



CITY COUNCIL  
**Staff Report**

**Meeting Date:** April 14, 2020

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Kyle Lancaster, Parks & Recreation Director  
kyle.lancaster@carlsbadca.gov, or 760-434-2941

**Subject:** Report on a Potential Off-leash Dog Area at the Village H South Property

**Recommended Action**

Receive a report on a potential off-leash dog area at the Village H South property, and direct staff to either (a) not pursue an off-leash dog area, (b) pursue the Staff Option concept plan for an off-leash dog area, or (c) pursue the Staff & Preserve Calavera Option concept plan for an off-leash dog area.

**Executive Summary**

On Dec. 10, 2019, staff presented a report to the City Council on the results of the public outreach and involvement process for a potential off-leash dog area within the Village H South property. The report advised the City Council of the opportunities and constraints of the conceptual plans drafted in association with that process and requested direction on any next steps to be taken in relation to the property [Exhibit 1]. In response, the City Council directed staff to narrow consideration of the concept plans to the 'Staff Option' [Exhibit 2], to meet with Preserve Calavera members to hear their option and then find a hybrid of the two options within two months and return to the City Council. The following discussion provides the present status of the Village H South property and details staff's follow-up to the City Council's Dec. 10, 2019 direction.

**Discussion**

**Background**

On Nov. 25, 2013, Preserve Calavera, Quarry Creek Investors, LLC, and the City of Carlsbad entered into a legal settlement agreement that ultimately led to the transfer of the deed for the Village H property to the city on May 7, 2019. Section 4.b of the Agreement states "Upon the transfer of Village H to the city, the city shall assume responsibility for ownership of Village H and shall promptly allow public access to the historic public use trail through Village H."

**Present Status of Village H South Property**

On Aug. 4, 2019, upon completion of the remedial work within the Village H South property, staff complied with Section 4.b of the Agreement, by promptly allowing the public access to the trail. The balance of the southern section of the property remains a combination of preserve area and open space – i.e., 9.9 acres of habitat preserve area and 12.6 acres of open space.

Dogs are not permitted within city parks, preserves or other open space, except for in designated dog parks and on city trails. Dogs may be on city trails, provided they are attached to a maximum six-foot leash, in the owners' control. The related regulations are included in the San Diego County Code of Regulatory Ordinances and the Carlsbad Municipal Code, with further guidance contained in the 1989 Report of the Citizens Committee on the City of Carlsbad Open Space Plan and Programs. Therefore, only leashed dogs are currently allowed on the Village H trails. No dogs are allowed on the balance of the Village H property.

#### **Staff Follow-Up to the Dec. 10, 2019 City Council Direction**

On Dec. 10, 2019, staff presented a report to the City Council on the results of the public outreach and involvement process for a potential off-leash dog area within the Village H South property. The report advised the City Council of the opportunities and constraints of the conceptual plans drafted in association with that process and requested direction on any next steps to be taken in relation to the property. At the conclusion of staff's presentation, seven people provided public comments on the item. After a brief discussion, the City Council, on a minute motion by Council Member Blackburn, seconded by Council Member Schumacher, directed staff to narrow consideration of the concept plans to the "Staff Option," to meet with Preserve Calavera members to hear their option and then find a hybrid of the options within two months and return to the City Council.

On Dec. 11, 2019, Ms. Diane Nygaard, on behalf of Preserve Calavera, sent an email message to the Mayor and the City Council, providing a correction to a statement of support attributed to her regarding the reasonable time frame for collecting essential wildlife movement [Exhibit 3]. On Dec. 11, 2019, Ms. Nygaard also sent an email to staff, indicating Preserve Calavera members would let staff know when they were ready to work on modifying the subject options.

On Jan. 21, 2020, Ms. Nygaard sent an email to staff with "Preserve Calavera's proposal in response to City Council direction on this issue" [Exhibit 4]. Ms. Nygaard indicated Preserve Calavera's "preference is to leave things as they are as that is the least damaging alternative." The message also included attachments of a hand-marked concept plan titled 'Preserve Calavera Alternative' and a list of 17 items titled 'Modifications Required to Allow Off Leash Dogs in Wildlife Corridor at Village H – Jan. 21, 2020.' Staff subsequently vetted the concept plan and modifications list, then contacted Ms. Nygaard to schedule a meeting with Preserve Calavera members. On Feb. 4, 2020, staff met with Preserve Calavera members to discuss the plan and list. Based on staff's comments at that meeting, Preserve Calavera members indicated they would try to prepare a revised response to City Council direction on this issue within a week. On Feb. 12, 2020, Ms. Nygaard left a voice mail message for staff, advising she needed additional time to complete a revised response.

On Feb. 16, 2020, Ms. Nygaard sent an email to staff with a "revised Preserve Calavera proposal in response to discussion at ... meeting on Feb. 4, 2020" [Exhibit 5]. Ms. Nygaard again indicated Preserve Calavera's "preference is to leave things as they are as that is the least damaging alternative." Additionally, she indicated Preserve Calavera believed its proposal greatly reduced the impacts on wildlife from the Staff Option, which it did not find acceptable. The message also included attachments of a revised hand-marked concept plan titled 'Preserve Calavera Alternative' and a revised list of 17 items titled "Modifications Required to allow Off Leash Dogs

in Wildlife Corridor at Village H – Feb. 16, 2020.” Staff subsequently vetted the documents internally, then created a new Staff & Preserve Calavera Option concept plan [Exhibit 6] and prepared responses to the revised modifications list [Exhibit 7]. The new plan and the responses were emailed to Ms. Nygaard on March 3 and March 5, 2019, respectively.

A narrative summary of the Staff Option concept plan is provided in Exhibit 1 and Exhibit 2. A narrative summary of the Staff & Preserve Calavera Option concept plan is provided in Exhibit 6 and below.

**Staff & Preserve Calavera Option**    *(Off-leash dog area approximately 1.0 acre/min. width 35’)*

**Opportunities:**

1. Modification to alignment of Village H South trail accepted by Preserve Calavera
2. Location of off-leash dog area accepted by Preserve Calavera
3. Complies with the settlement agreement to provide public access to the historic trail, partly in the form of a city trail and partly in the form of an off-leash dog area
4. Expanded opportunity for wildlife movement from north to south
5. No direct impact to approximately four acres of non-sensitive habitat
6. No direct impact to sensitive habitat to the east
7. Provides for a small on-site parking lot of approximately 20 spaces
8. Off-leash dog area is fenced in with a single access gate
9. Daily maintenance of off-leash dog area
10. Accommodates dogs both on- and off-leash
11. No conflicts with the trail segment connecting to Tamarack Avenue

**Constraints:**

1. Impacts to water quality due to dog waste
2. Parking lot run off (oils, etc.)
3. City code requires an electric vehicle charging station
4. Greater stormwater runoff
5. Increased dog waste and noise due to designated off-leash dog area
6. Increased disturbance of wildlife
7. Need for enforcement and maintenance
8. Smaller off-leash dog area than prior options
9. Requires update to the Calavera Hills Master Plan because of change in planned use

On March 6, 2020, staff met with Preserve Calavera members to further review the Staff & Preserve Calavera Option concept plan and staff’s responses to the revised modifications list. Ms. Nygaard raised questions over the size/type of the proposed parking lot and restroom facility. Ms. Nygaard also expressed concerns over the city’s maintenance and possible alteration of the open space to the east of the off-leash dog area if it is not added to habitat preserve area. She surmised that wildlife movement would improve as a result of that change.

On January 14, 2020, staff met with representatives of the California Department of Fish and Wildlife and United States Fish and Wildlife Service, regarding wildlife movement through the Village H property and the potential for an off-leash dog area. Those representatives conveyed

general support for the Staff Option concept plan. In addition, consultants and volunteers have continued to perform wildlife movement and dog waste studies on the Village H property. On February 14, 2020, staff prepared a memorandum summarizing the status of these studies [Exhibit 8], which was presented in the Carlsbad Habitat Management Program Annual Report.

Staff is requesting the City Council provide direction on the Village H South property to either:

- a. not pursue an off-leash dog area
- b. pursue the Staff Option concept plan for an off-leash dog area
- c. pursue the Staff & Preserve Calavera Option concept plan for an off-leash dog area.

### **Fiscal Analysis**

There is no direct fiscal impact associated with the receipt of this staff report. Should the City Council provide direction (b) or (c) above, staff would include a request for the establishment of a project charter and appropriation of project funding in the FY 2020-21 Capital Improvement Program (CIP) Budget. In the interim, staff would prepare and process a request for proposals for a design firm to address the environmental studies, master plan amendments, resource agency approvals and other permits needed to prepare the construction documents and plans/specifications for an off-leash dog area. The professional services agreement with the design firm would not be executed until after the adoption of the FY 2020-21 CIP Budget.

### **Next Steps**

Staff will implement the direction provided by the City Council on the Village H South property. Should the City Council provide direction (b) or (c) above, staff would include a CIP project for an off-leash dog area at the Village H South property within its existing scope of active CIP projects related to parks and trails. The following is a partial listing of such active CIP projects: Veterans Memorial Park Master Plan, Poinsettia Community Park Dog Park, Calavera Hills Community Park Gateway, Stagecoach Community Park Synthetic Turf Replacement, Aviara and Hidden Canyon Community Parks Playground Safety Resurfacing, Multi-Community Parks Lighting Retrofit, South Shore Agua Hedionda Lagoon (Hub Park) Trail, Lake Calavera Trails Master Plan, and Trail Connectivity to Carlsbad State Beach.

### **Environmental Evaluation (CEQA)**

The activities associated with receiving this staff report, a presentation and providing direction to staff will not involve or result in any disturbance to the environment and is categorically exempt from the California Environmental Quality Act (CEQA). CEQA Section 15306 describes the following activities as being exempt from environmental review:

“...basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.”

### **Public Notification and Outreach**

This item was noticed in accordance with the Ralph M. Brown Act and was available for public

viewing and review at least 72 hours prior to the scheduled meeting date. On March 12, 2020, this staff report was posted to the city's website. At approximately the same time, an email notification of the website posting was sent to all Village H South property off-leash dog area workshop and online survey participants who had expressed an interest in being kept abreast of the public outreach and involvement process.

### Exhibits

1. Dec. 10, 2019 City Council staff report (without exhibits) on Village H South
2. Dec. 10, 2019 Village H South 'Staff Option' concept plan
3. Dec. 11, 2019 email from Ms. Nygaard to the Mayor and Council
4. Jan. 21, 2020 email message from Ms. Nygaard to staff
5. Feb. 16, 2020 email message from Ms. Nygaard to staff
6. March 3, 2020 Village H South 'Staff & Preserve Calavera Option' concept plan
7. March 5, 2020 staff responses to Preserve Calavera's revised modifications list
8. Feb. 14, 2020 staff memorandum on Village H Wildlife Movement and Dog Waste Studies



CITY COUNCIL

# Staff Report

**Meeting Date:** Dec. 10, 2019

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

**Staff Contact:** Kyle Lancaster, Parks & Recreation Director  
kyle.lancaster@carlsbadca.gov, or 760-434-2941

**Subject:** Presentation on results of the public outreach and involvement process for a potential off leash dog area within the Village H South property.

### Recommended Action

Receive a presentation on the results of the public outreach and involvement process for a potential off leash dog area within the Village H South property and direct staff on any next steps to be taken in relation to the property.

### Executive Summary

On April 23, 2019, staff presented a report to the City Council regarding the public outreach process and restrictions on the Village H trail (Exhibit 1). At the conclusion of the presentation, the City Council, on a minute motion by Council Member Schumacher, seconded by Mayor Pro Tem Bhat-Patel, directed staff to initiate public outreach to engage residents in the development of a plan to integrate an off-leash dog run as part of the Village H property. Specifically, staff was directed to commence the public outreach over the subsequent 90 days and to include public noticing within 600 feet of the Village H property. Council Member Schumacher further requested staff engage and incorporate resident input about how best to integrate an off-leash dog run, not simply offer staff prepared options for residents to select from. Staff was directed to return to the City Council in the fall of 2019 with public and staff recommendations for consideration.

