



# Santa Barbara Audubon Society

*A Chapter of the National Audubon Society*

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Date: March 26, 2018

To: Santa Barbara County Board of Supervisors  
Re: San Marcos Foothills Park Master Plan

Dear Board of Supervisors,

The purpose of this letter is to document serious concerns that the Santa Barbara Audubon Society (SBAS) has with the proposed San Marcos Foothills Park Master Plan, on which you will be voting in your April 3<sup>rd</sup> meeting. SBAS's mission is to connect people with birds and nature through education, science-based projects, and advocacy. SBAS has been a voice for the natural world in the Santa Barbara area for more than 50 years and has over 1,100 members.

SBAS applauds the County for protecting open space and providing passive-use areas for public recreation and enjoyment of the outdoors. We believe that by experiencing nature, more people will be driven to protect it. However, we have major reservations regarding any development of the three land parcels (#s 17, 20, and 21) that will comprise the new San Marcos Foothills Park.

**BROADER CONTEXT:** We first provide some broader context for our concerns:

1. **Park As Gateway.** Given their location (Parcels 20 and 21 on either side of the main Preserve access road, Via Gaitero, and Parcel 17 on both sides of the path that begins just inside the fenced property entrance and provides access to the Preserve's primary hiking trail), the three parcels comprising the new 10-acre Park constitute the de facto "gateway" into the 200-acre San Marcos Foothills Preserve. So, both geographically and ecologically, it is axiomatic that what happens in the Park affects the Preserve.
2. **Park As Conservation Buffer.** Given the intent of the original Preserve property donation to protect open space and biological resources<sup>1</sup>, it is critical that the adjacent entryway "buffer" Park complement and support these goals. These stakes are further heightened by several factors:
  - ***Environmentally Sensitive Habitat.*** The Preserve property is the largest remaining open space in the designated Eastern Goleta Valley "Urban Area" and as such is a precious and irreplaceable natural resource. It encompasses the Atascadero Creek Greenway and Wildlife Corridor—so designated "to emphasize its importance as a wildlife corridor from Goleta Slough to the San Marcos Foothills"<sup>2</sup>, and which lies within a few hundred feet of the three Park parcels, one of which (Parcel 17) also overlaps with Riparian-Corridor-designated land that would be protected under the proposed Eastern Goleta Valley ESH/RC Overlay Map update. The Preserve is home to several hundred diverse plant and animal species. It provides habitat for over 50 designated "sensitive" species of flora or fauna, many of which are State or Federally protected.<sup>3</sup> The three Park parcels themselves encompass at least nine habitat types (riparian woodland corridors, sensitive native flora, coastal sage scrub, oak woodlands, native grasslands, wetlands, raptor/Turkey Vulture roosts, critical wildlife habitat, wildlife corridors) that are considered "environmentally sensitive."<sup>4</sup>

- ***Future “Spillover” Effects.*** The eventual development (“Preserve at San Marcos”) of adjacent private lands that are now being widely (and illegally) used by dog walkers and others will undoubtedly redirect such users onto Preserve property, adding to the existing stresses on its biological resources created by human use, encroaching development, and loose dogs.
3. **Natural Constraints on Park Design Options.** The idiosyncrasies of the component parcels’ shape (asymmetric and variable), topography (rugged, uneven, and mixed habitat terrain, especially Parcel 17), and configuration (lack of contiguity), along with their relatively small size (with Parcel 17 slated to be significantly further reduced by a private easement for stormwater drainage) and lack of protection from sun and wind, seriously limit the type and range of potential Park elements and design features that would be either feasible or appropriate. Our recommendations for several appropriately scaled Park features are provided further below.

