

DCR stewardship Council meeting, December 2, 2011

## **I. INTRODUCTION**

My name is Michele Biscoe.

On behalf of the Middlesex Fells Dog Owner Group and all of the people who enjoy the trails of the Middlesex Fells Reservation with dogs off leash I would like to take this opportunity to thank the DCR for the very thorough RMP that has been presented today. I believe that it exceeds the requirements for Resource Management Plans, and the DCR staff who worked on it are to be commended for the care and detail with which they prepared it.

I would also like the Stewardship Council for this opportunity to speak about the RMP.

*extemporized: With regard to concerns that members of the Stewardship Council have raised today about the lack of "civility" at the Fells, I would like to say that, while the RMP process was sometimes fraught with a lack of civility, at the Fells it has always been my experience that everyone gets along and we are all civil with one another.*

I will address

- the public comments on the draft RMP;
- current usage by people with off leash dogs
- the RMP's finding on the impacts of off-leash dogs
- the unintended consequences of enforcement of the existing regulations

My goal today is to explain why enforcement of the current leash regulations on the trails at the Fells will not only NOT protect the natural resource but may in fact endanger it.

## **II. SUMMARY OF PUBLIC COMMENTS WITH REGARD TO OFF-LEASH ON-TRAIL**

I have read the public comments on the draft RMP. Less than 30% of the comments are opposed to people with off-leash dogs on the trails, and this includes comments that simply support enforcement of the existing regulations. Opposition to people with off-leash dogs on the trails is not strong. I am not surprised. In the past seven years that I have been enjoying the Fells with my dog, I have not met one person who was opposed to my having her off leash.

Some of the comments register concern about increased or expanded usage by people with off-leash dogs on the trails.

## **III. CURRENT USAGE BY PEOPLE WITH OFF-LEASH DOGS**

The residents of Malden, Medford, Melrose, Stoneham Winchester have been enjoying the trails of the Middlesex Fells with their pets off-leash, albeit illegally, for generations.

According to the RMP, "based on DCR trailhead counts at the Fells itself, we have approximately one dog for every two people visiting the reservation. " "Approximately 85% of dogs are off leash at the Fells".

The Fells trail system is currently sustaining a high level of use, albeit against the rules, by people with off-leash dogs. Changing the rules to allow people to have our dogs off-leash on the trails will not result in expanded or increased use. On the contrary, enforcing existing unobserved regulations will have the real impact

#### **IV. IMPACTS OF OFF-LEASH DOGS ON THE NATURAL RESOURCES**

I have read the scientific literature about the potential impacts of off leash dogs on wildlife. The findings on the ground in the Fells, however are that the real impacts of generations of visitors with off-leash dogs on the trails are negligible to none.

According to the section on "Recreation with Dogs" in the RMP

- "twenty-seven species of birds identified as 'Species in Greatest Need of Conservation' have been documented at the Fells. Off-leash dogs at the Fells MAY disrupt feeding and foraging behaviors for some of the species more than dogs on leash or humans alone. Nesting behaviors of ground-nesting birds MAY be particularly susceptible to off-leash dogs. Four of the bird species in 'Greatest Need of Conservation' MAY be breeding at the Fells, and two of these are ground-nesting: American woodcock and eastern towhee" (62).
- "Dogs are UNLIKELY to significantly disturb the two reptiles identified as 'Species in Greatest Need of Conservation'" (62).
- "Direct water quality impacts have NOT been detected at the Fells" (62).
- "With the exception of potential disturbance to vernal pools that serve as habitat for the American clam shrimp, off-leash dogs are UNLIKELY to have a significant impact on any of the other state-listed species or watch-listed plants at the Fells" (62).

On the issue of vernal pools, I should note that FellsDOG is in agreement with the other stakeholder groups supporting closing or rerouting trails near vernal pools, enabling visitors to experience, but not to disturb, them.

The reason that the high usage by people with off-leash dogs on the trails has little impact on the natural resource is precisely that people with off-leash dogs are on the trails. According to the RMP, "on well-established trails, even large increases in use will result in minimal increases in impact" (49-50).

#### **V. UNINTENDED CONSEQUENCE OF ENFORCEMENT**

Enforcement of the leash regulation on the trails will drive recreation off trails, and we all agree that off trail is where we do not want recreation to be.

There is an inconsistency in the draft RMP. It is not clear if protecting the natural resource is more important than enforcing the leash regulations or if enforcing the leash regulations is more important than protecting the resource. If the DCR chooses to enforce the existing leash regulations, people with off-leash dogs will be driven off the official trail system onto unofficial trails or off trail altogether, where “even small differences in the amount of use—sometimes with just a few passes—can result in substantial differences in impact” (49-50).

## **VI. CONCLUSION**

In conclusion, the real findings on the ground at the Fells are that the impacts of off-leash on-trail recreation are negligible to nonexistent. The RMP is an opportunity for the DCR to determine the circumstances under which dogs may be off leash on at least some part of the official trail system.

It is my pleasure to offer three recommendations for accommodating off-leash dogs on the trail system (handout attached).

Thank you.

## OPTIONS FOR PERMITTING OFF-LEASH DOGS ON THE OFFICIAL TRAIL SYSTEM OF THE MIDDLESEX FELLS RESERVATION

### I. Specify the circumstances under which well-behaved, well-trained dogs are permitted to be off-leash on the official trail system.

A lot of the conflict relating to off-leash dogs in the Fells, is occasioned not necessarily by encounters with off-leash dogs, but by encounters with other visitors who are breaking the rules. Change the rules; eliminate the conflict.

### II. Designate a subset of official trails where well-behaved, well-trained dogs are permitted to be off-leash

Most people want to follow the rules, and therefore providing a designated trail or set of trails will reduce non-compliance with the leash law elsewhere where dogs must be on leash.

### III. Create a FREE program permitting certified dogs to be off-leash on the official trail system.

Given that the Middlesex Fells Reservation is a public park, it would be unfair to require citizens to pay for certification.

#### FACTS

"Based on DCR trailhead counts at the Fells itself, we have approximately one dog for every two people visiting the reservation," and "approximately 85% of dogs are off leash at the Fells".

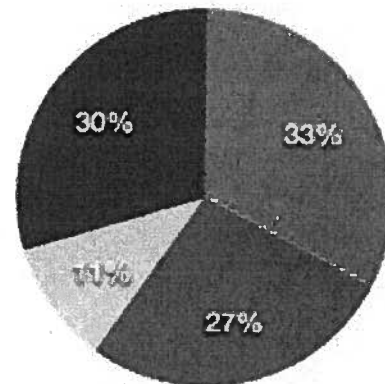
"Twenty-seven species of birds identified as 'Species in Greatest Need of Conservation' have been documented at the Fells. Off-leash dogs at the Fells MAY disrupt feeding and foraging behaviors for some of the species more than dogs on leash or humans alone. Nesting behaviors of ground-nesting birds MAY be particularly susceptible to off-leash dogs. Four of the bird species in 'Greatest Need of Conservation' MAY be breeding at the Fells, and two of these are ground-nesting: American woodcock and eastern towhee".

"Dogs are UNLIKELY to significantly disturb the two reptiles identified as 'Species in Greatest Need of Conservation'".

"Direct water quality impacts have NOT been detected at the Fells" (62).

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#### Comments on Off-Leash On-Trail in the Draft RMP



- Support (89)
- Oppose (74)
- No Opinion - Support Multi-Use (29)
- No Opinion (81)

Less than 30% of the comments on the draft RMP oppose off-leash on-trail at the Fells.