Staff is requesting the City Council receive the results of the public outreach and involvement process for a potential off leash dog area within the Village H South property and direct staff on any next steps to be taken in relation to the property.

### Discussion

On Jan. 8, 2019, the City Council adopted Resolution No. 2019-03 to accept the grant deed dedicating the Calavera Hills Village H property from Presidio Cornerstone QC, LLC (Presidio) to the City of Carlsbad and to authorize two, one-time appropriations of \$215,000 and \$45,000 to the parks maintenance operating and the trails maintenance operating budgets, respectively, for a total of \$260,000 in improvements to the property to meet city standards. At that time, staff anticipated recording the deed for the property within two weeks, and provided the City Council with an estimate of 60-90 days from recordation to complete the

following: coordinate with the Center for Natural Lands Management to assume ongoing management responsibility of two preserve areas within the southern section of the property, and execute and administer contracts with trade firms to perform remedial work needed to address the city's preserves, open space and trails standards.

On March 8, 2019, the City Council received a memorandum from staff providing an update on the status of the Village H property transfer. The memorandum indicated the transfer of the deed and subsequent recordation had been delayed due to the terms of a restrictive conservation easement over the northern section of the property, which required that 1) the property owner, Presidio, provide the conservation easement deed holder, The Center for Natural Lands Management (CNLM), a 45-day notice of the property transfer, and 2) Presidio pay CNLM a transfer fee assessed at \$10,000.

Presidio formally provided notice to CNLM of the property transfer on Jan. 16, 2019, fulfilling the first requirement. However, Presidio took exception to the second requirement on payment of the transfer fee. In response to Presidio's exception, the City Attorney's Office prepared a concurrency demand letter. Presidio subsequently agreed to pay CNLM a transfer fee negotiated by the City Attorney's Office. Once that fee was paid, staff intended to record the deed to accept the Village H property, consistent with the City Council's previous action.

On March 12, 2019, the City Council, on a minute motion by Council Member Hamilton, seconded by Council Member Schumacher, directed staff to return to City Council within 45 days with an agenda item to discuss the public outreach process and restrictions on the Village H trail. Staff understood this direction to be specific to the existing informal trail within the southern section of the Village H property. The southern section of this property contains 9.9 acres of habitat preserve area and 12.6 acres of open space.

On April 22, 2019, Presidio informed the City Attorney's Office that the negotiated transfer fee had been paid. On April 23, 2019, staff returned to the City Council with the requested Staff Report (Exhibit 1). At the conclusion of staff's presentation of the Staff Report, the City Council, on a minute motion by Council Member Schumacher, seconded by Mayor Pro Tem Bhat-Patel, directed staff to initiate public outreach to engage residents in the development of a plan to integrate an off-leash dog run as part of the Village H property. Specifically, staff was directed to commence the public outreach (once the deed had been recorded) over the subsequent 90 days and to include public noticing within 600 feet of the Village H property. Council Member Schumacher further requested staff engage and incorporate resident input about how best to integrate an off-leash dog run, not simply offer staff prepared options for residents to select from. Staff was directed to return to the City Council in the fall of 2019 with public and staff recommendations for consideration.

#### Public Outreach and Involvement

The goal of the public outreach process was to identify the community's needs, values and priorities related to the potential use of the southern section of the Village H property. Some of these identified to date include:

- The social connection experienced by community members who have used the informal trail, with and without dogs.

- Access to outdoor recreation, such as walking and jogging, for dogs and people, in a natural setting.
- Protection of sensitive habitat.
- Enhancement of wildlife corridors (land where animals can move freely from one area of open space to another, unobstructed by fences and other barriers).
- Privacy, peace and quiet, and safety of the residents immediately adjacent to property.

Many stakeholders had already shared their views about the future use of this property with the city. To ensure the city considered input from a broad range of stakeholders, staff conducted the following activities, all within 90 days of the recording of the property's deed:

- Posted signage at the site about the change in ownership of the property; the closure of the southern section for remedial work; and, the pending opening of the trail to the public – subject to the existing regulations for citywide trails, including dogs on leash.
- Posted signage at the site inviting community members to a public meeting and to share input via an online survey.
- Sent a direct mailing to residents and property owners in the area surrounding the property, with the same invitation.
- Held a public workshop on June 29, 2019, at Calavera Hills Community Center that provided an opportunity for community members to share their needs, values and priorities related to the potential use of the site. The workshop was attended by approximately 100 community members.
- Administered an online survey from July 5 through July 28, 2019, which sought public input in a similar manner to that of the public workshop. The online survey received over 500 respondents.

At the public workshop, community members were invited to brainstorm ideas, identify potential constraints and mock up possible design concepts. City staff provided a brief history of the site, along with an overview of the present opportunities and constraints at the site, including settlement agreement requirements and designated Habitat Management Plan (HMP) preserve areas. Following the introduction, staff posed questions for small group discussion to identify a long-term plan for potential off leash dog area options at the southern section of the Village H property. Each group then mocked-up aerial images of the section for possible design.

The online survey provided an opportunity for members of the public to provide input at a time convenient to them. Topic areas identified at the public workshop helped inform the questions on the online survey. Of significant note were the responses to Question 3, whereby respondents were asked to rank several statements about Village H in order of importance.

Those rankings were as follows:

- 83% (254 Respondents) - Experience and enjoy nature
- 77% (235 Respondents) - Protection of wildlife
- 57% (175 Respondents) - Socialize with neighbors
- 53% (163 Respondents) - Exercise with my dog on a leash
- 49% (150 Respondents) - Exercise with my dog off leash



- 48% (147 Respondents) - Exercise/socialize my dog off leash

The results of the public workshop and the online survey were combined into the Village H South Public Input Report and Appendices (Exhibit 2 and Exhibit 3).

Participants of the public workshop mocked up a total of 12 aerial images of the property – i.e., one per small group. All 12 of the images are included within the public input report. Staff subsequently reviewed the images for commonalities or consistencies. Staff was able to decipher four themes from those images, which were transposed onto four conceptual plans, labeled 'Public Input Options 1 through 4' (Exhibit 4).

Public Input Options 1 through 4 were posted to the city's website as options that would be presented for City Council consideration. Each of these options and a Staff Option, discussed further below, are consistent with the Open Space General Plan Land Use designation, which are allowable uses per the restrictive covenants applicable to the site (Exhibit 7).

However, as part of the city's ongoing review, the City Attorney's Office determined that Public Input Options 1 through 3 are legally infeasible based on requirements of the current settlement agreement (Exhibit 8) (city's obligations to provide public access to the historic public use trail and use best efforts to implement the Trails Master Plan) and are inconsistent with the city's HMP. Pursuing Options 1 through 3 would require amending the settlement agreement and would also require amending the city's HMP. Amending the settlement agreement does not appear possible as Preserve Calavera opposes these options. Amending the city's HMP is additionally subject to review and approval by the wildlife agencies.

Public Input Option 4 does not violate the settlement agreement or infringe into HMP preserve areas, however it is anticipated to block wildlife movement through the entire parcel. Further study would be necessary to fully assess the impacts of this option on wildlife movement. Staff also drafted a conceptual plan, which attempted to maximize the opportunities and minimize the constraints on the site, labeled 'Staff Option' (Exhibit 5). A listing of each option's opportunities and constraints is reflected in the exhibits and is additionally reflected below for Public Input Option 4 and the Staff Option.

Public Input Option 4

*(Off leash dog area approximately 4.4 acre/min. width 70')*

Opportunities:

1. Historic trail with dogs on leash per the Settlement Agreement
2. Adds approximately three acres of habitat to the city's preserve system
3. Large off leash dog area
4. Off leash dog area is fenced in
5. Daily maintenance of off leash dog area
6. Consistent with use regulations per Carlsbad Municipal Code

Constraints:

1. Wildlife movement blocked through the entire parcel

2. Entity granted discretionary rights to enforce the restrictive covenants is opposed
3. Impacts to water quality due to dog waste
4. Decreased habitat area to the east
5. Greater stormwater runoff
6. No parking lot/suggested location was not part of project area
7. Increased dog waste and noise due to designated off leash dog area
8. Increased disturbance of wildlife
9. Need for enforcement and maintenance greater than other options
10. Requires update to the Calavera Hills Master Plan

Staff Option

*(Off leash dog area approximately 2.7 acre/min. width 75')*

Opportunities:

1. Historic trail with dogs on leash per the Settlement Agreement
2. Adds approximately four and a half acres of habitat to the city's preserve system
3. Greater opportunity for wildlife movement
4. Preserve acreage of habitat to the east
5. Off street parking provided
6. Off leash dog area is fenced in
7. Daily maintenance of off leash dog area
8. Accommodates dogs on leashes and off
9. No conflicts with trail segment connecting to Tamarack Ave.

Constraints:

1. Impacts to water quality due to dog waste
2. Entity granted discretionary rights to enforce the restrictive covenants is opposed
3. Parking lot run off (oils, etc.)
4. City law requires an EV charging station
5. Greater stormwater runoff
6. Increased dog waste and noise due to designated off leash dog area
7. Need for enforcement and maintenance greater than other options
8. Smaller off leash dog area
9. Requires update to the Calavera Hills Master Plan

On Oct. 31, 2019, staff met with board members of Preserve Calavera, which was a party to the legal settlement agreement that ultimately led to the transfer of the deed for the Village H Property, and which remains as the entity that was granted discretionary rights to enforce the restrictive covenants on the Village H Property. Staff provided an overview of the public input report and appendices, and briefly discussed each of the conceptual plan options, along with their respective opportunities and constraints. The board members expressed concerns regarding each of the conceptual plans' potential impacts to the wildlife movement within the area. In response, staff advised that shortly after the transfer of the deed for the Village H Property, a consultant environmental firm was engaged by the city to conduct a wildlife movement study of the property (Exhibit 6). Staff further advised that monitoring of the wildlife movement is continuing, and further environmental studies would be required as part

of the planning and permitting process associated with an off leash dog area within the southern section of the property – should the City Council direct staff to pursue it.

On Nov. 13, 2019, the public input report and appendices, and the conceptual plan options – with their opportunities and constraints, were posted to the city’s Village H webpage. On Nov. 14, 2019, email notification of the webpage postings was sent to all workshop and online survey participants who had expressed an interest in being kept abreast of the public outreach and involvement process. Subsequently, the referenced wildlife movement study was also posted to the city’s Village H webpage.

#### Current Status of the Village H South Property

On Aug. 4, 2019, upon completion of the remedial work within the Village H South property, staff complied with Section 4.b of the Agreement, by promptly allowing the public access to the trail. The balance of the southern section of the property remains a combination of preserve area and open space – i.e., 9.9 acres of habitat preserve area, and 12.6 acres of open space. Dogs are not permitted within city parks, preserves or other open space, except for designated dog parks and city trails. Dogs may be on city trails, provided they are attached to a maximum six-foot leash, in the owners’ control. The related regulations are included in the San Diego County Code of Regulatory Ordinances and the Carlsbad Municipal Code, with further guidance contained in the 1989 Report of the Citizens Committee on the City of Carlsbad Open Space Plan and Programs. Therefore, currently leashed dogs are allowed on the Village H property’s trails. Dogs are not currently allowed in any fashion on the balance of the Village H property. Staff is requesting the City Council receive the results of the public outreach and involvement process for a potential off leash dog area within the Village H South property and direct staff on any next steps to be taken in relation to this property.

#### Fiscal Analysis

There is no direct fiscal impact associated with the receipt of this Staff Report. Based on the direction provided by the City Council, staff may return at a later date to request the appropriation of funding for a Capital Improvement Program project or other anticipated expenditures.

#### Next Steps

The City Council may provide direction to staff on next steps to be taken in relation to this property. As noted above, further environmental studies – including wildlife movement monitoring - would be required as part of the planning and permitting process associated with an off leash dog area within the southern section of the property. Should the City Council direct staff to pursue Public Input Option 4 or the Staff Option, staff would return to the City Council in early 2020 with a request for approval of a Capital Improvement Program Project Charter and an appropriation of funds for the associated project activities.

