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Barking up that same old tree

**As new set of leash-law fights
heats up, even those in fray tire of seemingly intractable battles**

by Ilene Lechuk
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Beastly turf battles over whether dogs can run off leash in San Francisco parks -- which have flared on and off for the past decade, dividing neighborhoods -- are reigniting as city and federal officials again try to revamp their policies.

It's bad timing for dogs and their owners, who have felt the bite of a lot of bad press lately, especially with the pit bull mauling death of 12-year-old Nicholas Faibish last month. It seems you can't pick up the newspaper or turn on the television these days without hearing a story about a dog bite.

In a city known for having more dogs than children, and more off-leash dog parks than anywhere else in the Bay Area, passions run feverishly high any time a change is proposed to San Francisco's leash policies. Even Mayor Gavin Newsom acknowledged the never-ending rancorous debate recently, saying he'd probably solve the city's entrenched homelessness crisis first.

It always boils down to dogs versus native plants, off-leash advocates versus protective parents, pedestrians versus dog poop.

The recent developments include neighborhood meetings last week at which the city Recreation and Park

Department shopped around a habitat preservation plan that would shrink some off-leash areas, like on Bernal Hill and in McLaren Park.

Also last week, the Golden Gate National Recreation Area renewed efforts to write leash laws for its coastal parks, by creating a public policy committee.

Meanwhile, urban park advocates and dog owners (or pet guardians, the official title in San Francisco) have been renegotiating a sticky proposal for a fenced dog area at the toddler-popular Duboce city park in the Lower Haight.

While some players in these controversies say they think they'll reach a resolution this time, others say it's like a dog chasing its tail -- pointless.

Brent Plater, a lawyer for the Center for Biological Diversity, which fought for leash enforcement at the national parks, said that after bearing the brunt of name-calling and even death threats over the years, "I'm not really hopeful this will ever resolve itself."

Children's advocates wanted Newsom to look at enhancing park leash laws as part of the dangerous dog task force he created after the June 3 mauling of Nicholas, who was left in his home alone with his family's pit bulls. But Newsom declined.

"That's for another day," the mayor said of leash policies. "I think we'll have better luck solving homelessness first."

Sally Stephens with the San Francisco Dog Owners Group is still going at it with hope, arguing for more parks where dogs can run and burn off energy, but even she sounds tired.

"It's been going on way too long, and it really is kind of soul-numbing," Stephens said.

Things heated up around 2001 when the city Recreation and Park Department announced it was updating its rules on where canines can and cannot be. Around the same time, the Golden Gate National Recreation Area rescinded its off-leash policies and started issuing tickets, which resulted in a lawsuit. A federal judge last month ruled the ban invalid because it was imposed without public input.

Debate quieted in the past few years. The city finished its dog policy in 2002 but lacked the police and Animal Care and Control officers to fully enforce it.

That policy identifies 26 existing off-leash dog parks in the city (compare that to seven in Seattle, where there is twice as much park acreage, according to a San Francisco park official) and created a process for dog enthusiasts to request additional

parks.

And that laid the groundwork for today's renewed doggie debates, such as the one at Duboce Park, where dog owners have applied for legal off-leash status, clashing with users of a toddler playground and other neighbors.

"We have more off-leash areas than any city in the country, but everyone wants to go to their neighborhood park with their dog. I just feel strongly that kids come first," said Marybeth Wallace of Coleman Advocates for Children and Youth.

After dozens of heated community meetings and at least two rejected plans for a dog area, Supervisor Bevan Dufty recently stepped in to mediate at Duboce. The result was another plan that will be reviewed by the city's Dog Advisory Committee in September after an August community meeting. It proposes a fenced dog play area on the lawn that leaves a grassy hill open for everyone else.

Mark Scheuer, president of Friends of Duboce Park, wants closure on this decade of debate.

"Of all the meetings you can have in the city, dog meetings are probably the most contentious," he said. "Around 1999, there was a meeting where we hired a mediator, who totally lost control of the group. I cannot tell you how ugly it was."

