



CITY OF PORTLAND
Parks, Recreation & Facilities Department
Sally DeLuca, Director

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Ethan Hipple, Deputy Director

July 2019

To the Portland Parks Commission,

I am writing with an update on the proposed changes to off-leash dog policy in Baxter Woods. We presented a proposal to put dogs on 25 foot leashes year-round in Baxter Woods at your April 4, 2019 meeting. At the time, the Commission requested more information on a number of topics, and this memo provides more information so that the Commission can make a recommendation on the staff proposal before it is brought to City Council for a final decision.

Compromise Proposal:

Staff are proposing a compromise policy that attempts to address the well-documented dog/human safety issues, the bird sanctuary deed issues, and the passionate population of off-leash users and advocates. The City recognizes the value and sense of community that comes from the many daily users of the park who are there specifically to let their dogs run off-leash.

The compromise proposal was crafted after careful consideration of public comments at the April 4, 2019 meeting and further consultation with Maine Audubon and members of the community group Responsible Dog Owners of Baxter Woods.

Our overall goal is to balance the many needs of *all* kinds of park users, so a compromise policy was developed that would consist of the following:

- **April 1 through July 31, annually:** Dogs on 8-foot leash at all times (to coincide with migratory bird nesting season).
- **August 1 through March 31, annually:** Dogs permitted off-leash and under voice control from 5am to 9am, and from 5pm to 10pm. From 9am to 5pm, dogs must be on 8-foot leash.
- **Habitat Restoration Area:** In addition to the off-leash schedule, staff would work with various conservation, school and community groups to create a habitat restoration area where restoration efforts would contribute to creating habitat that can support migratory bird reproduction. The habitat restoration area would be roughly 5.5 acres and would be off limits to off-leash dogs year round. This is similar to efforts on the Eastern Promenade where there are designated off-leash areas, as well as wildlife habitat meadow areas.

Staff sought to find a compromise that would benefit the bird population in Baxter Woods so that we could honor the intent of the deed to the property that called for the area to be maintained as a “sanctuary for wild birds”, while still providing some access to the park for off-leash dogs.



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The compromise proposal offers access to dogs on-leash 12 months a year, and for 8 of those 12 months, dogs off-leash and under voice control would still be welcome. The compromise proposal also mirrors hours of off-leash use that are used at East End Beach so that dog owners have a simple, easy to remember schedule that will be easy to follow and enforce.

The compromise proposal also changes the leash requirement from a 25 foot leash to an 8 foot leash. This was primarily due to public comment at the April 4, 2019 meeting from dog owners that a 25 foot leash in a tightly wooded area would result in tangles and potential aggression. An 8 foot leash will also enable dog owners to keep their dogs out sensitive habitat restoration areas.

Many conservation areas in the region that are managed as bird or wildlife sanctuaries simply ban dogs all together due to their well-documented negative impact on wildlife. A select few areas with more relaxed rules allow dogs, but on-leash only. We know of no areas managed as bird or wildlife sanctuaries in Maine that allow for any off-leash dog activity.

- Bangor City Forest, Bangor: Dogs on Leash
- Fore River Sanctuary, Portland (Owned by Portland Trails): Dogs on Leash
- Robinson Woods, Cape Elizabeth: Dogs on Leash (limited hours)
- Gilsland Farm Audubon Center, Falmouth: No Dogs
- Wolfe's Neck Center: Dogs on Leash
- River Point Conservation Area, Falmouth: No Dogs

With the compromise proposal before you, Baxter Woods would stand alone in continuing to allow for a limited amount of off-leash use (outside of prime nesting season) and could serve as a test case in managing for wildlife and off-leash dog use simultaneously.

After numerous conversations with Maine Audubon, their staff affirmed that this compromise policy would have some positive benefits for birds and wildlife, especially if combined with a habitat restoration area. Audubon experts state that with proper restoration and enforcement, we could see up to a dozen ground-nesting bird species in Baxter Woods. Likely species include, but are not limited to, ground sparrows, woodcock, oven birds and wood thrush.

Additional Study and Monitoring of Ground Nesting Birds, Ground Feeding Birds

Staff have contracted with Biodiversity Research Institute to conduct a survey of all birds in Baxter Woods so that we have baseline data to compare to future years when new policy changes will take effect. This survey is taking place in June/July of 2019.

Enforcement:

Staff do currently enforce leash laws at Baxter Woods, but ticketing is rare as we try to take a



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more educational approach. We are working on funding strategies to bring on additional Rangers to patrol and enforce leash laws throughout the City.

History of Off Leash Dog Ordinance in Baxter Woods

During the April 4, 2019 meeting, some Commissioners raised the question of “When did the City start to allow off leash dogs at Baxter Woods?” Staff researched the various versions of Chapter 5 of the City Code and discovered that Baxter Woods was added to the list of off-leash voice control parks (along with 13 other parks) during December of 1983. At the time, the city was debating whether to allow dogs and off-leash dogs in Western Cemetery, and as part of those deliberations, a list was created of parks where off-leash activity was permitted. Baxter Woods was included on that list for unknown reasons.

Sincerely,
Ethan H

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