

# Golden Gate National Recreation Area

## DOG MANAGEMENT Draft Plan/ Supplemental Environmental Impact Statement

### Frequently Asked Questions September 6, 2013

#### 1. What are the goals of the draft plan/SEIS?

The current situation with dog management in the park is confusing and has led to controversy and conflicts. The park's overall dog management goal is to develop a new regulation for dog management that is understandable, enforceable, provides a variety of visitor experiences and protects resources.

#### 2. Where can I view the draft plan/SEIS, and how can I submit comments?

Go to the NPS Planning, Environment and Public Comment (PEPC) website at <http://parkplanning.nps.gov/dogplan> to review and comment online.

Copies of the plan are also available at libraries in San Francisco, Marin and San Mateo Counties, and the East Bay (full list at [www.nps.gov/goga/seis.htm](http://www.nps.gov/goga/seis.htm)).

The draft plan/SEIS is available for review and comment for 90 days; September 6 until midnight Mountain Time (**11 p.m. Pacific Time**), December 4, 2013.

Comments may be submitted:

- Online at <http://parkplanning.nps.gov/dogplan>; or
- By mail or other delivery to Superintendent, Golden Gate National Recreation Area, Building 201, Fort Mason, San Francisco, CA 94123, Attn: Dog Management SEIS
- By attending one of the public open-house meetings in early November (listed at <http://parkplanning.nps.gov/dogplan> and at [www.nps.gov/goga/seis.htm](http://www.nps.gov/goga/seis.htm))

Comments will not be accepted by fax, email, or in any other way than those specified above. Bulk comments in any format (hard copy or electronic) submitted on behalf of others will not be accepted. Before including a personal address, phone number, e-mail address, or other personal identifying information in a comment, reviewers should be aware that the entire comment—including personal identifying information—may be made publicly available at any time. While reviewers can ask us in their comment to withhold their personal identifying information from public review, the NPS cannot guarantee that we will be able to do so.

For questions about commenting, call the Dog Management Information line (415-561-4728) and leave a message and call-back number. Park staff will respond to your call.

### **3. Why has GGNRA developed a second EIS for dog management?**

The park received 4,713 individual pieces of correspondence, containing 8,000 substantive comments, on the 2011 draft plan/EIS. This draft plan/SEIS responds to those substantive comments and includes analysis of dog management for the newest area of the park, Rancho Corral de Tierra. Because of the amount of new information and analysis, the entire document has been reissued. The draft plan/SEIS includes a Reader's Guide, available with the online version of the document, to help direct reviewers to the substantive changes in the document.

In this public comment phase, we need to hear from a broad range of users as to whether the preferred alternative in the draft plan/SEIS adequately provides a range of visitor experiences while protecting park resources within this unit of the national park system.

### **4. What's in the draft plan/SEIS?**

The plan includes six management alternatives, one of which is the park's preferred alternative, for 22 areas of the park. These 22 areas include all the major areas where dog walking currently occurs and essentially lays out the future for where and how dog walking will occur parkwide.

### **5. What is a Preferred Alternative?**

A preferred alternative is the alternative in an EIS which the NPS believes would best accomplish the purpose and need of the proposed action while fulfilling its statutory mission and responsibilities, giving consideration to economic, environmental, technical, and other factors. 43 CFR 46.4.20(d).

The preferred alternative in the draft plan/SEIS includes the following:

- On-leash and/or off-leash, voice-control dog walking in certain, specific areas of the park where impacts on visitor experience and safety and sensitive resources were minimal,
- No dogs in areas of the park where impacts were unacceptable and could not be mitigated,
- The commercial dog walking recommendation from the Negotiated Rulemaking Committee,
- A monitoring-management strategy to guide a range of park responses to non-compliance,
- Permits for private or commercial dog walkers who wish to walk more than three dogs, with a limit of 6, in seven specific areas of the park.

### **6. What are the key changes between the 2011 draft plan/EIS and this draft plan/SEIS?**

- Addition of new data
- Consideration of additional research

- Some changes to the impacts analysis
- Changes to the management strategy to accentuate monitoring and eliminate automatic triggers
- Evaluation of fencing as a tool to manage dog impacts
- Changes to the preferred alternative at several sites
- Site specific alternatives and analysis for Rancho Corral de Tierra in San Mateo County, which was not part of the park when the draft plan/EIS was developed.

**7. Does the draft plan/SEIS ban dogs from the park?**

No. The dog management planning process dismissed alternatives banning dogs from the park as not meeting the purpose of the planning effort. The range of alternatives in the draft plan/SEIS permits dog walking, both on leash and off-leash under voice control, in many areas of the park. The preferred alternative includes 7 areas, including beaches, where dogs may be walked off-leash under voice control and 22 park sites with areas (beaches, trails and grassy areas) open to on-leash.

