

## **DCR Middlesex Fells Reservation - Resource Management Plan**

### **Enforcement Workshop – March 23, 2011**

#### **Notes from Presentation Question & Answer, Public Comments**

- I want to comment on the animal control officer – this is not meant as a criticism, but just to clarify on dogs off-leash leading to fights – I’m not an expert, but it doesn’t happen all the time. I’m not an expert, but we should ask an expert. If dogs approach each other on-leash it’s more dangerous, whereas when off-leash it’s more playful. I want those who haven’t seen it to know about this.
- I am in favor of a portion of the Sheepfold being designated for off-leash. I am scared of dogs and I don’t like that the majority of dogs I see are off-leash. I’m afraid of dogs and I get very nervous when approached by dogs off-leash, no matter what kind. Consider others on the trails.
- Q: What are the limits of enforcement capabilities or rangers – why can’t they do what they need to?  
  
A: Rangers and State Police have separate roles, and responsibilities that come with those roles. Rangers don’t arrest – the State Police do that. Urban Parks have different regulations from State Parks. In the State Parks some rangers are police trained and can handle some of those responsibilities. This is why we like to work with the State Police whenever possible.
- Q: When was the last time there was such a situation in the Fells?  
  
A: This is a relatively newer effort.
- Q: I see the State Police far in the Fells sometimes near the fire roads – what are they there for? Are they giving our tickets for biking on fire roads?  
  
A: State Police are the enforcement arm in the Fells – it has to do with the history of agencies being changed over the years. We ask for their presence here, but we don’t pay their salaries.
- Q: Who do we call for what kind of problem? Is there a clear division between when to call the rangers or the State Police?

A: Call the State Police in an emergency or criminal situation. If it's a lower level issue, there is a 24 hour ranger dispatch, and the park watch number (1-866-PKWATCH) goes to the office 24/7 to report issues. Dispatch will notify the State Police if rangers are off-duty, or they will notify the rangers and then the rangers will notify State Police if they think it might involve a higher level. If it is an emergency call 911, if you don't know exactly where you are they can triangulate your location. Rangers direct to the State Police if someone is lost on a trail.

- Somerville has three off-leash recreational areas that opened in 2006, 2008, and 2010. That is a track record of success and shows that it is possible to make it work. The community won't tolerate the horror stories we have heard tonight. People here who take their dogs off-leash frequently in the Fells have very positive experiences. Some out there are not responsible dog owners and the only way for us to be better is to educate others. I have handouts of examples of notices I will share. We care about this – this is why we are here tonight. Those here who have dogs are responsible enough to license our dogs – I am shocked at this presentation.
- I'm finding myself disoriented at these discussions. If this discussion is on enforcement – I am confused if I don't get statistics – where do we see rangers responding, State Police responding, etc? In order to have a good community discussion, it would be good to see information so we can discuss and offer solutions.
- As a person who walks dogs off-leash 4-6 times a week, these horror stories we've heard I don't encounter. We don't have the issues, the horror stories we are hearing here. In 6-7 years being here, I have only met two people afraid of dogs. I have seen mountain bikers with dogs, we step aside for them. These horror stories aren't true.
- I want to say that I think it's important to validate that different people have different experiences. I was in the Sheepfold for Babes in the Woods the other day with a group of moms. One woman had to ask a dog owner to leash their dog because her child was afraid – that is an experience. In speaking with Mike Nelson previously, I asked questions about the roles and responsibilities of a ranger. Many may not know that rangers can ask to see I.D., but you don't have to give it to them.

Community Action Team (CAT) has been helpful particularly with swimming and safety. We were able to educate last year that you will be arrested if you come back – there were no drownings last year and that shows its success.

CAT gives rangers a little bit of teeth – they are an excellent resource for us and vice versa.

We have been talking about a culture of non-compliance and this may be a way of addressing it.