The proposed dog park at Poinsettia Community Park offers a recent example of an off leash dog park planning and permitting effort. On Sept. 12, 2017, the City Council directed staff to explore locating an off leash dog park at the segment of Poinsettia Community Park which was initially envisioned for a multigenerational recreation center. On Dec. 10, 2019, staff will

present a report on that effort to date, and request approval of an amendment to the Poinsettia Community Park Master Plan to relocate a proposed off leash dog park and add an adjacent parking lot and restroom.

Presuming approval of that amendment, staff will work with a design firm to prepare the construction documents and plans/specifications for the Poinsettia Community Park dog park project (including the adjacent parking lot and restroom). Staff anticipates returning to the City Council by the end of Spring 2020 for approval of the plans/specifications and authorization for public bidding. Upon completion of the public bidding process, staff will request that the City Council award a construction contract. Staff will then arrange for the contractor to proceed with construction of the Poinsettia Community Park dog park project, which is expected to take approximately six months to complete.

#### **Environmental Evaluation (CEQA)**

The activities associated with receiving this Staff Report, a presentation and providing direction to staff will not involve or result in any disturbance to the environment and is categorically exempt from the California Environmental Quality Act (CEQA). CEQA Section 15306 describes the following activities as being exempt from environmental review:

“...basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.”

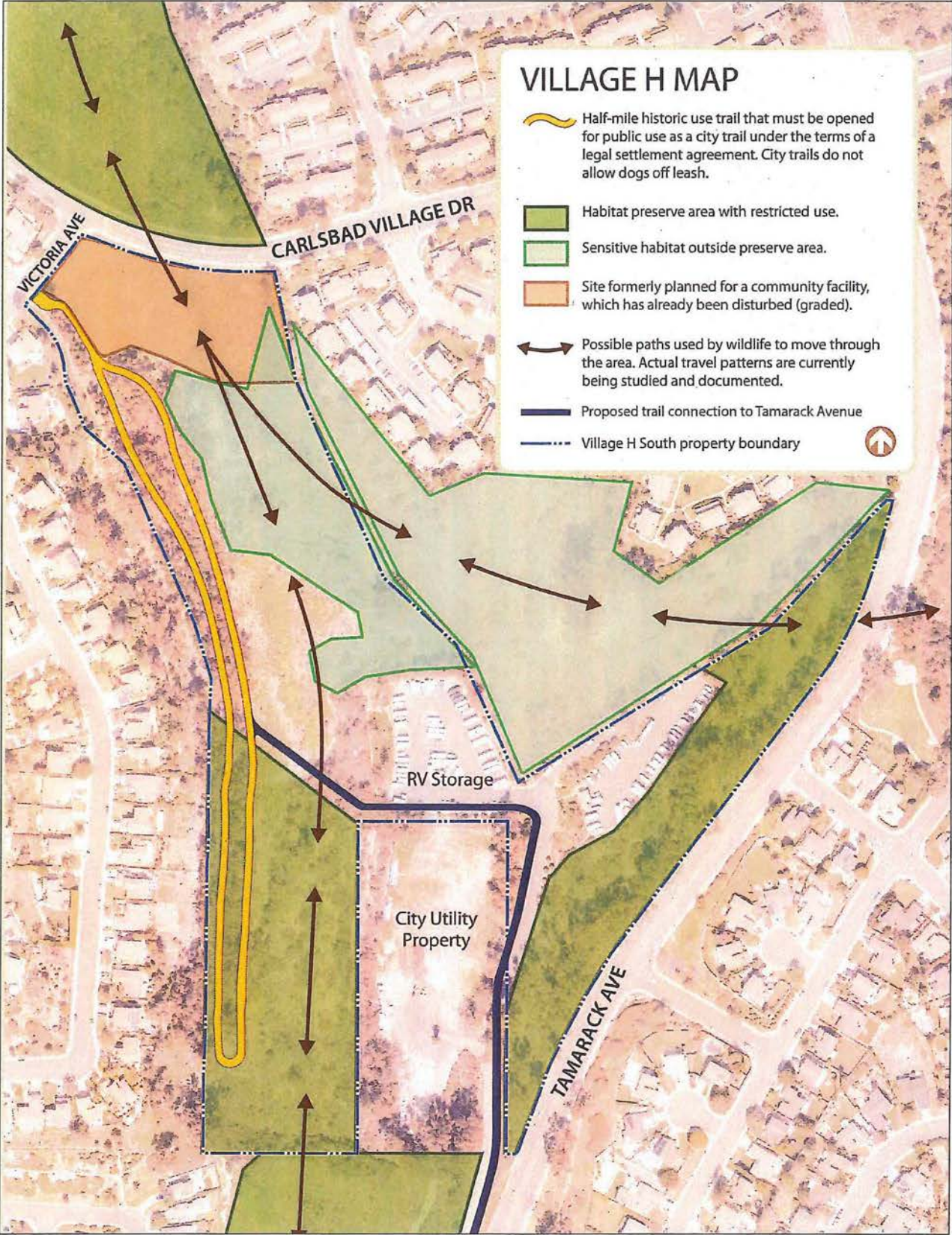
#### **Public Notification and Outreach**

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

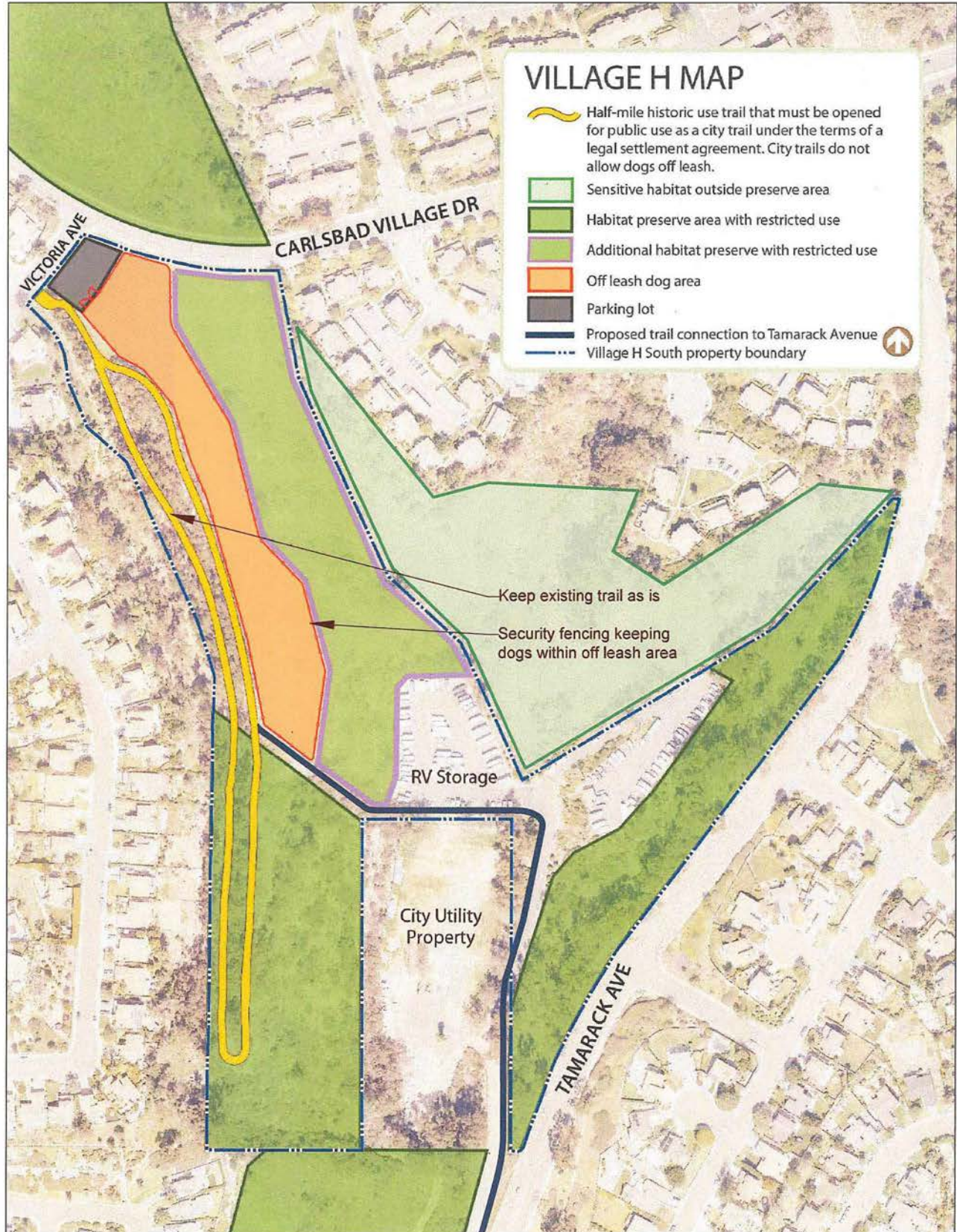
#### **Exhibits**

1. City Council Staff Report of April 23, 2019
2. Village H South Public Input Report
3. Village H South Public Input Appendices to Public Input Report
4. Village H South Conceptual Plans - Public Input Options
5. Village H South Conceptual Plan – Staff Option
6. Village H Wildlife Movement Study, Environmental Science Associates
7. Restrictive Covenants for Village H Site
8. Settlement Agreement - City of Carlsbad, Quarry Creek Investors, LLC and Preserve Calavera

# VILLAGE H SOUTH - EXISTING USE



# VILLAGE H SOUTH - STAFF OPTION



**Staff Option**

*Off leash dog area approximately 2.7 acre/ min width 75'*

**Opportunities:**

1. Historic trail with dogs on leash per the Settlement Agreement
2. Adds approximately 4.5 acres of habitat to the city's preserve system
3. Opportunity for more wildlife movement
4. Preserve acreage of habitat to the east
5. Off street parking provided
6. Off leash dog area is fenced in
7. Daily maintenance of off leash dog area
8. Accommodates dogs on leashes and off
9. No conflicts with trail segment connecting to Tamarack Ave.

**Constraints:**

1. Impacts to water quality due to dog waste
2. Parking lot run off (oils, etc.)
3. City law requires an EV charging station
4. Greater stormwater runoff
5. Increased dog waste and noise due to designated off leash dog area
6. Need for enforcement and maintenance greater than other options
7. Smaller off leash dog area
8. Requires update to the Calavera Hills Master Plan

**Kyle Lancaster**

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**From:** Diane Nygaard  
**Sent:** Wednesday, December 11, 2019 2:16 PM  
**To:** Council Internet Email  
**Cc:** Kyle Lancaster  
**Subject:** Village H- next Steps

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Honorable Mayor and Council

My apologies I was not able to attend the meeting last night- but the concerns of Preserve Calavera were well represented by Board members Paige DeCino and Karen Merrill.

Perhaps it was the lateness of the meeting., but Council Member Blackburn was mistaken when he said I supported 2 months as a reasonable time frame for collecting essential wildlife movement data. Our written talking points, my verbal discussion at meeting with the Council Member, and repeated at the meeting last night all said one year. Wildlife have both seasonal and life cycle changes in movement patterns. One year provides sufficient time to assess those patterns- and not just a "snapshot" which is what we have now.

That said- we heard the Council direction and will do our best to find a reasonable compromise in the next two months.

Diane Nygaard  
On behalf of Preserve Calavera



**Kyle Lancaster**

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**From:** Diane Nygaard  
**Sent:** Tuesday, January 21, 2020 11:39 AM  
**To:** Kyle Lancaster  
**Cc:** Karen Merrill; Paige DeCino  
**Subject:** Proposal to Accommodate Off leash Dogs at Village H  
**Attachments:** Village H Wildlife Corridor Modifications Required to Allow Off Leash Dogs Jan 21.docx; img196.pdf; img197.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. Lancaster

Attached is Preserve Calavera's proposal in response to City Council direction on this issue. Of course our preference is to leave things as they are as that is the least damaging alternative. But we committed to a good faith effort to consider this and that is what we have done.

Our first priority is to improve the function of the wildlife movement corridor. That is the reason we worked for 16 years to try to get this parcel acquired. So our proposal looks at how we can do that, and minimize the adverse impacts that are associated with dogs, on or off leash, in this already highly constrained area.