**8. Are there any other national park areas that allow off leash dog walking?**

No. The national NPS regulation on dogs states that where dog walking is permitted in parks, dogs must be on leash.

In 2002, a panel of senior NPS officials concluded that because of the special circumstances at Golden Gate, it is appropriate for the park to consider off-leash dog walking in areas that meet certain criteria.

**9. Was there public input in the development of the plan?**

Yes. The plan is informed by the input of thousands of people over a 12-year period. Public involvement took the form of numerous public meetings, written comments, stakeholder presentations and discussions, and a federal negotiated rulemaking process. Most recently, the draft plan/EIS was open for public comment for 5.5 months and the park received over 4700 pieces of correspondence. Additional input came from senior NPS management at the regional and national level, with specialized expertise in resources and park management.

**10. Will the NPS really give consideration to public comment on the draft plan/SEIS?**

Yes. Every substantive comment will be carefully considered in developing a final plan/EIS. Without exception, every draft EIS released by the park since it was established in 1972 was refined and improved as a result of public comment.

**11. The draft plan/SEIS is very long. Do I have to read the entire document?**

No. We have prepared a Reader's Guide to reviewing the plan, available with the online version of the draft plan/SEIS, which will direct you to the sections that have changed

since the draft plan/EIS. There is also a short Executive Summary of the plan, which is the first 28 pages of the document. If you're interested in a particular area, see the index listings for Chapter 2 for descriptions of the alternatives and then go to the listing of alternative maps to see the alternatives for each site(s).

**12. Is the draft plan/SEIS the final dog walking regulation for GGNRA?**

No. The draft plan/SEIS is an assessment of the environmental impacts of a range of management alternatives, including the NPS Preferred Alternative. After review of public comment on the draft plan/SEIS and any resulting changes to the preferred alternative, a Notice of Proposed Rulemaking will be published for additional public comment. After consideration of the relevant comments on the proposed rule, and after publication of the final plan/EIS and Record of Decision, the NPS will publish a final rule, which is anticipated in late 2015.

## ADDITIONAL BACKGROUND QUESTIONS

### 13. Does the draft plan/SEIS address all lands within the boundary of GGNRA?

The draft plan/SEIS addresses dog walking in 22 sites of the approximately 20,000 acres within the GGNRA boundary that are managed by the park. It does not address lands within the park boundary managed by other agencies such as the Presidio Trust, Point Reyes National Seashore or the San Francisco Public Utility Commission.

Other GGNRA managed lands within the park boundary that are not specifically covered in this draft plan/SEIS will continue to be governed by the existing NPS regulation for dog walking, 36 CFR 2.15 which requires dogs to be kept on a leash where they are allowed.

### 14. How were those 22 specific areas chosen for inclusion in the draft plan/SEIS?

Initially, 21 park areas were developed by the NPS as the parameters for discussion of dog management by the GGNRA Negotiated Rulemaking Committee for Dog Management, an initial attempt to develop a new dog walking regulation for the park with direct input from stakeholder groups. The parameters set the limits for discussion, by identifying, up front, areas that would be open to consideration for on-leash dog walking, areas open to consideration for dog walking off-leash, under voice control, and areas that would not be open to consideration for dog walking. Development of the parameters was guided by a panel of senior NPS officials who, in 2002, recommended the following to the park's General Superintendent:

*“The panel concludes that off-leash dog walking in GGNRA may be appropriate in selected locations where resource impacts can be adequately mitigated and public safety incidents and public use conflicts can be appropriately managed. The panel further recommends that the park pursue both rulemaking and comprehensive planning for pet management to address suitable locations and proper management strategies.”*

An additional area, Rancho Corral de Tierra, was added in this draft plan/SEIS. That site transferred to the park when the draft plan/EIS had already been completed. The draft plan/SEIS provides the opportunity to specifically address that new property.

### 15. What are the current rules governing dog management at GGNRA?

Currently, dog management at GGNRA varies by area and is a combination of the following:

- NPS federal regulation (36 CFR 2.15) — requires that dogs be on leash wherever dog walking is permitted in an NPS area,
- GGNRA Citizen Advisory Commission's 1979 Pet Policy — recommending off-leash dog walking in certain areas of GGNRA. This aspect of current park

- management is the result of the 2005 federal court decision *US v. Barley* (405 F. Supp.2d 1121 (N.D. CA 2005)),
- NPS special regulation for protection of western snowy plovers on Ocean Beach and the WPA at Crissy Field (36 CFR 7.97(d)), and
  - GGNRA Compendium (compilation of park-specific rules).

#### **16. What is the 1979 Pet Policy?**

The GGNRA Citizen's Advisory Commission's 1979 Pet Policy recommended to the park that certain, specific areas of GGNRA be open to off-leash voice control dog walking. Although the park was never able to formalize this policy as a federal regulation, this unofficial pet policy was in place within GGNRA for more than 20 years.

