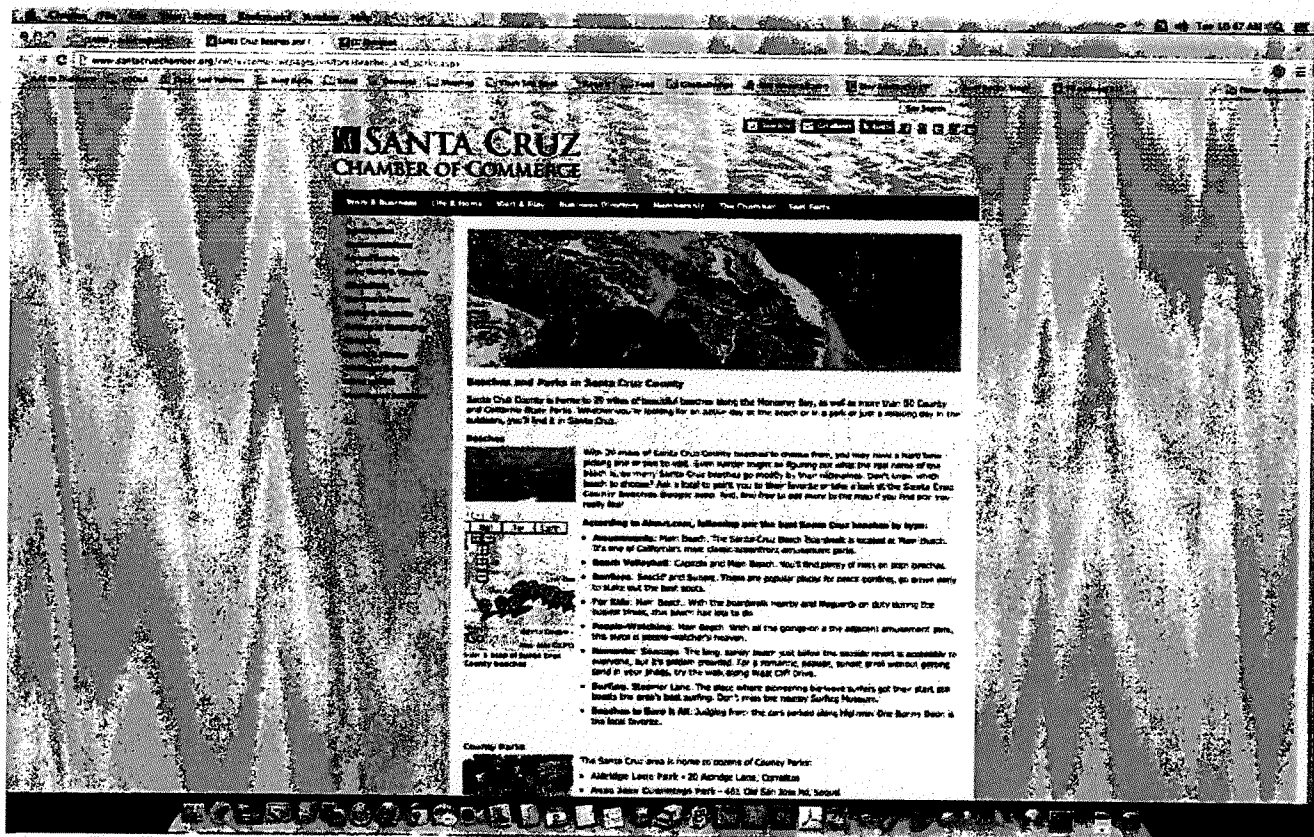
Residents and visitors alike are attracted to the scenic beauty of the Monterey Bay, beach activities, beach wildlife, and the ocean. The number one objection to a change in current leash laws is the safety and comfort of other beach users, followed by environmental and wildlife concerns. While staff understands that if dogs are allowed off-leash on Live Oak beaches, dog owners will be attracted to this stretch of beach from throughout the County and beyond potentially displacing other beach users. For example, many who once enjoyed Its Beach at Lighthouse Field in Santa Cruz will no longer visit that beach because of the large number of off-leash dogs and concern for their personal safety. In addition, off-leash dogs raise environmental and wildlife concerns.

This concern is both ironic and contradictory. The Coastal Act is based on making the coast accessible to ALL people for a wide variety of activities. Not just the people who happen to live next to the beach. Locals have no more of a special right to a beach than those who live on beach have special access rights not afforded by other county residents. Ticketing information form ACS shows people use Live Oak beaches from all over the county and surrounding counties already. People from all walks of life who enjoy many different recreational activities have a right to the responsible use of the beach. The caveat is to do no, or at least as little harm as possible.

Dog owners are a growing economic force. According to a study by the American Pet Products Association, pet businesses are now a \$55.5 billion industry nationally. Americans own about 70 million dogs, according to the American Veterinary Medical Association. Dog owners spend an average \$364 to purchase the animals. Those surveyed spent an average \$700 on their pets annually, not including veterinary surgeries and kenneling. The study said pet owners will spend an average of \$11,000 in the life of an animal.