**SPECIFIC CONCERNS:** Given the above context, our specific concerns are as follows:

1. **Inadequately Documented Public Input.** The role and weight of the public input received regarding Park design and features is unclear due to the lack of relevant detail in the one-page summaries of both the October 2017 community workshops and the community survey results included in the 12/7/17 Santa Barbara Park Commission meeting Staff Report.<sup>5</sup> For the workshop data, there is no information regarding numbers attending, method of eliciting participant views, questions posed, or weighting of responses—nor is there any indication of public concerns that might have been expressed (which there were). The survey summary does not provide the survey questions, response option format(s), response tallying/weighting methods, or complete results (for example, endorsement percentages for all responses to every question), nor is there any reporting out or summarization of written comments received. Both the workshops and the survey relied heavily on pre-specified lists of potential park elements, effectively guaranteeing that potentially innovative or creative ideas suggested by individuals (e.g., native plant demonstration garden) would be unable to ever garner significant general consideration or eventual “weight” in data summaries. The net result is that there is no way to evaluate, from these incomplete and very superficial summaries, the degree to which the proposed Park design reflects the full scope and direction of public input actually received. This contrasts with the amount and detail of reporting by many other jurisdictions that have undertaken similar initiatives.<sup>6</sup>
2. **Off-Leash Dog Areas Are Problematic.** The proposal to construct two off-leash dog areas in Parcel 21 is highly problematic for several reasons:
  - ***They Violate the Management Plan.*** Such areas would violate both the letter and spirit of the *San Marcos Foothills Preserve Long-Term Open Space Management Plan*, which was explicitly established to protect environmentally sensitive habitat and plant/wildlife species on both Preserve and Park property, and to ensure that recreational activities do not cause damage to such species, while noting that loose dogs are among the greatest jeopardies to these goals.<sup>7</sup> There is in fact overwhelming scientific evidence that loose dogs are harmful to wildlife<sup>8</sup>, as well as to human health and safety.<sup>9</sup> Sadly, the majority of dog owners who currently use the Preserve, Park parcels, and adjacent (private) properties allow their dogs off leash, in contravention to both Preserve rules and County ordinance. Even more sadly, County leash law enforcement is virtually nonexistent in the Preserve.<sup>10</sup> The creation of two off-leash dog areas at the Preserve “gateway” is all but certain to exacerbate this problem, as many off-leash area patrons are likely to continue on into the heart of the Preserve with their loose dogs. (This problem stands to be even further compounded by the likely redirection into the Preserve of the unleashed dogs of owners who will eventually be denied access to the adjacent private parcels, as noted earlier.) Cumulatively, these factors will create the (tragically) ironic situation of having a number of Park elements (walking paths, interpretive signage, vistas, viewing benches, etc.) dedicated to promoting awareness and appreciation of the Preserve’s native plants and wildlife, and facilitating the quiet enjoyment of nature, while another proposed element (off-leash dog areas) serves to directly undermine, compromise, and promote the destruction of those very same Preserve features and goals.

- ***They Are Not “Passive Recreation.”*** The *Management Plan* is explicit that both the Preserve and Park are designated for “passive recreation” only, as also noted in the 12/7/17 Staff Report (“The consultant team and park staff together worked on a program for the Master Plan that was compatible with the site...[and] added to the context and goal of providing for passive opportunities on these park parcels. These three parcels were dedicated to the County by the developer explicitly for passive park purposes.”). However, the Staff Report then mischaracterizes off-leash dog areas as a “passive park amenity.” To our knowledge, there is no concept or definition of “passive park amenities” or “passive recreation” that includes (or is consistent with the presence of) off-leash dog areas. By contrast, there are many sources clearly indicating that such facilities are inimical to the concept of “passive recreation.”<sup>11</sup>
  - ***They Violate OLA “Best Practices.”*** The proposed inclusion of off-leash dog areas within the Park, and hence adjacent to the Preserve, is contrary to recognized “best practices” with respect to the siting of such “OLA” facilities, including those promulgated by highly “dog-centric” organizations, such as Seattle’s COLA (Citizens for Off Leash Areas) group (see referenced Seattle Parks and Recreation plan).<sup>12</sup> Every jurisdiction that has seriously studied the issue (notably including the City of Santa Barbara) has categorically ruled out locating off-leash dog parks anywhere near environmentally sensitive habitat areas. The present proposal violates this, as well as a number of other widely accepted OLA best practices, such as the importance of ensuring substantial separation from incompatible “passive” shared-space uses.
3. **Off-Leash Area Operational and Maintenance Challenges/Costs Not Addressed.** OLAs present substantial and unique challenges to operate and maintain, most commonly due to the (well-documented) failure of many patrons to observe site rules and limits (e.g., regarding hours of use, cleanup of waste, noise, repair of ground damage, managing inappropriate dog behavior, etc.), often resulting in increased maintenance costs, as well as public safety and liability concerns.<sup>13</sup> The proposal provides no information on how such formidable challenges will be addressed. Moreover, it provides no information regarding basic development and operating costs and resources (i.e., both dollars and person-hours) associated with such things as: infrastructure development (i.e., access, signage, benches, fencing/gating, dog waste stations, turf/surfacing, landscaping, etc.); associated supplies and equipment; ongoing infrastructure maintenance; turf/surface mowing, replenishment, and repair; trash and dog waste station servicing; bench, fence, and gate repair; tree and shrub maintenance; site inspection and monitoring; and incremental Park/Preserve leash law monitoring/enforcement. This is a significant omission in that OLA development, operating, and maintenance costs are typically substantial and would be expected to dwarf the (essentially negligible) combined costs of all the other (and truly “passive” recreational) elements proposed for Parcels 17, 20, and 21.