Across the city at Bernal Hill, where dogs can legally run leashless over the 24 acres, the Recreation and Park Department wants them off about 17 percent of the hill on the northwest side where wildflowers bloom. The proposal is part of the city's Significant Natural Resource Area Management Plan to preserve wildlife.

Jacob Sidi, walking Zick, a shepherd mutt, there on a recent windy morning, wondered how much damage the black and tan pooch could really do.

"He's only 50 pounds spread over four legs," Sidi said.

But environmentalists say people must imagine dozens of Zicks running over Bernal Hill or the coastal beaches overseen by the National Park Service, which Plater of the Center for Biological Diversity called "an amazing biological treasure."

The Golden Gate National Recreation Area is now trying a new approach to protecting nature while enforcing a dog policy, because the last effort to ban off-leash dogs ended in a legal battle.

Rather than impose a policy from Washington, D.C., the Park Service is asking the public to join a committee that will develop a policy, said spokeswoman Chris Powell. Parks and beaches most likely up for discussion will be Crissy Field, Fort Funston, Ocean Beach, Baker Beach and Fort Mason in San Francisco, Mori Point in Pacifica, and Rodeo Beach, Muir Beach and Stinson Beach in Marin County.

San Francisco might have the most tenacious and successful off-leash advocates, but it's not alone in the debate.

In Danville, owners of small dogs recently fought for a park just for the terriers, poodles and Chihuahuas that can't defend themselves against the Great Danes, shepherds and mastiffs that carouse through their pet parks.

Ken White, president of San Mateo Peninsula Humane Society & SPCA, said he regularly receives calls from communities there that want help securing new off-leash playgrounds. With White's agency eyeing a move

to Half Moon Bay, some dog advocates are lobbying for a public dog run to be included at the potential new site.

"With a limited number of acres set aside in urban and suburban communities for various recreational uses, there's always a question of how do you manage the (human and animal) competition for those parks," White said.

Powell of the Park Service said complaints about off-leash dogs clashing with humans increased after the recent spate of media reports about pit bulls and dog bites.

The same thing happened four years ago after Diane Whipple was fatally mauled by two dogs in the hallway of her Pacific Heights apartment building. Even though neither high-profile case happened in a park, the incidents tend to fuel debate about whether any off-leash dog is potentially dangerous.

Yet, "we have very few incidents in the parks of people getting injured," said San Francisco Police Sgt. William Herndon, who conducts the city's vicious dog hearings.

So then what is the biggest problem Herndon hears about dogs in parks?

"Dog poop, that's what it always seems to come down to," Herndon said.

By the way, Herndon said, the fine for not scooping dog droppings is \$319 -- compared with \$90.97 for the human variety.

Weigh In

These agencies are taking public input on their policies:

Golden Gate National Recreation Area, which has proposed forming a committee to create a dog policy for its parks, is accepting public comments until July 28. Call (415) 561-4728.

San Francisco Recreation and Park Department, which is finalizing its significant natural resource area management plan. Mail comments to 501 Stanyan St., San Francisco CA 94117, or visit www.parks.sfgov.org/site/recpark_meeting.asp?id=1896 and click on "contact us" to send an e-mail.

Parks with areas for dogs off leash

There are 26 parks with off-leash dog play areas that are officially recognized by the city:

- 1 Alamo Square
- 2 Alta Plaza Park
- 3 Bernal Heights
- 4 Brotherhood Way
- 5 Buena Vista Park
- 6 Corona Heights
- 7 Crocker Amazon
- 8 Dolores Park
- 9 Douglass Park
- 10 Eureka Valley Park
- 11 Golden Gate Park dog training area
- 12 GG Park Northeast
- 13 GG Park Southeast
- 14 GG Park South Central
- 15 Jefferson Square
- 16 Lafayette Park
- 17 Lake Merced
- 18 & 19 (McLaren Park: Two off-leash areas)
- 20 McKinley Square Park
- 21 Mountain Lake Park
- 22 Potrero Hill Mini-Park
- 23 St. Mary's Park
- 24 & 25 Stern Grove (2 sites, one at grassy area near Pine Lake and one near the path near the lake)
- 26 Upper Noe Park.

Source: ESRI, TeleAtlas, City and County of San Francisco

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