Our proposal has also tried to balance the concerns staff raised as well as the community members who have been advocating for off-leash. And we have also tried to balance the community's desire as expressed in the survey- with slightly more wanting on leash use.

We also note that throughout north county we see increasing pressure on our remaining natural lands. Population increases so more people want access to these lands. But there is less land available. That makes it harder for all of us to achieve the community's goals for preserving these lands while supporting a healthy outdoor lifestyle.

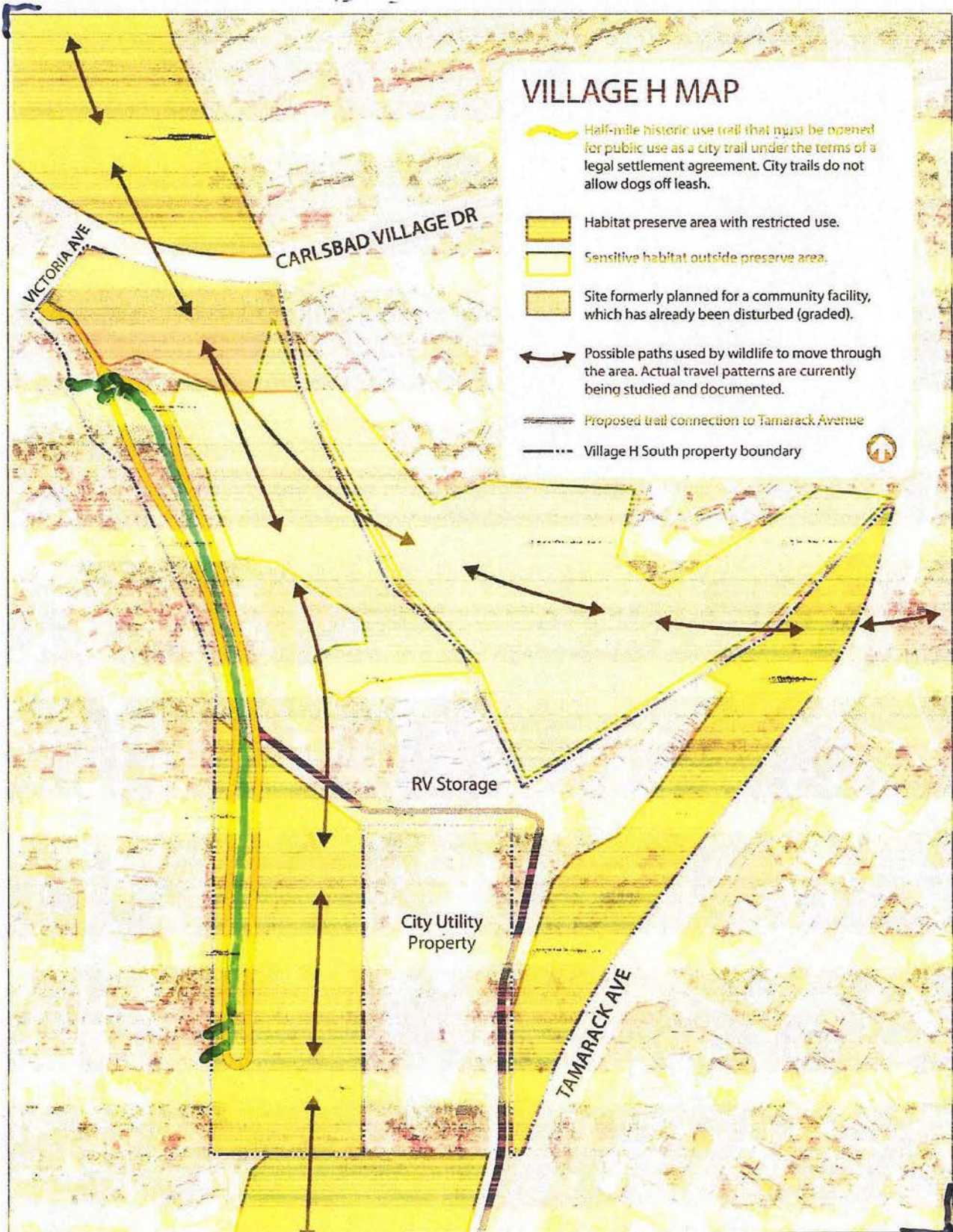
Please let us know if you would like to discuss this further.

Diane Nygaard  
On behalf of Preserve Calavera

**CAUTION:** Do not open attachments or click on links unless you recognize the sender and know the content is safe.

# VILLAGE H SOUTH - EXISTING USE

## Preserve Calavera Alternative



**D- Design modifications to Staff Option**

**D – 1 Eliminate parking lot**

This is intended as a neighborhood amenity- not one to accommodate city wide/regional use

**D -2 Modify gate on northeast corner to be secure from pedestrian/dog access**

The revised plan assumes wildlife will continue to move along eastern side of site. Currently there is illegal access from that corner with high volume of dog waste. Current gate is often unlocked and even when closed and locked people just walk under it with their dogs.

**D – 3 Move off leash area to western edge**

Buffers impacts of off leash dogs by placing pedestrian/ on-leash trail between them and area for wildlife. (Current design has off leash area next to wildlife corridor)

**D – 4 Modify boundary of dog related security fencing**

So it does not restrict wildlife movement in the area planned for wildlife

**D – 5 Expand area for hardline open space**

Corridor width is already compromised to less than what is allowed for a “pinchpoint”

**D – 6 Keep trail surface, for both off leash and on leash areas per existing**

IE dirt surface with wood chip mulch along edges

**D -7 Modify standard dog park fencing to be less obstrusive**

Limit height to 4' so site lines are not through the fence, use low visual impact material(not chain link)

**O – Offsite changes to improve function/mitigate for impacts to the wildlife movement corridor**

**O-1 Establish inspection program to ensure wildlife undercrossing of Tamarack remains open and functional.**

**O -2 Add 2 small openings ( 12 “ high x 12 “wide ) under existing fencing along Tamarack**

This was recommended by Dudek wildlife movement study in April 2010

**O- 3 Add “Caution-wildlife crossing” signs to each side of Tamarack to mark crossing area**

This was a condition in Robertson Ranch settlement agreement that has been ignored.

**O- 4 Maintain culverts/access to culverts to facilitate wildlife movement from the south**

**O- 5 Explore options to reduce wildlife barriers associated with city utility property**

**O- 6 Commit staff time and needed resources to develop a real plan to address the wildlife corridor pinch point issues identified in Pinch point study – city wide**

**M – Management actions**

M-1 Daily Ranger patrols to monitor leash compliance and that fencing/gate are intact

These can be adjusted over time as conditions warrant

M-2 Regular dog waste removal- to include pick-up along outside of fence along CBV Dr

M-3 Restrict all night time use between 10 pm and 6 am

Studies show use impacts patterns of movement and there needs to be some restricted times in this narrow space that already fails to meet minimum requirements.

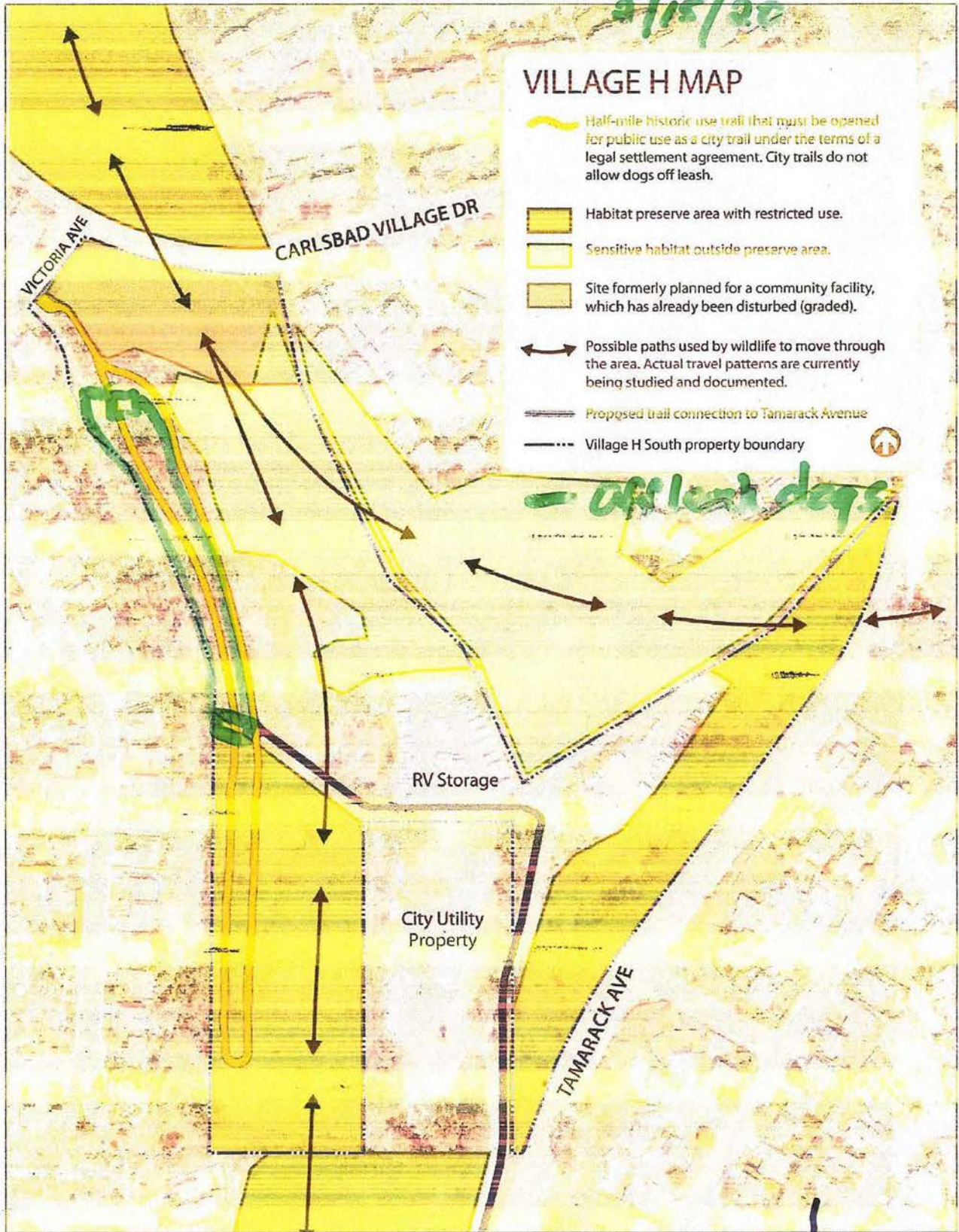
M- 4 Continue to monitor wildlife movement across CBV and Tamarack.

Consider wildlife crossing signs on CBV if warranted.

# VILLAGE H SOUTH - EXISTING USE

## Preserve Calavera Alternative

2/15/20



## **Modifications Required to Allow Off Leash Dogs in Wildlife Corridor at Village H Feb 16,2020**

### **D- Design Modifications to Staff Option**

#### **D – 1 Hold construction of parking lot until justified by use**

This is intended as a neighborhood amenity- not one to accommodate city wide/regional use. The area proposed for parking includes slope along Victoria which increases the area of impact for no real benefit. This is of particular concern because of documented wildlife movement across Carlsbad Village Drive that would be severely impacted by the combination of parking lot and off-leash dogs in this constrained area. Future construction would be dependent upon on actual analysis of parking demand demonstrating impact on adjacent neighborhood.

#### **D -2 Modify gate on northeast corner to be secure from pedestrian/dog access**

The revised plan assumes wildlife will continue to move along eastern side of site. Currently there is illegal access from that corner with high volume of dog waste. Current gate is often unlocked and even when closed and locked people just walk under it with their dogs.

