

Corporate Report

NO: R030

COUNCIL DATE: February 9,

2004

REGULAR

TO: **Mayor & Council** DATE: **February 5,
2004**

FROM: **Interim General Manager,
Parks, Recreation and
Culture** FILE: **6140 - 20/B**

SUBJECT: **Blackie Spit Park: Dogs Off leash**

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information; and
2. Given the considerations of the options presented in the report, staff recommend the Blackie Spit Park Dog Management Plan as outlined in Option 3 of this report: fenced off-leash area in non-sensitive location within the park complete with fresh drinking water for dogs and people; dogs banned from environmentally sensitive areas of the park; and dogs permitted on-leash elsewhere throughout the park.

BACKGROUND

Blackie Spit Park is located within the greater Fraser Delta, the largest estuary on the Pacific Coast of Canada, supporting the highest densities of water birds, shorebirds, and raptors in Canada in winter. The area where Blackie Spit Park is located (see Appendix A) is within the Provincial *Boundary Bay Wildlife Management Area*. The Boundary Bay - Robert's Bank - Sturgeon Bank area is the number one rated Important Bird Area of the 597 sites identified in Canada. Blackie Spit is one of the richest remaining habitats for waterfowl and shorebirds in Boundary Bay, due in large part to its location in the Nicomekl Estuary and extensive, intact salt marsh that has become increasingly rare due to diking and other development pressures in the Bay.

While considered to be environmentally sensitive, the local community has also used Blackie Spit for many years for dog walking (both on and off leash), by equestrians, cyclists and for beach day-use during the warm summer months. The park also has non sensitive areas set aside for a swimming club, a sailing club (complete with boat launch), and community gardens.

In the mid 1990's, Council recognized Blackie Spit Park as a special area, and brought it forward for park dedication through public referendum in 1996, at which time it was set aside at the assent of the electorate for the following purpose: "*Lands held by the City for the public's use and enjoyment, community uses and where the City, in its sole discretion, deems it appropriate and necessary for the management, conservation and enhancement of the native flora and fauna.*"

Through 1999, significant community consultation and design work led to the adoption of the Blackie Spit Park Master Plan

by the Parks, Recreation and Culture Commission. The vision for Blackie Spit Park developed through the master planning process was “to protect the long-term integrity of Blackie Spit while providing opportunities for community and nature based uses.” Recognizing both the environmentally sensitive nature of the park, and history of use of the park by the community as well as dogs and their owners, the Master Plan called for a one year trial dog off-leash area in the centre of the park. The off-leash area was subsequently designated according to the Plan and the trial period completed. The results of the trial were brought before the Commission in March 2003, at which time the Commission passed a resolution to close the dog off-leash area.

Following Commission's decision to close the off-leash area, considerable community outcry ensued in the Spring of 2003, led principally by members of the Dog Owner's Group of Surrey (D.O.G.S.). Commission reviewed their previous decision and in July 2003 directed staff to work with Blackie Spit stakeholders to find a solution to the conflicts at the park. The following stakeholders were invited to a series of seven (7) Stakeholder Committee meetings that took place in August through October: Crescent Beach Property Owners Association; Sailing Club; White Rock and Surrey Naturalists; Crescent Beach Swim Club; Dunsmuir Garden representatives; Ministry of Water, Air and Land Protection; The Dog Owner's Group of Surrey (D.O.G.S.) and the Canadian Wildlife Service. The Committee identified the specific issues of concern and developed eight (8) potential options to resolve these issues. These options ranged from 'No Dogs Period' to reinstatement of the dog off-leash area and the addition of water access for dogs. In the end, the Stakeholder Committee could not come to consensus on a preferred option.

A consultant's report entitled “*The Impacts of Dogs on the Foreshore and Nearshore at Blackie Spit Park*” was commissioned concurrent with the Committee's development of these options. This study was not field-based research; rather, it was a review of existing literature on the subject and practices in other jurisdictions. The Consultant found that even moderate compliance with leash regulations in environmentally sensitive areas is rarely achievable without:

- i) frequent enforcement;
- ii) dog owner education including prominent well spaced signage; and
- iii) well maintained fencing completely separating dog off-leash areas from sensitive habitat.

