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April 15, 2021

Laura Joss, Superintendent
Golden Gate National Recreation Area
Building 201, Ft. Mason
San Francisco, CA 94123

Re: Installing Signage Regarding Dog Walking Rules in the Golden Gate National Recreation Area; Financial Support from the Crissy Field Dog Group

Dear Superintendent Joss,

The Crissy Field Dog Group (CFDG) is writing this letter to address the pressing needs for a workable definition of voice control and for the signage to inform the general public and National Park Service (NPS) personnel regarding dog walking rules applicable in the Golden Gate National Recreation Area (GGNRA), and offer CFDG's financial support for the needed signage.

CFDG has been part of the San Francisco recreation community since 2001 and is deeply committed to upholding its mission of preserving responsible off leash dog walking in the GGNRA. For years, CFDG has been advocating for installing signage implementing the 1979 Pet Policy, pursuant to which NPS manages dog walking within the GGNRA. As further explained below, in the absence of such signage, Park law enforcement (NPS Park Rangers and U. S. Park Police) have wrongfully prosecuted visitors for lawfully walking dogs where they are allowed under the 1979 Pet Policy, and visitors often unknowingly walk dogs where they are not allowed.

To date, the NPS has expressed some openness to installing signage but has not followed through, citing funding and personnel concerns caused by COVID-19, but has refused to revise the impractical definition of voice control, a remnant from the abandoned proposed dog management plan and rejected by the expert consulted by the NPS staff. In contrast, the Presidio Trust will be installing signage soon regarding dog-walking management in the Tunnel Tops and Quartermaster Reach areas, demonstrating that signage can and should be installed. To facilitate the GGNRA the same, needed measures on GGNRA lands, CFDG is willing to pay for the manufacturing of these signs.

As a reminder of the history of dog walking access in the GGNRA and the 1979 Pet Policy, we have provided a summary below. We would be eager to discuss how CFDG can help NPS fund and install needed signage soon.

A. Background regarding the GGNRA and dog management

San Francisco and the Bay Area are densely packed urban areas that have limited recreational open space. As a result of the importance and increasing scarcity of recreational opportunities in the area, when coastal open space once owned by the Army was threatened with development, Congress created the Golden Gate National Recreation Area in 1972. GGNRA Act, Pub. L. 92-589, §1, 86 Stat. 1299 (1972).

In passing the GGNRA Act, Congress explained that “[t]his legislation will ... [establish] a new national urban recreational area which will concentrate on serving the outdoor recreation needs of the people of the metropolitan region.” H.R. Rep. No. 1391, 92nd Cong., 2nd Session, 1972 U.S.C.A.N. 4850, 4852 (1972). The Act was intended to “preserve [coastal areas] for public use and enjoyment” and “provide for the maintenance of needed recreational open space necessary to urban environment and planning.” Pub. L. 92-589, §1. During hearings, Congress recognized off leash dog walking to be among these existing uses.

Since 1979, dog walking in GGNRA lands in San Francisco and Marin counties has been managed pursuant to the [1979 Pet Policy](#), with some minor modifications in light of protected species that are reflected in the Superintendent’s previously issued Compendiums of Designations, Closures, Permit Requirements and Other Restrictions. The 1979 Pet Policy identifies where GGNRA users may walk their dogs under voice control and on leash, as well as areas closed to dogs.¹ NPS has sought to depart from the 1979 Pet Policy on several occasions, but federal courts have deemed each attempt unlawful after Bay Area residents, who widely oppose restrictions on dog walking, were forced to file suit.²

B. Regulation of dog walking in the GGNRA today and need for signs

Today, the GGNRA continues to manage dog walking pursuant to the 1979 Pet Policy. However, in the absence of signs implementing the 1979 Pet Policy, confusion about where dog

¹ Available at <https://www.nps.gov/goga/planyourvisit/upload/GGNRA-1979-pet-policy.pdf>.

² See *United States v. Barley*, 405 F. Supp. 2d 1121 (N.D. Cal. 2005) (finding the agency had violated public notice and comment requirements and unlawfully shut the public out of the process); *Ft. Funston Dog Walkers v. Babbitt*, 96 F. Supp. 2d 1021 (N.D. Cal. 2000) (same). Most recently, in late 2017, NPS was forced to abandon its proposed Dog Management Plan and associated Environmental Impact Statement, which would have severely restricted dog walking in the GGNRA. Most recently, in late 2017, NPS was forced to abandon its proposed Dog Management Plan and associated Environmental Impact Statement, which would have severely restricted dog walking in the GGNRA. See, e.g., 82 Fed. Reg. 61,199-02 (Dec. 27, 2017) (withdrawing proposed rule); CBS SF Bay Area, National Park Service Drops Effort To Restrict Dog Walking In GGNRA, <https://sanfrancisco.cbslocal.com/2017/10/19/proposed-ggnra-dog-walking-restrictions-dropped/> (Oct. 19, 2017). A Freedom of Information Act lawsuit revealed entrenched bias in the agency against access to dog walkers, and that NPS/GGNRA officials conducted backroom dealings with groups opposed to dog walking in the GGNRA. The FOIA lawsuit also revealed that these officials sought to destroy public records documenting such dealings and bias, and intentionally used private email servers to communicate with groups interested in reducing recreational access to GGNRA in favor of other uses.

walking is allowed persists. On numerous occasions, NPS officials have cited and prosecuted people for walking dogs in areas where they are entitled to walk dogs under the 1979 Pet Policy.