#### **D – 3 Move off leash area to western edge**

Buffers impacts of off leash dogs by placing pedestrian/ on-leash trail between them and area for wildlife. (Current design has off leash area next to wildlife corridor)

#### **D – 4 Modify boundary of dog related security fencing**

So it does not restrict wildlife movement in the area planned for wildlife

#### **D – 5 Expand area for hardline open space**

Corridor width is already compromised to less than what is allowed for a “pinchpoint”. Entire area not restricted for off-leash dog use should be added to the HMP hardline preserve.

#### **D – 6 Keep trail surface, for both off leash and on leash areas per existing**

IE dirt surface with wood chip mulch along edges

#### **D-7 Modify standard dog park fencing to be less obtrusive**

### **O – Offsite Changes to Improve Function/mitigate for Impacts to the Wildlife Movement Corridor**

O-1 Establish inspection program to ensure wildlife undercrossing of Tamarack remains open and functional.

Thank you for opening this major barrier to wildlife movement!

O- 2 Add “Caution-wildlife crossing” signs to each side of Tamarack to mark crossing area

This was a condition in Robertson Ranch settlement agreement that has been ignored.

O- 3 Maintain culverts/access to culverts to facilitate wildlife movement from the south

O- 4 Maintain browditches that facilitate wildlife movement in this segment of the corridor

Recent wildlife movement studies indicate these are important corridor connections that are facilitating wildlife movement. See att. map for brownditch locations

**O-5 Maintain vegetation on slope above city utility property**

This area is now being used for wildlife movement. Consider adding this to the HMP hardline to ensure vegetation is maintained in a way that supports continued wildlife movement. (Note-existing brownditches extend into this area).

**O- 6 Commit staff time and needed resources to develop a real plan to address the wildlife corridor pinch point issues identified in Pinch point study – city wide**

This is just one of many pinchpoint/constrained areas for wildlife movement. There needs to be an on-going long- term effort to ensure the wildlife movement corridors assumed to be functional in the HMP are adequate.

**M – Management actions**

**M-1 Regular Ranger patrols to monitor leash compliance and that fencing/gate are intact**

These can be adjusted over time as conditions warrant

**M-2 Regular dog waste removal- to include pick-up along outside of fence along CBV Dr**

This will become a key area for wildlife movement and dog waste is a deterrent to use by wildlife. Currently there is a high volume of dog waste along this fence.

**M-3 Restrict all night time use between 10 pm and 6 am**

Studies show use impacts patterns of movement and there needs to be some restricted times in this narrow space that already fails to meet minimum requirements for a wildlife movement corridor. This will also make the addition of off-leash dogs less onerous for adjacent residents.

**M- 4 Continue to monitor wildlife movement across CBV and Tamarack.**

Consider wildlife crossing signs on CBV if warranted.

**Kyle Lancaster**

---

**From:** Diane Nygaard  
**Sent:** Sunday, February 16, 2020 1:39 PM  
**To:** Kyle Lancaster  
**Cc:** Tim Selke; Rosanne Humphrey; Paige DeCino; Karen Merrill  
**Subject:** Revised Village H Proposal to Allow Off-leash Dogs  
**Attachments:** Village H Wildlife Corridor Modifications Required to Allow Off Leash Dogs Feb 16,21.docx; img203.pdf; Village H South Browditch Map - with possible animal crossing.pdf

Mr. Lancaster

Attached is revised Preserve Calavera proposal in response to discussion at our meeting on February 4,2020. Of course our preference is to leave things as they are as that is the least damaging alternative. We also believe our proposal has greatly reduced the impacts on wildlife from the Village H South-Staff Option proposal. We do not find that proposal acceptable. We committed to a good faith effort to consider an option that allows off leash dogs and that is what we have done.

Our first priority is to improve the function of the wildlife movement corridor. That is the reason we worked for 16 years to try to get this parcel acquired. So our proposal looks at how we can do that, and minimize the adverse impacts that are associated with dogs, on or off leash, in this already highly constrained area.

Our proposal has also tried to balance the concerns staff raised as well as the community members who have been advocating for off-leash. And we have also tried to balance the community's desire as expressed in the survey- with slightly more wanting on leash use.

We also note that throughout north county we see increasing pressure on our remaining natural lands. Population increases so more people want access to these lands. But there is less natural land available. The result is that we are loving these lands to death. That makes it harder for all of us to achieve the community's goals for preserving these lands while still providing community access to them.

Our mission is to preserve, protect and enhance the natural resources of coastal north San Diego County. Adding off leash dogs to a constrained section of the regional wildlife movement corridor cannot be done without adversely impacting our local native plants and wildlife. Minimizing those impacts is our primary concern.

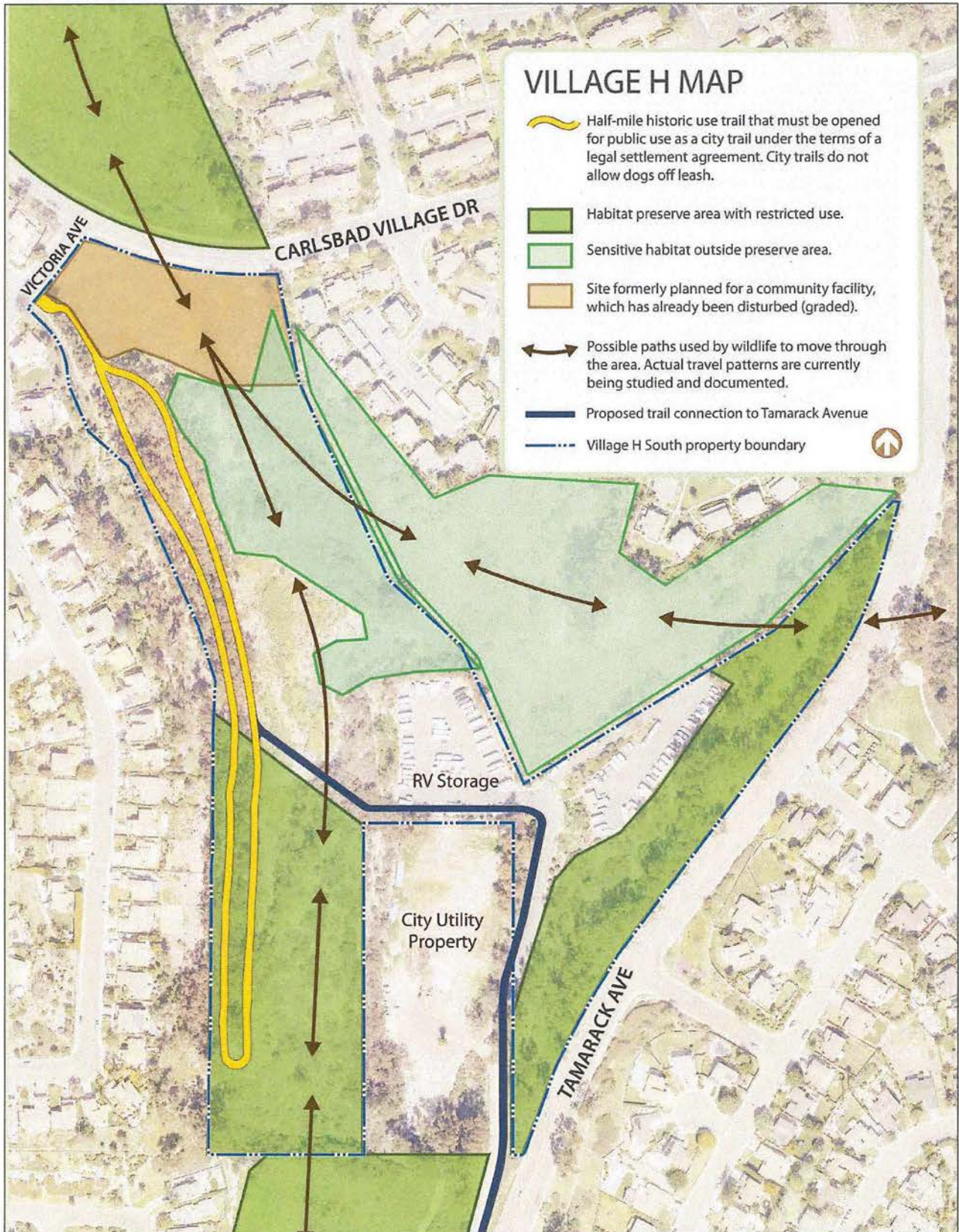
Please let us know if you would like to discuss this further.

Diane Nygaard  
On behalf of Preserve Calavera

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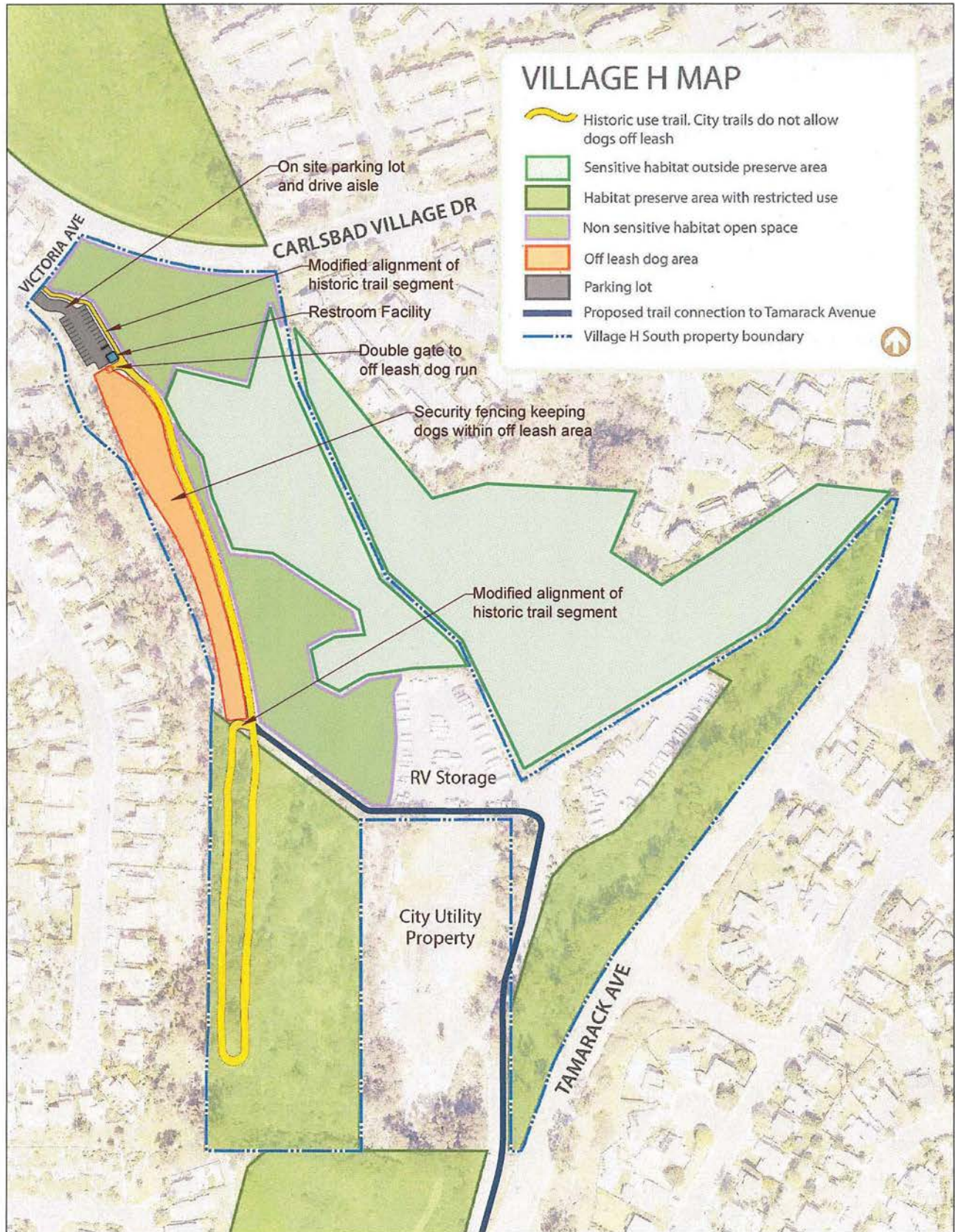