The Consultant concluded that Blackie Spit Park is not a good candidate site for dog access to the Boundary Bay intertidal area due to high sensitivity and regional importance of its habitats, the small size of the less sensitive habitats and the need for extensive, expensive and intrusive fencing to prevent off-leash dogs from intruding into other areas of the park. The Consultant recommended that the City work with dog owners and naturalists to identify a suitable site that does not have high environmental values, yet provides for highly desired facilities like drinking water, benches, and agility structure for dogs.

DISCUSSION

A key piece of information that arose from the discussions of the Stakeholder Committee was imparted by the representative of the Ministry of Land, Water and Air Protection, who stated that the Provincial Boundary Bay *Wildlife Management Area* currently has an Operating Policy in place that requires dogs to be on leash below the high tide mark. Therefore, any Dog Management Plan developed for Blackie Spit that would include intertidal access by dogs will need to be acceptable to the Provincial Ministry of Water, Land and Air Protection, as they (and not the City) have regulatory authority over the foreshore.

While the consultant and some stakeholders have recommended against establishing a dog off-leash area at Blackie Spit Park, staff's understanding of the historical and current use patterns indicate that dog owners may continue to use the park's environmentally sensitive areas with their pets even if dogs are banned entirely from the site, or if dogs are required to be leashed at all times. This conclusion lends weight to the argument that some sort of dog off-leash area should be considered for Blackie Spit Park, to provide a legitimate area for pets to be off-leash in a controlled, non-sensitive environment.

Other Sites

The Blackie Spit Stakeholder Committee supported the expedited creation of a new, well designed and suitable dog off leash area in the Semiahmoo Peninsula in partnership with D.O.G.S., based on a unanimous recognition that there is a need to provide additional off leash areas in South Surrey to prevent over crowding by dogs at Blackie Spit Park; this was consistent with the Consultant's recommendation.

While staff concur generally with the sentiment that an additional dog off leash park would be desirable in South Surrey, it must be noted that a dedicated dog off leash area in Dogwood Park already serves the area. Some Town Centres in Surrey do not yet have dedicated dog off leash areas as detailed in the **2001 Dog Off-Leash Areas Study**. Table 1 illustrates that while South Surrey does indeed have the largest number of licensed dogs of all the Town Centres, it represents only 22% of the total licensed dogs. By comparison, Newton, with a similar number of dogs, does not yet have a dedicated dog off leash area. (The development of off-leashed areas in all town centres is being planned for 2004-2006, based on available funding.)

Whalley	Guildford	Fleetwood	Newton	Cloverdale	South Surrey
3,545	2,066	2,353	3,663	2,420	3,994
20%	12%	13%	20%	13%	22%

Table 1 – Licensed Dogs by Town Centre (data from By-laws & Licensing)

At the present time, there are official dog off-leash areas located in GVRD's Tynehead Park (Guildford), Dogwood Park (South Surrey) and Freedom Park (Fleetwood).

Staff are currently carrying out a public process directed toward identifying the location for future development of an additional dog off leash site in South Surrey.

Options For Dog Management Plan For Blackie Spit Park

While many options exist for managing dogs at Blackie Spit Park, three clear options are presented for consideration:

Option 1: Ban dogs entirely from Blackie Spit Park

Option 2: Designate Blackie Spit Park as a Self-Regulated Dog Off-Leash Area

Option 3: Compromise option – fenced off-leash area in non-sensitive location within the park complete with fresh drinking water for dogs and people; dogs banned from environmentally sensitive areas of park; dogs permitted on-leash elsewhere throughout the park; and a memorandum of understanding with a local dog advocacy group for education of

park patrons and care of the off-leash area.

Additional detail on these options is provided in Appendix B.

Staff recommend that Council adopt Option 3., which is consistent with Commission's recommendation in this matter in October 2003.

Regardless of option chosen, it should be noted that education of park patrons and effective enforcement will be key elements in ensuring that the park is used as intended.