**RECOMMENDATIONS:** The types of Park features that we view as consistent with *Management Plan* goals and principles, and with the natural constraints on land use described earlier, include such things as:

- (a) interpretive/educational signage within all three parcels;
- (b) benches at or near the Preserve entrance and at natural vistas/overlooks;
- (c) ADA-accessible trails around the Preserve entrance; and
- (d) a native plant demonstration garden and/or butterfly garden.

These are consistent with the existing proposal and are all options that SBAS would enthusiastically support.

Open spaces and areas free from construction are increasingly rare, and as such are a priceless asset to birds and wildlife, the environment, and our community. We believe that the County of Santa Barbara should be acting to protect and maintain such spaces, rather than to encroach upon them and jeopardize their value by creating new off-leash dog areas—in contravention to best practices for OLA siting, the existing *Management Plan*, and the County’s own stated goals in creating this Park.

SBAS thanks you for the opportunity to provide these comments.

Sincerely,



Cherie Topper, Executive Director  
Santa Barbara Audubon Society

<sup>1</sup>Watershed Environmental, Inc. (April 28, 2014). *San Marcos Foothills Preserve Long-Term Open Space Management Plan*. [<https://www.countyofsb.org/parks/asset.c/863>] “The 200-acre San Marcos Foothills Preserve property was donated by the Trust for Public Land to the County of Santa Barbara on January 10th 2007 (TPL 2007). The intent of the donation, and the reason the Trust chose the County to be the land’s long-term steward, is to ensure that that the Preserve property will be protected as open space for its biological, scenic, and archaeological resources.” (p. 7)

<sup>2</sup>County of Santa Barbara, Long Range Planning Division, Planning and Development Department. (October 20, 2015). *Eastern Goleta Valley Community Plan*. [<http://longrange.sbcountyplanning.org/planareas/goleta/documents/EGVCP%20Adopted%2010-20-2015.pdf>], p. 127

<sup>3</sup>Watershed Environmental Inc., pp. 13-24

<sup>4</sup>Watershed Environmental Inc., pp. 11, 36-37

<sup>5</sup>Staff Report for Santa Barbara County Park Commission meeting of December 7, 2017, Standard Agenda Item No. XI, pp. 7-14. [<https://www.countyofsb.org/parks/asset.c/1010>] This letter references that set of materials in several places, as the 4/3/18 Board of Supervisors (BOS) meeting packet had not yet been posted at the time of writing; our understanding from County staff is that the 4/3/18 BOS meeting materials will be identical to the 12/7/17 Park Commission meeting materials.

<sup>6</sup>For reference purposes, the projects done in Ann Arbor, Denver, Olympia, and Seattle (see citations and links to these reports in footnote 10 below) provide good examples of effective and informative data gathering and reporting of public input related to park design gathered via workshops and surveys, specifically in the context of off-leash dog area siting.

<sup>7</sup>Watershed Environmental, Inc. The *Management Plan* was designed to serve “as a guide for stewardship of the 200-acre San Marcos Foothills Preserve property and the 10-acre San Marcos Foothills Park property for the next 10 years” and “to provide a comprehensive guide for the long-term management of the San Marcos Foothills Preserve’s unique natural, cultural, and scenic resources while providing for compatible, passive, trail-based recreational activities” (p. 4). Its guidelines require that “recreational activities within the Preserve shall not jeopardize the safety of others and shall not cause damage or harm to environmentally sensitive habitat or species”; that “populations of sensitive wildlife and plants on the Preserve and Park property shall be preserved and protected”; and that “environmentally sensitive coast live oak woodlands, riparian woodlands, wetlands/seeps, and native perennial grassland habitats on the Preserve and Park property shall be preserved and protected” (p. 31). It notes the “sensitive bird species (grasshopper sparrows, Southern California rufous-crowned sparrow, and horned larks) that are known to breed on the Preserve and Park property and that nest on or near the ground” and which “can be disturbed by people and their pets if they are engaged in off-trail activities or if they allow their dogs to roam off-leash” (p. 36). It concludes that “Considering the sensitive biological and cultural resources present on the Preserve property, the single most important thing that the Parks Division can do to protect these resources is to require that visitors remain on designated trails, keep all dogs on leash, pick up after their dogs, and dispose of waste properly” (pp. 33-34, emphasis added).