There are about 20 beaches in the County. The current laws do nothing to dissuade or attract off leash beach goers. Under the current laws, a little boy was hurt by an off leash dog a few months ago. The reason is that no one knows where to go to run her/his dogs. The laws are so inconsistently enforced there is a huge amount of confusion and "urban legend" about what beaches are off leash and which ones are "on leash." This is evidenced by Vacation rentals and realtors who use our great 'off-leash beaches' as selling points. If people knew where a legal off leash beach was, they could decide to frequent it, or select a beach that was not an off leash beach. Its beach, mentioned in this consideration, is a great example. Technically it is an on-leash beach but it is not enforced. If Live Oak were a City beach, would it have the same status? The only way we can truly meet the needs and considerations of beach goers is to clearly demarcate where certain activities are allowed.

For example:





Summary of Leash Law Advocates of S.C. County position on Off-leash dogs on Corcoran Lagoon Beach or any Live Oak Beach

Presented to Parks Advisory Commissioners M. Roberts and J. Lang
at the final ad hoc Committee (on leash and off-leash proposals) meeting

1 October 2013

- 1) LLASCC is opposed to any off-leash dogs on any County beach.
 - 2) Corcoran Lagoon Beach is Sensitive Habitat under the County General Plan and Local Coastal Program. Corcoran Lagoon Beach is designated critical habitat for the endangered Tidewater goby.
 - 3) All Live Oak beaches border on the Monterey Bay National Marine Sanctuary, where disturbance (harassment) of any wildlife is prohibited. Off-leash dogs have been repeatedly observed, photographed and video-recorded harassing birds on Live Oak beaches.
 - 4) Live Oak Beach cannot be fenced to prevent off-leash dogs from leaving an off-leash dog area. This would create an increased safety risk for all beach (park) users.
 - 5) Corcoran Lagoon Beach is contiguous with neighboring residential property, including the Corcoran Lagoon Apartments and the Maria del Mar Retreat and its Peace Park designated for quiet contemplation and meditation.
 - 6) A designated off-leash area on Corcoran Lagoon Beach would result in an intensification of use of that beach, creating substantially increased health and safety risks for all beach users, especially children and the elderly. Intensification of use by off-leash dogs will result in increased exposure to the public to dog feces and urine, and increased introduction of dog feces and urine into the Corcoran Lagoon outflow.
 - 7) There is insufficient parking in the 20th Avenue side street to support an off-leash dog play area. Intensification of use will create traffic conflicts with residents of 20th and 21st Avenues.
 - 8) Live Oak Beach is documented shore bird nesting habitat and documented historical nesting habitat for the Western snowy plover. Other plover species use the area.
-
- 9) Any designated off-leash area (no matter the hours) will require Animal Services enforcement to ensure that off-leash dogs stay within the designated off-leash area. Animal Services has insufficient resources to provide this level of enforcement.
 - 10) Dog owners may now visit any Live Oak County beach with their canine companions 24 hours a day, 365 days a year, as long as the dogs are leashed. This represents equity for all beach users. No one is disenfranchised.

LLASCC Committee Members:

Jean Brocklebank
Gillian Greensite
Dr. Michael Lewis
Grant Weseman, Alternate

Proposal for Off-Leash Dog Park Master Plan

Leash Law Advocates of Santa Cruz County
September 23, 2013

Throughout the United States, county and municipal governments are challenged by the rapidly increasing numbers of pets kept by residents, especially dogs. Santa Cruz County is no exception, with the numbers of dogs and cats in the county exploding, resulting in increased demands on underfunded County agencies such as Animal Services.

The submission of a proposal to the Santa Cruz County Parks and Recreation Advisory Commission by Live Oak Off Leash Advocates (LOOLA) for off-leash hours on Live Oak beaches, and Leash Law Advocates of Santa Cruz County's (LLASCC) position to retain existing County leash laws on County beaches, has created a stand-off between some off-leash dog advocates and leash law advocates, with the Parks and Recreation Advisory Commission caught in the middle. The present Ad Hoc Off-Leash Dog Committee has been tasked with analyzing these proposals and attempting to determine possible resolutions for the conflict to be taken back to the Parks and Recreation Advisory Commission for action.

In attempting to resolve the conflict between the LOOLA proposal and the LLASCC position, however, we find that neither the Commission, the Committee nor the County have any objective, County-wide criteria for evaluating proposals for off-leash dogs parks. Although County Code and the County General Plan and Local Coastal Program contain regulations regarding the presence of dogs in open space and parks in the County, there exists no comprehensive plan to respond to citizen requests for additional off-leash dog park facilities.

LLASCC proposes that the Parks and Recreation Advisory Commission take no action on the present LOOLA proposal, as recommended in the Staff Report. Instead, we recommend that the County initiate an Off-Leash Dog Park Master Plan process, engaging the public in the development of criteria for establishing off-leash dog areas in existing and future parks, excess County properties, or privately acquired properties.