#### **17. Why doesn't GGNRA simply adopt the 1979 Pet Policy as its dog management regulation?**

Conditions within the park have changed significantly since 1979; increased visitation, addition of park areas and increased knowledge of resources within the park must be taken into consideration in the development of any dog management regulation. An NPS rule must also be consistent with applicable statutory requirements, such as the National Environmental Policy Act and the Endangered Species Act. However, the 1979 Pet Policy was developed without any environmental analysis. In addition, the draft plan/SEIS found that accepting the 1979 Pet Policy in its entirety would not meet the purpose and need of the plan; therefore, formalizing the Pet Policy as the dog management regulation was considered but dismissed.

#### **18. What are the concerns about current off-leash dog walking in GGNRA?**

Although the 1979 Pet Policy and current park information state that dogs off-leash in the park must be under control, the park has no legally-enforceable voice-control guidelines governing off-leash behavior, and currently many off-leash dogs are not well-controlled by their walkers. Uncontrolled, off-leash dogs create safety issues for park visitors, staff, and other dogs, and are a source of conflict between dog walkers and other user groups.

#### **19. What is the definition of voice and sight control dog walking that would be required under a new GGNRA dog walking regulation?**

As defined in the draft plan/SEIS, voice and sight control means that dogs must be within direct eyesight of the dog walker, and that dog walkers must be able to immediately recall their dog(s) to their side so that a leash can be attached to the dog(s)'s collar, and shall demonstrate this ability when requested by Law Enforcement personnel. This definition is similar to other land management agencies that allow off-leash dog walking.

**20. Why does the GGNRA draft plan/SEIS treat dog walking differently than other areas of the National Park Service?**

The November 2002 Federal Panel Recommendation to the General Superintendent on Proposed Rulemaking for Pet Management at GGNRA noted that the park has a unique set of characteristics. Those characteristics are: sites which had historically been used for off-leash dog walking; the GGNRA Citizen's Advisory Commission 1979 Pet Policy that recommended the continuation of those uses, and the park's adoption of that policy for over 20 years; and management of a significant portion of the public recreational open space in San Francisco and San Mateo and Marin Counties, where residents rely on portions of that open space for exercise of their pets.

Because of these unique characteristics, the park considered a range of alternatives intended to provide a variety of experiences, including voice control dog walking, while protecting visitor experience and safety and park resources.

**21. GGNRA is a national recreation area. Do national recreation areas have different management policies than national parks?**

No. All units of the national park system are guided by the same NPS Management Policies, regardless of the park's designation as a national park, national recreation area, national historic site, national lakeshore or other (there are 35 types of national park units). Congress amended the 1916 NPS Organic Act in 1970 to make clear that the NPS must manage all units of the national park system to the same preservation standard.

**22. What is "Negotiated Rulemaking," and why did GGNRA use this form of rulemaking from 2006-2007 as a preliminary step in the dog management planning process?**

Negotiated Rulemaking is one way that federal agencies can develop rules. This method requires the formal involvement of key stakeholders, together with the agency. Given the longstanding and passionate interest that various stakeholders have in this issue, and because GGNRA has a deep tradition of community engagement, the park saw value in working in partnership with stakeholders who have diverse values and views to try and develop a rule for dog management through consensus. The Committee was formed with the approval of the Secretary of the Interior to develop consensus recommendations for both voice-control and on-leash dog walking, as well as for use and limits of professional dog walking.

**23. What was the outcome of the Negotiated Rulemaking Committee for Dog Management and how will recommendations of the Committee be used by the NPS?**

The Committee worked from March 2006 to the end of October 2007 but, after many meetings and working sessions, was unable to reach consensus on a proposed rule for all areas open for discussion. However, there was consensus on overarching guidelines for

dog management and commercial dog walking as well as for a management option for one site – Oakwood Valley. All these areas of consensus have been included in two of the alternatives in the draft plan/SEIS, and two are included in the NPS preferred alternative. Although the Committee was unable to reach consensus on a full rule, the many meetings of the Committee provided much information that aided the NPS in the development of the draft plan/SEIS.

**24. What should people consider when they comment on the draft plan/SEIS?**

The NPS is looking for substantive comments after review of the range of alternatives, including the preferred alternative, and the impacts of those alternatives. Examples of substantive comments include providing additional factual information, noting issues or impacts NPS may have failed to consider, inconsistencies, and other comments of substance, as opposed to comments voicing like or dislike without an underlying rationale.

**25. Once a final rule is issued, how will it be enforced?**

The park will enforce the final rule as it does all other rules. But in addition, the park will depend on the active involvement of user groups to support implementation of the rule by assisting in education and outreach to their members.