# VILLAGE H SOUTH - EXISTING USE



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# VILLAGE H SOUTH - STAFF & PRESERVE CALAVERA OPTION



**Staff & Preserve Calavera Option**

*Off-leash dog area approximately 1.0 acre/ min width 35'/ length 750'*

**Opportunities:**

1. Modification to alignment of Village H South trail accepted by Preserve Calavera
2. Location of off-leash dog area accepted by Preserve Calavera
3. Complies with the settlement agreement to provide public access to the historic trail, partly in the form of a city trail and partly in the form of an off-leash dog area
4. Expanded opportunity for wildlife movement from north to south
5. No direct impact to approximately four acres of non-sensitive habitat
6. No direct impact to sensitive habitat to the east
7. Provides for a small on-site parking lot of approximately 20 spaces
8. Off-leash dog area is fenced in with a single access gate
9. Daily maintenance of off-leash dog area
10. Accommodates dogs both on- and off-leash
11. No conflicts with the trail segment connecting to Tamarack Avenue

**Constraints:**

1. Impacts to water quality due to dog waste
2. Parking lot run off (oils, etc.)
3. City code requires an electric vehicle charging station
4. Greater stormwater runoff
5. Increased dog waste and noise due to designated off-leash dog area
6. Increased disturbance of wildlife
7. Need for enforcement and maintenance
8. Smaller off-leash dog area than prior options
9. Requires update to the Calavera Hills Master Plan because of change in planned use

**Modifications Required to Allow Off Leash Dogs in Wildlife Corridor at Village H Feb 16,2020**

*A City of Carlsbad staff response is in italicized font below each modification* Mar. 5, 2020

**D- Design Modifications to Staff Option****D – 1 Hold construction of parking lot until justified by use**

This is intended as a neighborhood amenity- not one to accommodate city wide/regional use. The area proposed for parking includes slope along Victoria which increases the area of impact for no real benefit. This is of particular concern because of documented wildlife movement across Carlsbad Village Drive that would be severely impacted by the combination of parking lot and off-leash dogs in this constrained area. Future construction would be dependent upon on actual analysis of parking demand demonstrating impact on adjacent neighborhood.

*This modification is not anticipated to be addressed with the implementation of project for an off leash dog area. Staff is confident an onsite parking lot would be needed for such an amenity, to reduce the potential of off leash dog area patrons using street parking in adjacent neighborhood.*

**D -2 Modify gate on northeast corner to be secure from pedestrian/dog access**

The revised plan assumes wildlife will continue to move along eastern side of site. Currently there is illegal access from that corner with high volume of dog waste. Current gate is often unlocked and even when closed and locked people just walk under it with their dogs.

*This modification can be addressed upon implementation of a project for an off leash dog area.*

**D – 3 Move off leash area to western edge**

Buffers impacts of off leash dogs by placing pedestrian/ on-leash trail between them and area for wildlife. (Current design has off leash area next to wildlife corridor)

*This modification is addressed in the latest concept plan, titled 'Village H South – Staff & Preserve Calavera Option.'*

**D – 4 Modify boundary of dog related security fencing**

So it does not restrict wildlife movement in the area planned for wildlife

*This modification is addressed in the latest concept plan, titled 'Village H South – Staff & Preserve Calavera Option.'*

**D – 5 Expand area for hardline open space**

Corridor width is already compromised to less than what is allowed for a “pinch point”. Entire area not restricted for off-leash dog use should be added to the HMP hardline preserve.

*This modification is not anticipated to be addressed. The area not restricted for off leash dog use is anticipated to be a combination of preserve, sensitive habitat open space and non-sensitive habitat open space.*

D – 6 Keep trail surface, for both off leash and on leash areas per existing

IE dirt surface with wood chip mulch along edges

*This modification can be addressed upon implementation of a project for an off leash dog area.*

D -7 Modify standard dog park fencing to be less obtrusive

*This modification can be addressed upon implementation of a project for an off leash dog area.*

**O – Offsite Changes to Improve Function/mitigate for Impacts to the Wildlife Movement Corridor**

O-1 Establish inspection program to ensure wildlife undercrossing of Tamarack remains open and functional.

Thank you for opening this major barrier to wildlife movement!

*This modification is currently being addressed.*

O- 2 Add “Caution-wildlife crossing” signs to each side of Tamarack to mark crossing area

This was a condition in Robertson Ranch settlement agreement that has been ignored.

*This modification is currently being addressed.*

O- 3 Maintain culverts/access to culverts to facilitate wildlife movement from the south

*This modification is currently being addressed.*

O- 4 Maintain brow ditches that facilitate wildlife movement in this segment of the corridor

Recent wildlife movement studies indicate these are important corridor connections that are facilitating wildlife movement. See att. map for brow ditch locations

*This modification is currently being addressed.*

O-5 Maintain vegetation on slope above city utility property

This area is now being used for wildlife movement. Consider adding this to the HMP hardline to ensure vegetation is maintained in a way that supports continued wildlife movement. (Note-existing brow ditches extend into this area).

*This modification is currently being addressed. The subject area is already within the HMP hardline, and under monitoring and management by the contractor for city-owned preserves (Center for Natural Lands Management).*

O- 6 Commit staff time and needed resources to develop a real plan to address the wildlife corridor pinch point issues identified in Pinch point study – city wide

This is just one of many pinch point/constrained areas for wildlife movement. There needs to be an on-going long- term effort to ensure the wildlife movement corridors assumed to be functional in the HMP are adequate.

*This modification is currently being addressed.*

## **M – Management actions**

M-1 Regular Ranger patrols to monitor leash compliance and that fencing/gate are intact

These can be adjusted over time as conditions warrant

*This modification can be addressed upon implementation of a project for an off leash dog area.*

M-2 Regular dog waste removal- to include pick-up along outside of fence along CBV Dr

This will become a key area for wildlife movement and dog waste is a deterrent to use by wildlife. Currently there is a high volume of dog waste along this fence.

*This modification is currently being addressed.*

M-3 Restrict all night time use between 10 pm and 6 am

Studies show use impacts patterns of movement and there needs to be some restricted times in this narrow space that already fails to meet minimum requirements for a wildlife movement corridor. This will also make the addition of off-leash dogs less onerous for adjacent residents.

*This modification can be partially addressed upon completion of a project for an off leash dog area. Staff can recommend imposing open hours of 8am to sunset for the off leash dog area. The gates to the off leash dog area would then be locked each night and unlocked each morning. Staff cannot recommend imposing hour restrictions on trail use adjacent to the off leash area.*

M-4 Continue to monitor wildlife movement across CBV and Tamarack.

Consider wildlife crossing signs on CBV if warranted.

*This modification is currently being addressed.*



# Memorandum

February 14, 2020

**Re: Update on Village H Wildlife Movement and Dog Waste Studies**

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This memo summarizes the status of the wildlife movement and dog waste studies being conducted by city staff, volunteers and Environmental Science Associates, which was presented in the 15<sup>th</sup> HMP Annual Report.

## **Wildlife Movement Studies**

Wildlife movement across the landscape is an important component of a healthy ecosystem. In an urbanized preserve system, wildlife corridors can connect fragmented patches of habitat, allowing migration, dispersal, and gene flow of wildlife species. However, wildlife movement can become restricted when wildlife corridors are blocked by development such as houses or roads. The presence of people and dogs, such as along heavily used trails, can also restrict or deter wildlife movement through avoidance of an area or behavioral changes, including limiting movement to nighttime hours. The city's wildlife movement program, implemented through a partnership with HMP staff, preserve steward, preserve managers and volunteers, evaluates wildlife movement at selected locations throughout the city.

## **Village H Preserve and Open Space**

The Village H property, which consists of HMP hardline and non-hardline open space, is being considered for the installation of an off-leash dog park. To understand how wildlife is using this property and how an off-leash dog area might affect wildlife movement, three studies were initiated shortly after the property came under the city's ownership.

## **Wildlife Cameras**

Wildlife cameras with motion detectors were installed at various locations throughout the property to determine the presence or absence of native wildlife, humans, dogs on-leash and dogs off-leash (Figure 1). The cameras were set to take 10-second videos each time they were triggered. By moving the cameras around to many different locations and collecting data for up to a year, this study will provide information about what species are using this property, and which locations are most heavily used by each species. This information, in turn, will allow us to infer how wildlife may be moving across the site and if the presence of humans and dogs may be deterring use by wildlife in some areas. Bobcats and coyotes were the focus of this analysis because they have larger home ranges than the other species.





Village H  
Wildlife Camera Locations and Roadkill Study Area

Figure 1

**Table 1. Summary of Wildlife Camera Data (No. Hits/No. Camera Days) June 25, 2019 - Jan. 17, 2020**

Species	Location	Number of Individuals ("Hits") per Total Number of Camera Days*																			TOTALS
		1	2	3	4	5	6	7	8	9	10	13	14	15	16	17	18	19	20	21	
		#Cam Days	136	42	44	11	177	99	174	198	106	14	98	20	112	112	112	49	16	49	
Coyote	Day	0.7	2.4	4.5	0.0	0.0	7.1	8.6	0.5	7.5	0.0	1.0	0.0	0.0	0.0	1.8	0.0	0.0	2.0	5.9	42.1
	Night	8.8	54.8	9.1	9.1	1.1	0.0	80.5	5.1	71.7	7.1	115.3	5.0	3.6	0.0	13.4	42.9	37.5	12.2	0.0	477.1
Bobcat	Day	47.1	0.0	0.0	0.0	0.0	1.0	1.7	1.5	0.9	0.0	2.0	0.0	2.7	1.8	4.5	0.0	0.0	0.0	0.0	63.2
	Night	206.6	0.0	0.0	0.0	0.0	9.1	4.0	4.0	12.3	0.0	19.4	0.0	19.6	17.0	8.0	0.0	6.3	0.0	0.0	306.3
Skunk	Day	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Night	8.1	0.0	0.0	0.0	0.0	7.1	9.2	1.0	1.9	0.0	3.1	0.0	70.5	75.9	14.3	0.0	6.3	0.0	0.0	197.3
Rodents, Rabbits, Raccoons	Day	11.8	11.9	0.0	0.0	0.0	7.1	0.0	0.0	0.0	0.0	4.1	0.0	3.6	1.8	1.8	0.0	0.0	0.0	0.0	42.0
	Night	3.7	19.0	0.0	0.0	1.1	4.0	2.9	23.7	0.0	0.0	17.3	0.0	27.7	33.9	29.5	0.0	0.0	10.2	0.0	173.1
Bird	Day	20.6	0.0	2.3	0.0	0.0	3.0	1.1	5.1	3.8	7.1	21.4	0.0	8.0	6.3	0.0	0.0	0.0	0.0	0.0	78.7
	Night	4.4	0.0	2.3	0.0	0.6	1.0	0.0	0.0	6.6	0.0	0.0	0.0	0.0	0.0	1.8	2.0	0.0	0.0	0.0	18.7
<b>TOTAL WILDLIFE</b>	Day	80.1	14.3	6.8	0.0	0.0	18.2	11.5	7.1	12.3	7.1	28.6	0.0	14.3	9.8	8.0	0.0	0.0	2.0	5.9	226.0
	Night	231.6	73.8	11.4	9.1	2.8	21.2	96.6	33.8	92.5	7.1	155.1	5.0	121.4	126.8	67.0	44.9	50.0	22.4	0.0	1,172.5
Human	Day	208.8	350.0	1434.1	2563.6	0.6	1.0	0.6	20.2	98.1	35.7	64.3	0.0	5.4	8.9	13.4	1838.8	75.0	44.9	0.0	6,763.4
	Night	2.9	9.5	13.6	81.8	0.0	0.0	0.0	6.6	0.0	0.0	1.0	0.0	2.7	0.0	0.0	71.4	0.0	0.0	0.0	189.6
On-Leash Dog	Day	19.1	73.8	288.6	763.6	0.0	0.0	0.0	0.0	5.7	0.0	1.0	0.0	0.0	0.0	0.0	628.6	6.3	2.0	0.0	1,788.7
	Night	0.0	4.8	9.1	27.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	32.7	0.0	0.0	0.0	73.8
Off-Leash Dog	Day	299.3	171.4	600.0	954.5	0.0	0.0	0.0	0.0	150.9	14.3	174.5	5.0	0.0	0.0	0.0	542.9	50.0	34.7	2.9	3,000.4
	Night	7.4	9.5	2.3	54.5	0.0	0.0	0.0	0.5	0.0	0.0	5.1	0.0	0.0	0.0	0.0	36.7	0.0	0.0	0.0	116.0
<b>TOTAL HUMANS + DOGS</b>	Day	527.2	595.2	2322.7	4281.8	0.6	1.0	0.6	20.2	254.7	50.0	239.8	5.0	5.4	8.9	13.4	3010.2	131.3	81.6	2.9	11,552.6
	Night	10.3	23.8	25.0	163.6	0.0	0.0	0.0	7.1	0.0	0.0	6.1	0.0	2.7	0.0	0.0	140.8	0.0	0.0	0.0	379.4

\*Cameras 11 and 12 were stolen, so there is no data for these cameras.