<sup>8</sup>Hennings, L. (April 2016). The impacts of dogs on wildlife and water quality: A literature review. *Metro Parks and Nature*. [<http://birddigiscoper.com/dogimrev.pdf>]. This review encompasses 77 individual studies or reports, including 54 from peer-reviewed journals, concluding that “The evidence that dogs negatively impact wildlife is overwhelming.” Her summary states: “...people and their dogs disturb wildlife, and people are not always aware of or willing to acknowledge the significance of their own impacts. Wildlife perceive dogs as predators. Dogs subject wildlife to physical and temporal displacement from habitat, and dog scent repels wildlife with lingering impacts. Dogs disturb wildlife which can induce long-term stress, impact animals’ immune system and reduce reproduction. Dogs spread disease to and outright kill wildlife. People with dogs are much more detrimental to wildlife than people alone; off-leash dogs are worse; and off-trail impacts are the highest” (p. 6).

<sup>9</sup>Rahim, T., Romero-Barrios, P., McKee, G., McLaws, M., & Kosatsky, T. (April 2018). Public health considerations associated with the location and operation of off-leash dog parks. *Journal of Community Health*, 43(2), 433–440. [<https://link.springer.com/article/10.1007/s10900-017-0428-2>]

<sup>10</sup>To our knowledge there is only one current County Park Ranger who seriously regards, monitors, and enforces leash laws in County parks and open spaces, a thankless and overwhelming task that would become even more onerous were the proposed off-leash dog areas to be established.

<sup>11</sup>The *Wikipedia* article on “Urban Parks” discusses “passive recreation” as “that which emphasizes the open-space aspect of a park and allows for the preservation of natural habitat. It usually involves a low level of development, such as rustic picnic areas, benches and trails. Passive recreation typically requires little management and can be provided at very low costs. It offers sedentary activity such as observing nature, bird watching, painting, photography, or picnicking.” Consistent with this, virtually all recreation-related resource documents define or describe “passive recreation” in a manner that excludes off-leash dogs and dog parks, making it clear that this concept is limited to such outdoor recreational activities as nature observation, hiking, canoeing/kayaking, and birdwatching, and which require a minimum of facilities or development and have minimal

environmental impact on the recreational site. Some examples of this are as follows:

- The *San Marcos Foothills Preserve Long-Term Open Space Management Plan* lists the day-use passive recreation activities currently allowed on the Preserve property [hiking (on trail only); dog walking (on trail and on leash only); bird-watching; kite flying; orienteering and similar activities], which notably excludes off-leash dogs or dog parks (Watershed Environmental, Inc., p. 8).
- The City of Santa Barbara study (citation in footnote 12 below) states: “Passive recreation includes strolling on the grounds to observe botanical collections found at Alice Keck Park Memorial Garden or Franceschi Park....Other passive recreation activities include enjoying the scenic views from the Andrée Clark Bird Refuge, Ambassador or Orpet Park....Open space parks are generally destination locations and people drive to those parks to enjoy the natural environment. They have limited development, and activities center around passive outdoor recreation such as bird watching, picnicking, and miles of trails for walking” (p. 6, emphasis added).
- “It is important to note that recreation needs relate not just to court and field facilities and the corresponding sports/athletic programs that make use of them, but also to more passive or informal recreational pursuits that might include such activities as walking, sitting on a park bench, reading, flying a kite or interpreting the unique cultural, historical or environmental assets of a particular property.” (Town of Hanover Massachusetts Parks & Recreation Master Plan 2007/2008, p. 2 [<http://www.hanover-ma.gov/sites/hanoverma/files/file/file/hanover-parks-rec-facilities-master-plan.pdf>])
- The City of Olympia study (citation in footnote 12 below) states: “Open Space Areas are defined as ‘Undeveloped land that is set aside to protect the special natural character of Olympia’s landscape.’ They are designed for passive recreation such as hiking and nature observation. Since an off-leash dog park would be a fairly ‘active’ rather than ‘passive’ use and would be disruptive to wildlife and their habitat, Open Space Areas would not be appropriate for an off-leash dog park.” (p. 12, emphasis added)