- I don't have stats on the Fells, but I can tell you that when working to found the Callahan Dog Owners group we did dig up some stats. Callahan at the time had 100,000 visitors, with .001% incident rate – a very low rate. I haven't heard too many avid users saying that they've had incidents. I think we all had our temperatures rise tonight and we need to take a deep breath. Enforcement requires two things: 1. Sufficient management, and 2. People willing to comply. The set-up now means there are many users not wanting to comply. It is essential for those advocating for the elimination of activities to take a breath. You can't limit too much – will have all of one type of user on one trail. We must have multi-use.

- Q: I am an abutter – who do I call when I can hear kids partying in the Fells, breaking bottles, etc.?

A: Call the State Police in Medford – 781-396-0100.

- We should admit that the rules are irrelevant. I have worked 100's of hours and have never seen the State Police, never seen a ticket written, no enforcement.

- I live next to the Fells – there is not one day that goes by that I don't see dogs running around without an owner. To say there is no problem with dogs – how do you know what's going on when your dog takes off?

- I would like to thank all who came and spoke tonight. Some people don't like what you have to say, but you're experts.

I love dogs, but these are situations that do happen, and I want you to know that there are consequences.

We need you because things are out of control. I keep a log – I have visited the Fells 504 times, I have been attacked 5 times. It doesn't help when the owner is far away. We need you somehow because there is a problem.

Unless you've been bitten, I wouldn't say you've been "attacked."

- I've seen dogs eat a mouse, frogs. Dogs have been attacked by others and needed surgery. Dogs have been lost, killed in the Fells. I am for a space for the dogs, but this is a reality.
- I have to agree that there is a culture of non-compliance. People here with dogs are not the ones doing this – not picking up after their dogs, not keeping their dogs off others. I would like to advocate for education. Once the rules are brought into alignment with what makes most people comfortable, then you can enforce. We take our dog off-leash on the less busy trails, where we don't see many people. When I see someone coming, I leash my dog and make sure there is a comfortable experience for the other user. If someone looks nervous I keep my dog away from them.
- One of the key things that was left out tonight, and the key thing in terms of reports, is how many incidents are not reported.
- I want to thank the professionals here tonight for what you do. You should be applauded. I wanted to talk about citations. Are rangers able to get moving violations – bikes on a hiking trail, dogs without an owner? Ranger Nelson talked about saving wildlife and habitat – there should be a citation for dogs killing animals. Many are talking about taking their dogs off-leash on trails, but if they are going off-leash, is the dog on the trail? If not, that is a violation. The cause should be to do no damage.
- Thanks to the presenters for what you do – it is a daunting task. DCR is hamstrung for resources. They don't have the resources to do what they'd like to in order to allow for positive experiences. We need to advocate for a level of funding to allow for adequate enforcement and support for the property. What is an adequate force needed to address the needs and allow for uses and a pleasant experience?
- Q: Where did the regulations come from, and how long have you had them?  
A: They came from the Metropolitan District Commission (MDC) originally and are currently being merged with those from the Department of Environmental Management (DEM) which covers the state parks to make a set of regulations that best fit parks state-wide. Once this is done these new regulations will be in place. Will be putting out a draft of the new rules and allow for comments, but not sure of the timeline. This is meant to be a 2011 initiative. Park regulations are the next up, so hopefully this will take place sooner rather than later.

- We're talking about rules – but it seems like they are getting developed or in-flux. If you don't know what the rules are, how can we talk about enforcement? The question is how can we make the rules work for what we currently have?

At one point we wanted to move forward a couple years ago and have been unable. The current rules are in place until they are replaced.

- For years I have been a part of the Blue Hills Trail Watch, which is different from the Park Watch, which focuses on reporting. The Trail Watch welcomes others, helps lost hikers, and informs DCR of issues. What's missing in the Fells is this sense of community involvement. For the Trail Watch I wear a shirt with the DCR and Trail Watch logos – it doesn't mean I am an authority or can regulate. Much of what happens in the Fells is not happening in the Blue Hills because there is a perception of not wanting someone to see me doing something I shouldn't. As part of the RMP process, DCR should create a Trail Watch program with all groups to the benefit of all users.
- I have a simple request – if you are going to have a public process for the regulations, can you use the listserv from this to notify us about that process?