The Off-Leash Dog Park Master Plan would include comparative data on off-leash dog park levels of service in regional and national counties and municipalities, descriptions of existing and planned Santa Cruz County parks with off-leash dog areas, criteria for selection of new off-leash dog park areas, criteria for planning and building off-leash dog park facilities, rules and regulations for off-leash dog parks, identification of potential funding sources, and identification of potential user groups that could work cooperatively with the County in planning, construction and management of neighborhood dog parks (e.g., Chanticleer Neighborhood Association).

Development and implementation of a comprehensive, County-wide Off-Leash Dog Park Master Plan would reduce duplication of effort for County departments and Commissions, provide objective criteria for evaluating future off-leash dog park requests and proposals and ensure that user groups throughout the County would receive consistent responses from County planning agencies.

The following two documents are examples of off-leash dog park planning projects that contain examples of typical considerations in an Off-Leash Dog Park Master Plan.

Bellevue, Washington Off-Leash Area Study
https://www.bellevuewa.gov/pdf/Parks/off-leash_area_study_4-14-09_draft.pdf

California Parks and Recreation Dog Parks Pilot Program
http://www.parks.ca.gov/pages/795/files/dog_park_pilot_program.pdf

Reflections from the ad hoc Committee

M Roberts

I want to thank all the participants of the Committee who took time from their busy lives to discuss, listen, and argue for issues they hold dear. Regardless of one's opinion on the issue at hand, we should all be proud that we are an engaged and passionate Public working within the available system to manage disagreements.

I volunteered for the ad hoc Committee proposed by Commissioner Lang because the beaches under discussion fall within District 1, which I represent, and I felt it was my responsibility to be one of the 2 involved Commissioners.

The Committee was charged with giving a forum for the involved parties to debate their respective proposals/positions in further depth. These Committee meetings, hosted by County Parks staff, created a unique forum for the involved parties to debate issues directly and/or to see if any common ground resolutions were possible. Commissioner Lang and I were then charged with reporting back additional learnings for the benefit of the entire Parks Commission.

Notes for the Commission: What the Committee accomplished:**1. Jurisdiction Clarification**

We clearly established and agreed that the "Live Oak Beaches" as originally defined in LOOLA's proposal do not exist as a single jurisdiction. Instead, as LOOLA reported out at Meeting #2, the stretch of beaches in Live Oak's Pleasure Point area are a complex combination of privately owned easements, 2 actual County-owned beaches, County street-end public access points etc.

Result- LOOLA reworked their proposal to focus on one specific County-owned Beach at 20th Avenue (Reported out and submitted at Meeting #2.)

2. Recognition of lack of Adopted County-wide plan for Off-leash dog areas

We clearly agreed that currently there is no formal County-wide adopted process, other than this type of ad hoc Committee, to establish if a certain site is appropriate for off-leash dogs.

Result- LLASSC submitted to the Committee a proposal for the creation a County-wide Off-Leash Dogs Master Plan with criteria that would guide future land-use debates re: off-leash usage. LOOLA clarified that they support this Proposal only as a parallel track to their current Proposal.

3. Recognition that there are currently many dogs off-leash (regardless of law) on Live Oak-area Beaches

Result- Some Committee members felt enforcement was the primary need, while others felt it was a matter of establishing clarity/providing education for neighborhood residents that for many

years have disregarded the law to no consequence. (LOOLA feels both enforcement and clarity would be simpler if some areas/time were designated as off-leash to lessen the hours of enforcement needed)

3. Passionate, heated, respectful Public Discourse

We sat, talked, debated and argued an issue that is a hot-button issue in jurisdictions across the Country. This passion and intensity is not unique to our community, and I am proud that we all care enough to raise up our Public Discourse rather follow a path of least common denominator.

Result- A clearly defined impasse of 2 parties agreeing to disagree.

To consider:

The number of dogs per household in Santa Cruz County are estimated to be nearly on par with children-under-14 per household. In San Francisco, the number of dogs overall has actually surpassed the number of children. This is a trajectory that does not appear to be changing direction and is likely to increase given the demographic age shifts of retiring Boomers. Animal ownership/companionship is documented to have many health, social and well-being benefits as have been shared by LOOLA members during this process. County Parks would do well to include dog owners in long-term planning as appropriate.

As a result of our Committee process, LOOLA has reworked their Proposal to include a smaller geographic region with greater hourly access. While I applaud their community organizing, flexibility and persistence throughout, I do not think that this Proposal should move forward.

It is my job to weigh specific proposals within the larger ecosystem of funding, existing responsibilities, and pragmatism. Consideration of the current LOOLA Proposal would be costly due to costs of Environmental Review, etc and in my estimation would not result in the successful implementation of their stated goal.

I do support some form of LLASSC's Master Plan proposal (submitted at meeting #3). I also submit for consideration that a special off-leash licensing program could be an essential part of any Plan. In many jurisdictions, an recognizable off-leash tag (or photo card) is given after a dog meets certain criteria for health, temperament, owner's understanding of the law etc. In some places, this is implemented by participating Veterinarians, in others by Animal Services. In all cases, this off-leash permit fee helps to offset the enforcement needed to safely allow the program to co-exist with the general Public.