CONCLUSION

The issue of dogs off-leash at Blackie Spit Park has been a contentious one over the past year. There are many pet owners who continue to advocate for off-leash areas throughout the park and in the foreshore areas, while naturalist groups support restricting dogs off-leash, especially in the sensitive areas of the park.

Three options for dog management at Blackie Spit Park have been presented for consideration by Council, ranging from banning dogs at the park, through to designating the park as a dog off-leash area. One of the options, favoured by staff and a number of park stakeholders, is a compromise that would see a fenced dog off-leash area in the non-sensitive area of the park, and further scientific evaluation of the impact of providing water access in the least sensitive foreshore area of the park.

Gerry McKinnon, Interim General Manager,
Parks, Recreation and Culture

OCC:dlg

Attachments

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Appendix B

Information on Options 1 – 3

OPTIONS FOR DOG MANAGEMENT PLAN FOR BLACKIE SPIT PARK

Option 1: Ban dogs entirely from Blackie Spit Park

Pros:

- Would be supported by senior government environmental agencies, Dunsmuir Garden Executive and the Naturalists;
- Would provide a testament to Council's interest in providing protection to environmentally sensitive areas;

Cons:

- Would cause significant dismay to the many area residents who have used the park for walking their dogs (both on leash and off) for many years;
- Would be difficult to enforce, due to the size of the park, and the many trails that wind throughout the area.

Option 2: Designate Blackie Spit Park as a Self-Regulated Dog Off-Leash Area

Pros:

- Many pet owners would be thrilled with this option, as it would allow socialization between animals and their owners in locations throughout the park;
- There would be wide open spaces for dogs to run, without a concentration of pets in one fenced area of the park;
- Dogs, especially the water-breeds such as retrievers, would have access to water all around the park, which is an especially desirable opportunity.

Cons:

- It is likely that many pet owners do not understand the impact to the fauna and flora of the sensitive areas of the park by leashed and unleashed pets; there would be detrimental impacts to the environment resulting when dogs chase birds and run/dig in sensitive areas of the spit;
- The Ministry of Water, Air and Land Protection would not approve unrestricted access to the foreshore areas of the park, which are under the regulatory control of that ministry.
- Some stakeholders, such as the Naturalists who have invested considerable time and money in restoring and enhancing Blackie Spit, would react very negatively to such an option.

Option 3: Compromise Option

This compromise has been based on opinions expressed by the Stakeholder Committee, information provided by environmental consultants, and historical and current use of the site. Option 3 (see Map Schedule A) proposes:

- a) a fenced, dog off-leash area that will separate dogs from the sensitive foreshore areas of the park. The off-leash area would include fresh drinking water for dogs, and well-posted signs that indicate rules for use of the area;
- b) banning of dogs, on-leash or off, from the Spit portion of the park north of the parking lot, and the estuarine areas on the east side of the park, due to the sensitive nature of the habitat in this area;

- c) a Memorandum of Understanding between D.O.G.S. and the City, which would outline expectations of both parties with regards to issues such as care of the park and education of park patrons and respectful use of the site by pet owners;
- d) future consideration of water access for dogs, on the west side of the park, from the parking area south to Wickson Point, based on further scientific study carried out at the site, and based on compliance by dog owners in observing the rules of the park.

Pros:

- This approach to dog management at Blackie Spit has been endorsed by both the Canadian Wildlife Service and the Ministry of Water, Air and Land Protection, each of which has legislation in place to protect birds in the Wildlife Management Area (see Letters, Schedule "B");
- Welcomed by D.O.G.S., who have been working on education programs for dog owners who use the Spit and who are currently looking for legitimate access to off-leash areas at Blackie Spit Park.
- Regarded by most stakeholders as an acceptable compromise between allowing unfettered access to Blackie Spit by dogs, and banning dogs entirely;
- Will provide an immediate solution to the conflicts between unleashed dogs and those park patrons who use the site for other recreational purposes.

Cons:

- Does not go far enough to satisfy the Dunsmuir Gardens Executive, who would like to see dogs banned from the site entirely;
- Does not provide immediate guarantees of water access for dogs, as requested by a number of representatives of Canine Advocates of White Rock and Surrey (CAWS).
- Provides for a Memorandum of Understanding for only one of two dog advocacy groups.