The regulations process will run through the Secretary of State's office, but we can share the listserv with them.

- I have experience with training people about rewarding wanted behavior and punishing unwanted behavior. Punishment and getting rid of unwanted behavior releases energy and you are unsure of where that energy will go. If you direct the energy of the person toward wanted behavior, they won't consider the bad. For 20 years I didn't follow the speed limit. I only got one ticket, and I ended up speeding to make up for lost time. I stopped speeding five years ago when I found out my wife was pregnant. The reward of having my daughter is enough to promote good behavior.
- I'm noticing the thread that DCR is low on resources – but many mentioned partnering with user groups to get many needs met that way. Friends of the Fells, NEMBA have done many great things. Fells Dog has tried and gotten some positive responses and some not so positive from DCR. They should take advantage of groups willing to help.
- I think most people are conflict averse – if laws are in place e.g. a yield system that is posted everywhere – most of us want to avoid conflict and will do what is needed to avoid those situations.

- NEMBA started a program in 2005 in the Fells that was sponsored by DCR that measured impact. Followed riders – 63% were frequent visitors. Only 9 conflicts reported total. 34 ride guides in the program with 3 tiers – gave everyone at least 10 minutes of education on responsibility, trail etiquette, trail citizenship and stewardship. Didn't have DCR logos on our jerseys but people knew we represented them. Among all the animosity, there is a way to do this that's been proven to work.
- Q: I saw in the slides mention of writing citations – what's the going rate, how is it decided what charges are made?  
A: Citations range from \$0-\$200, and double for repeat citations.
- Q: How many citations (non parking) have been written in the Fells?  
A: This will be going forward – we're rolling it out. Previously we did not do this. It's now known when this will start.
- I don't think we should be little anyone's experience – but those (negative experiences) are a very small amount to total. Things can happen, but it's rare. I'm sorry for the people it happens to, but it is not happening all the time.
- On citations – Somerville Dog worked to encourage citations and even up the fines in the city – we promoted this. Dog owners advocating for limits – some punishment but also some reinforcement from the community. A lot of incentives are social –the reason we pick up after our dogs is it is reinforcing behavior and is part of the social process of creating and promoting a better social environment.
- With the power and resource constraints, if you could bring users together in a self-interested way and teach them to contact you when they see issues – they will report. There are so many pairs of eyes in the Fells – you could spread your resources further this way.
- It is a reasonable expectation that the RMP process should lay out what the public can expect to happen to protect the natural and cultural resources. The purpose of the regulations that have been in place are to promote and protect the natural resources. In the Fells, one ranger has said before that it was like the "Wild West" out there. The public involved shouldn't be left in the dark about

plans to enforce. Someone mentioned that the police used to enforce cruising behavior. People need to know the plan and have a concrete plan for how to enforce it. Otherwise the RMP will fall on its face.

- There have been a lot of off-hand comments about unpleasant experiences with dogs. Friends of the Fells did a survey in 2004 – problems with dogs ranked number 11 on the list, but 63% also noted that dogs were a very important issue, similarly to bikes. Have had an experience with professional dog walkers that were unpleasant. We need enforcement in the Fells.

- I have a small dog I rescued and if he shows any aggression he goes immediately on leash – knows better than that.

- Cruising gives me the creeps – it is totally unacceptable and I want to know what's being done.

It's not as cut and dry as you may think. State Police are limited in where we can go – can't go in areas off the trails – they are not considered public so our hands are tied. What goes on in the parking lot we can't do anything about – can't stop people from driving through the parking lot.

- Within the context of the Fells, the burden of enforcement is on the users. When I hear people calling for more enforcement but I know it's not working currently or doesn't make sense for users, it is pointless just to increase enforcement.