Note that this is not a statically rigorous study; the purpose of this study is to get a general idea of how animals are using the site. It was not designed to make a definitive statement about how wildlife move through the site or how many individuals use the site. It is not possible to identify individual non-domestic species, and several cameras are likely to be triggered by the same individuals as they move through the site. The purpose is to get an understanding of the *relative* amount of activity of native wildlife vs. domestic dogs or people at each location and determine what time of day or night these areas are being used. We can then use this information to inform management decisions and compare changes in activity patterns that may occur with changes to land use on the site.

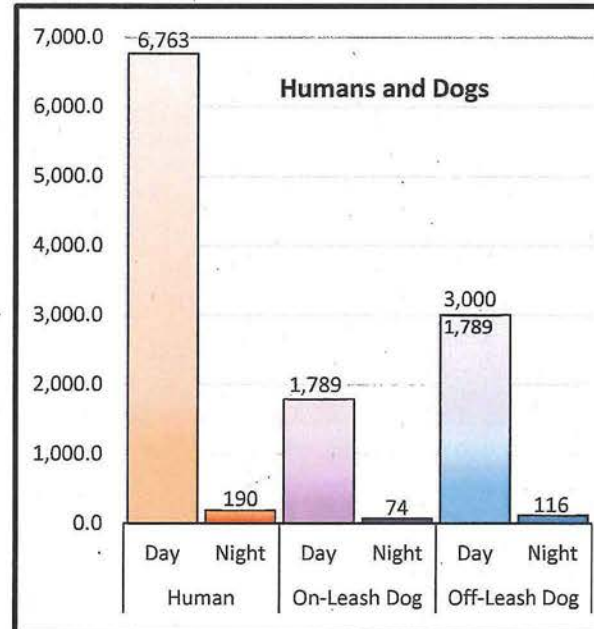
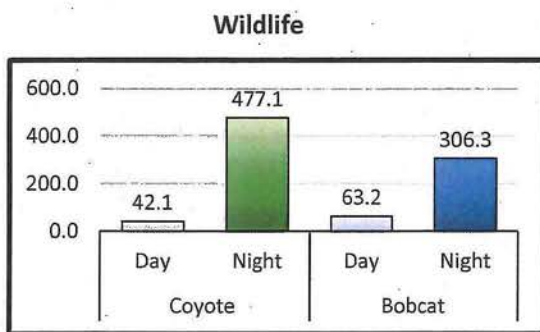
Figure 1 shows the 21 camera locations that have been used from June 2019 through February 2020. Sample photos taken during the study are included in Attachment 1. Because each camera has been in operation for a different number of days, the number of each species at each camera is given by the total number of "hits" divided by the total number of active camera days. If it is likely that a camera is picking up the same individual a few minutes apart, those individuals are only counted once. For example, bobcat cubs playing in front of the camera may show up in 4 videos several minutes apart. If a single video shows a maximum of two bobcats at a time, then these 4 videos would be counted as a total of two "hits." "Camera day" is defined as a 24-hour period of active camera time at a specific location.

Table 1 summarizes the camera data from June 25, 2019 through January 17, 2020. Graphs of the relative numbers of species at each camera location are provided in Attachment 2. Bobcats, the species known to be the most sensitive to urbanization and habitat fragmentation, were most frequently observed at locations 1, 9, 13, 15 and 16, suggesting east-west movement along the northern side of Village H. Regular observations were also made at locations 8, 17 and 19 showing that they may also be moving north-south across the site. Coyotes and other mammals commonly seen on site are much more adapted to urbanization and the presence of people. For the most part, coyotes are more active in areas with less human activity (off the trail) although they have been observed at locations 2, 9, 13, and 18, which also show use by humans and dogs. Surprisingly, coyotes have not been observed using the undercrossings at locations 15/16 and 8.

One of the most obvious patterns that emerges from the data is that people and dogs are clearly most active during the day (defined as when it is light outside), whereas wildlife are most active during the night (Figure 2). In a natural setting, coyotes and bobcats tend to be more active during the day and at dawn and dusk (Tremore et al. 2017). It is likely that coyotes and bobcats have changed their natural activity pattern to be more nocturnal to avoid contact with people and dogs. It is well-documented that recreational use (hiking, biking, dog walking) negatively affects wildlife by causing them to avoid or restrict their movements or to become less active during the day in areas of high use by people and dogs (George and Crooks 2006, Jennings and Lewison 2013, Ruell et al 2002).

**Figure 2. Activity Patterns: Day vs. Night**

Target wildlife species (coyotes and bobcats) are compared to humans and domestic dogs, measured by (total "hits")/(total number of camera days). Note that the scales are not equal, so the actual difference between wildlife and humans/dogs is even more pronounced than what appears on the graphs.



### Roadkill

A roadkill study was conducted by Environmental Science Associates biologists, HMP staff and volunteers along the roads surrounding Village H (portions of Tamarack Avenue, Carlsbad Village Drive and Glasgow Avenue) to determine if animals are being hit by cars trying to cross the road between the northern and southern portions of Village H (Figure 3). Roadkill monitoring began on July 25, 2019 and will continue for up to one year. An average of three surveys per week was conducted initially, and later reduced to once per week. Roadkill logs kept by the city were also reviewed regularly to capture any roadkill that might have been picked up by the city's contractor. As of January 31, 2020, the following species have been recorded as roadkill on Carlsbad Village Drive between Tamarack Avenue and Glasgow Drive: three skunks, two opossums, one hawk and one dog. The remaining five roadkill observations were rabbits at scattered locations along the roads in the study area.

### Dog Waste

Because Village H has been used by residents as an off-leash dog area for many years before becoming the city's property, a study was conducted to determine how much dog waste was on the ground before and after the official city trail opened. Off-leash dogs are not allowed on city trails or HMP Hardline or other open space. They are only allowed within a formal dog park. Once the city trail formally opened, several dog waste stations were available to users of the trail. During each site visit, Environmental Science



Associates biologists, HMP staff and volunteers collected Global Positioning System (GPS) coordinates for each pile of dog waste, coyote/bobcat scat, and tennis ball or other dog toys using the ArcGIS Collector mobile application. Waste and trash was collected and disposed of at the end of each day. Prior to disposal, the dog waste was weighed and recorded. Surveys started on August 28, 2019, and were initially conducted approximately every other week and then reduced to once per month. The study will continue for up to one year.

Figure 3 shows the results of the study through January 31, 2020. The initial site visit documented 290 piles of dog waste, which weighed 16 pounds (Table 2), and 48 tennis balls (dog toys). Because of the extensive tree trimming, chipping, and mulching that was conducted prior to the official trail opening, most of the old waste piles were impossible to see. Although there is still a significant number of dog waste that is not being picked up, mostly from unleashed dogs, the amount has slowly decreased over time, as have the number of tennis balls and other dog toys (Figures 4 and 5).

**Table 2. Dog Waste Study Results**

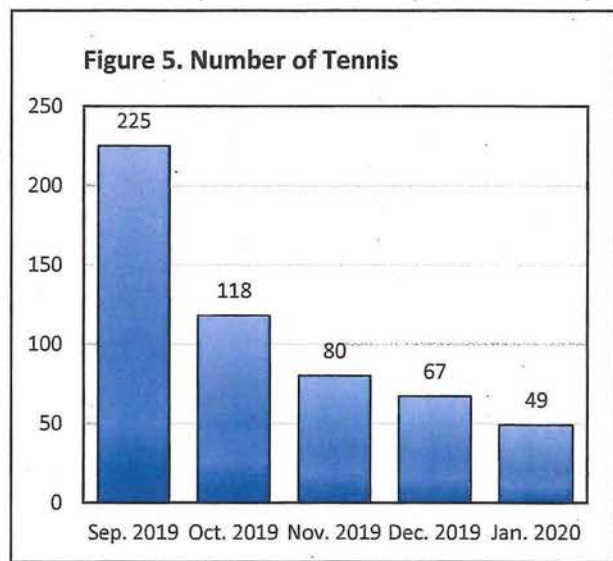
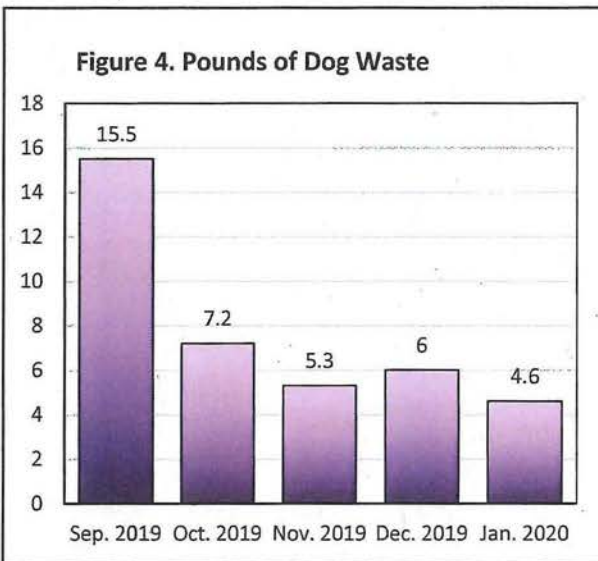
Date	Pounds of Dog Waste	Number of Waste Piles	Number of Tennis Balls
<b>Pre-Study Clean Up</b>			
8/28/2019	16	290	48
<b>Long-Term Study Period</b>			
9/11/2019	5.5	84	41
9/25/2019	10	141	15
10/8/2019	4	53	5
10/23/2019	3.2	65	3
11/6/2019	5.3	80	7
12/18/2019	6	67	11
1/15/2020	4.6	49	2
<b>TOTAL FOR STUDY PERIOD<sup>1</sup></b>	<b>38.6</b>	<b>539</b>	<b>84</b>

<sup>1</sup> Study period is September 11, 2019 – January 15, 2020



Village H  
Dog Waste Collected Since August 2019

Figure 3



### Management implications

Habitat fragmentation, roads and human use are major threats to wildlife by reducing suitable habitat and functional connectivity (movement of organisms across the landscape between core habitat areas). Functional connectivity allows for genetic flow between populations, preventing harmful genetic effects that may happen in small, isolated populations, and increases an animal's ability to adapt to environmental change. Bobcats, and to a lesser degree coyotes, are especially vulnerable to these effects. Although there is evidence that bobcats and coyotes may become habituated to the presence of humans and dogs and may learn to move through urbanized areas in coastal areas of Southern California, they may still be at risk in the long-term through reduced survival, reproduction, genetic variability and opportunities for dispersal into new areas (George and Crooks 2006, Jennings and Lewison 2013, Ruell et al 2002). Therefore, it will be important to continue to monitor movement through Village H and other key areas of the city and reduce barriers to movement whenever possible.