<sup>12</sup>The generally recognized OLA site selection “best practices”—most of which (e.g., #s 1, 5, 6, 7) would be violated by the current proposal—are: (1) avoid interference with other established uses or department-sponsored activities; (2) avoid locations directly abutting residences; (3) assure availability of close-by parking; (4) avoid locations near children’s play areas; (5) choose spots where there are minimal impacts on the visual character of a park; (6) site so as to avoid spillover into non-dog areas; and (7) avoid sensitive environmental habitats. Further information and examples regarding the origin, development, and application of these practices can be found in the following:

- Ann Arbor Park Advisory Commission Dog Park Subcommittee. (2013/14). *Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance*. [<https://www.a2gov.org/departments/Parks-Recreation/play/Documents/Recommendations%20and%20Guidelines%20for%20Dog%20Park%20Site%20Selection%20updated%204-10-15.pdf>]
- CityCounty Insurance Services. *Off Leash Dog Park Best Practices*. [http://destinyhosted.com/tilladocs/2014/BEA/20140818\\_255/885\\_Dog%20Park%20BP%27s%202011%20FINAL.pdf](http://destinyhosted.com/tilladocs/2014/BEA/20140818_255/885_Dog%20Park%20BP%27s%202011%20FINAL.pdf)
- City of Olympia, Parks, Arts and Recreation. (October 24, 2006). *Off-Leash Dog Park Feasibility Study*. [<http://olympiawa.gov/~media/Files/Parks/Plans%20and%20Studies/2006%20Off-Leash%20Feasibility%20Study%20with%20Maps.pdf>]
- City of Santa Barbara Parks and Recreation Department. (February 2015). *Off leash dog areas feasibility study*. [[https://www.santabarbaraca.gov/SBdocuments/Advisory\\_Groups/Park\\_and\\_Recreation\\_Commissions/Archive/2015\\_Archives/03\\_Staff\\_Reports/f2015-02\\_25\\_02\\_25\\_2015\\_Item\\_4\\_Atch\\_Off\\_Leash\\_Dog\\_Areas\\_Feasibilty\\_Study.pdf](https://www.santabarbaraca.gov/SBdocuments/Advisory_Groups/Park_and_Recreation_Commissions/Archive/2015_Archives/03_Staff_Reports/f2015-02_25_02_25_2015_Item_4_Atch_Off_Leash_Dog_Areas_Feasibilty_Study.pdf)]. This study concluded, with respect to off-leash dog park siting, that: “Parks with environmentally sensitive areas are not ideal due to the potential impacts to wildlife, native habitat, and water quality” (p. 11) and “The City’s open space parks provide limited opportunity for fenced off leash areas due to topography, location, and existing park development. Unfenced off leash use would result in impacts to water quality, native habitats, fish and wildlife and potentially conflict with other park uses” (p. 13).
- Denver Parks and Recreation. (2010). *Dog Park Master Plan & Policy Recommendations*. [[https://www.denvergov.org/content/dam/denvergov/Portals/747/documents/planning/master\\_plans/Off\\_Leash\\_Dog\\_Park\\_MasterPlan.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/747/documents/planning/master_plans/Off_Leash_Dog_Park_MasterPlan.pdf)]
- Harnik, P., & Bridges, C. (2012). *Creating dog parks—without rancor*. [http://cloud.tpl.org/pubs/ccpe\\_Dog\\_Park\\_Report.pdf](http://cloud.tpl.org/pubs/ccpe_Dog_Park_Report.pdf).
- MetroVancouver.org. *Metro Vancouver Regional Parks Best Management Practice for Dogs*. (February 2011). [<http://www.metrovancouver.org/services/parks/ParksPublications/BestManagementPractices-Dogs-2011-02-22.pdf>]
- Seattle Parks and Recreation. (June 2016). *People Dogs and Parks Plan*. [[https://www.seattle.gov/Documents/Departments/ParksAndRecreation/PoliciesPlanning/Plans/Response\\_to\\_SLI\\_69-1-B-1\\_\(Dog\\_Off-Leash\\_Areas\).pdf](https://www.seattle.gov/Documents/Departments/ParksAndRecreation/PoliciesPlanning/Plans/Response_to_SLI_69-1-B-1_(Dog_Off-Leash_Areas).pdf)]

<sup>13</sup>See City of Santa Barbara study (pp. 3-5), cited in footnote 12 above, for a discussion and many examples.