As just one example, in 2019, U.S. Park Police cited a CFDG member for walking dogs off leash in an area of the Presidio where the 1979 Pet Policy allows for off leash dog walking. Worse, the Park Police issued her a vague citation for “interfering with agency functions,” including because she sought to correct the Park Police’s misunderstanding of the law and her rights. The ordeal was traumatizing for this person—she was forced to appear in federal district court and meet with three Assistant United States Attorneys who, after hours of discussion, finally agreed to drop the legally unfounded failure to leash citation and an associated incorrect citation for walking a dog without a permit. However, they refused to drop the citation for “interfering with agency functions” that was the product of the Park Police’s misunderstanding of the law.

For these reasons, since at least 2005, CFDG has asked GGNRA to install signage and provide clear, easily accessible physical and digital maps showing dog walking rules under the 1979 Pet Policy. While we believe the 1979 Pet Policy makes the public’s right to recreate in the GGNRA with their dogs clear, such physical signposts and digital signposts would help avoid confusion by both NPS law enforcement and the many people who depend on the GGNRA as a critical place to recreate in the Bay Area.

Indeed, for this same reason, the Presidio Trust will soon install signs implementing the 1979 Pet Policy in the Quartermaster Reach and Tunnel Tops areas adjoining Crissy Field.

C. CFDG offers its financial support for installing the needed signage.

As noted above, the GGNRA has expressed openness to installing signs. To date, however, the GGNRA has not followed through, most recently citing funding and personnel concerns being compounded by COVID-19.

To address this financial concern, CFDG proposes to pay for the needed signage, with the GGNRA providing for the labor. CFDG obtained information from the Presidio Trust regarding the range of costs of the signs implementing dog management rules that the Presidio Trust will install soon. Michael Boland, Chief of Park Development and Visitor Engagement for the Presidio Trust, advised us that the signs cost ranges between \$100-\$200 each. CFDG is willing to cover costs associated with installing similar signs in the GGNRA. While sign installation still varies from site to site in the GGNRA, posts are generally already installed in most locations and the signs simply need to be added.

Notably, CFDG has funded similar installation efforts on the GGNRA in the past. For example, we worked side by side with the SF Boardsailors and the GGNRA where we helped to pay for the dog rinse station at Crissy Field. CFDG also continues to take other steps to maintain and improve the GGNRA. For example, we have worked collaboratively with the San Francisco SPCA and Marin Humane for many years about educating the public about responsible dog ownership on GGNRA lands. And, for the last 18 years, CFDG has provided doggie bags at our own expense and our volunteers continue to fill dispensers daily.

* * *

The Presidio Trust’s work to install signage soon about applicable dog walking rules highlights the need to and feasibility of installing similar signage in the GGNRA. Signs are nothing short of good governance and park stewardship—they will protect visitors acting within their rights and reduce occurrences of visitors unknowingly walking dogs where they are not allowed. Installing signage is an easy measure, particularly given that poles with other signs already exist throughout the GGNRA.

CFDG recently reached out to our three Congressional offices (Speaker Pelosi, Rep. Speier and Rep. Huffman) regarding this issue of needed signage about dog walking rules under the 1979 Pet Policy.

They conveyed the following statement to the GGNRA regarding this issue:

“We are always supportive of effective partnerships between the Park Service and Park Users. We would be happy if this would work”.

CFDG is eager to partner with the GGNRA and NPS in this effort, including by paying for these needed signs. We would like to set up a conference or Zoom call by the middle of May 2021 to discuss how CFDG can help the GGNRA install much needed signage about dog walking rules under the 1979 Pet Policy.

Thank you,

Martha Walters

Martha Walters, Chair
Crissy Field Dog Group

CC:

Speaker Nancy Pelosi, CA
Congresswoman Jackie Speier, CA
Congressman Jared Huffman, CA
Robert Edmonson, Chief of Staff, Speaker Pelosi’s Office
Dan Bernal, District Director, Speaker Pelosi’s Office
Katrina Rill, Congresswoman Jackie Speier’s Office
Jenny Callaway, Congressman Jared Huffman’s Office
Michael Boland, Presidio Trust
San Francisco Supervisor Catherine Stefani
Dr. Jennifer Scarlett, San Francisco SPCA
Nancy McKenny, Marin Humane