Besides affecting the ability for mammals to move across the landscape, the presence of dogs on Village H has resulted in a significant amount of dog waste left behind. As the data shows, even though there are several dog waste stations onsite, many dog owners do not pick up after their pets, and many dogs are unleashed so the waste ends up well beyond the trail. Unlike wildlife waste, dog waste carries many types of bacteria, parasites, viruses and other diseases that can be transmitted to humans (Center for Disease Control 2019). Some of these microorganisms can survive in the soil for up to four years if the waste is not picked up (Baechler 2018). Dog waste also contains excess nutrients, which can cause algal blooms when draining into streams and ponds, depleting the water of oxygen that is vital for the survival of fish and other aquatic life. Some dog owners put their dog waste into plastic bags, but leave the bags on the ground (10 percent of the waste collected on Village H was bagged). This causes the additional problem of creating bits of microplastics as the bag breaks down over time. Plastic does not biodegrade, and the waste ends up in the soil anyway.

Attachment 1  
Wildlife Captured by Trail Cameras on Village H Property (2019)

Photos 1-6: Bobcats. Top left – bobcat watching joggers up on sidewalk at VH1; top center and top right – two juvenile bobcats playing together at VH7; bottom left – bobcat crossing under Tamarak west to east just one day after gate was opened at VH6; bottom center – three young bobcats crossing under Tamarak east to west at VH16; bottom right – bobcat traveling north along concrete v-ditch.





Wildlife Captured by Trail Cameras on Village H Property (2019)

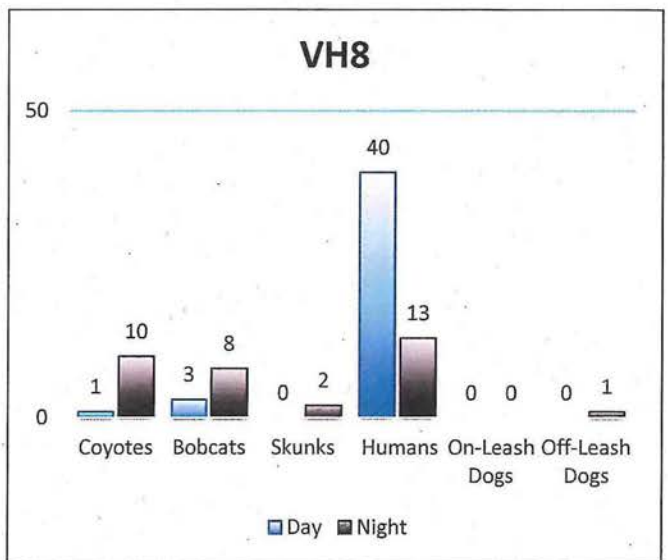
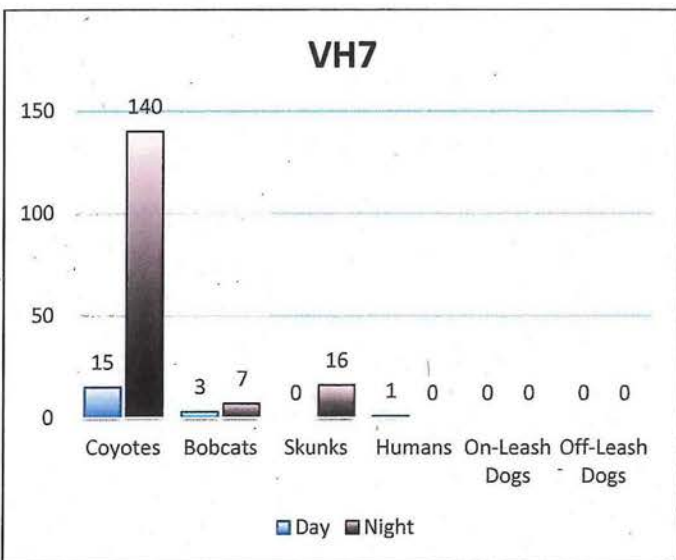
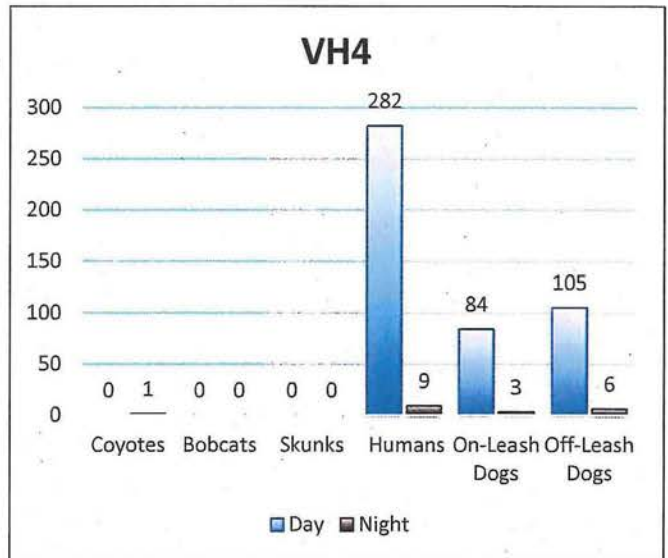
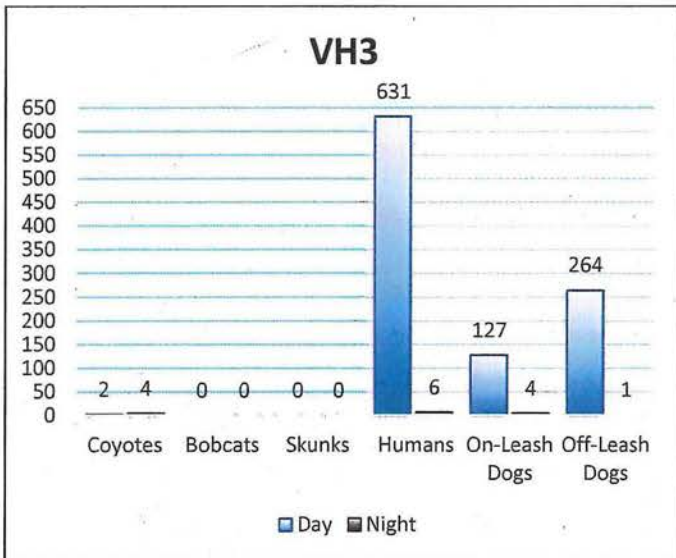
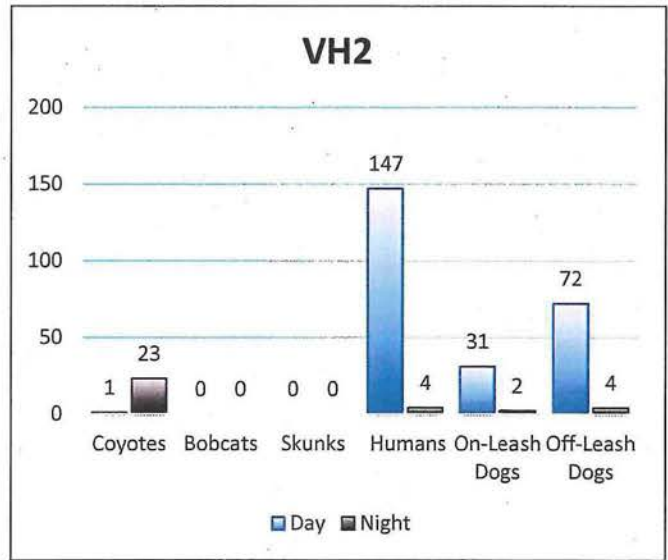
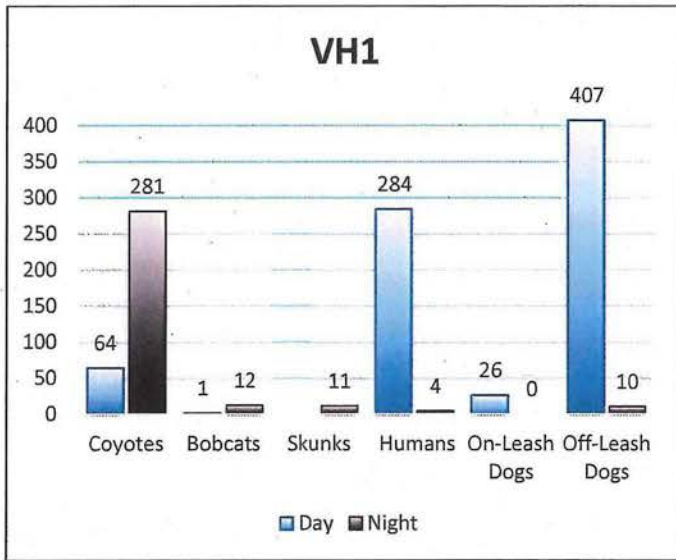


Photos 7-8, coyotes: top left VH13, top right VH1. Photos 9-10, raccoons: middle left VH7, middle right VH17. Photos 11-12, striped skunks: bottom left VH15, bottom right VH7. Photos 13-14, great-horned owls: center right and bottom right VH1.

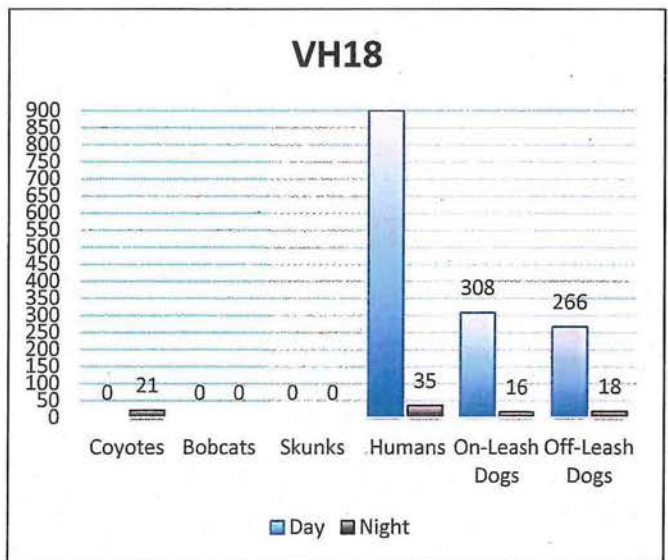
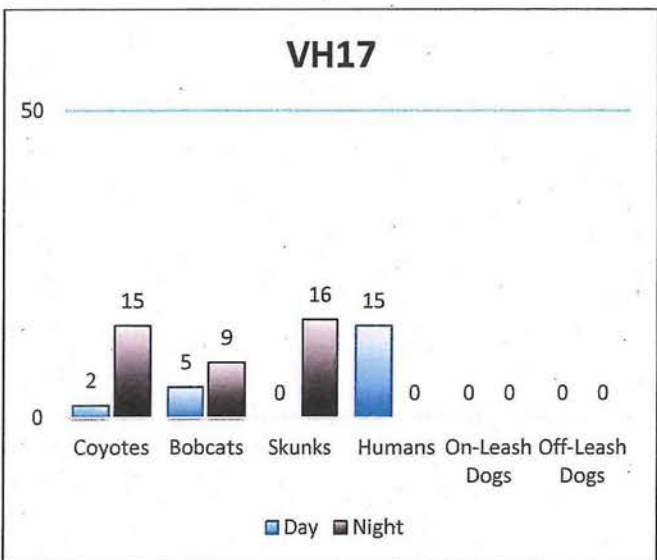
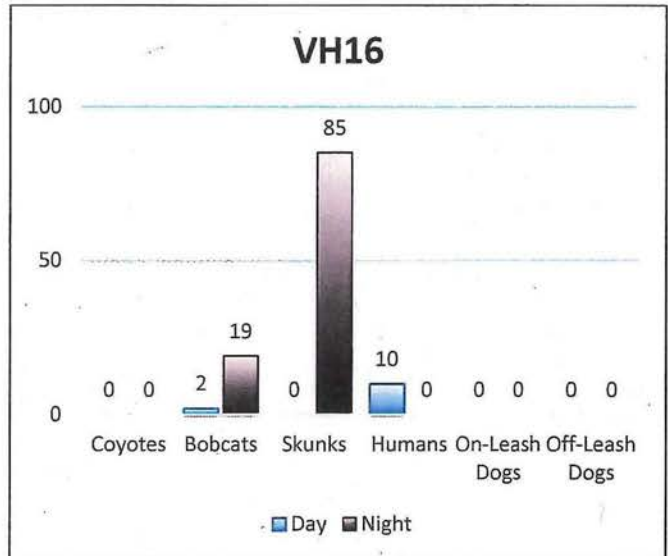
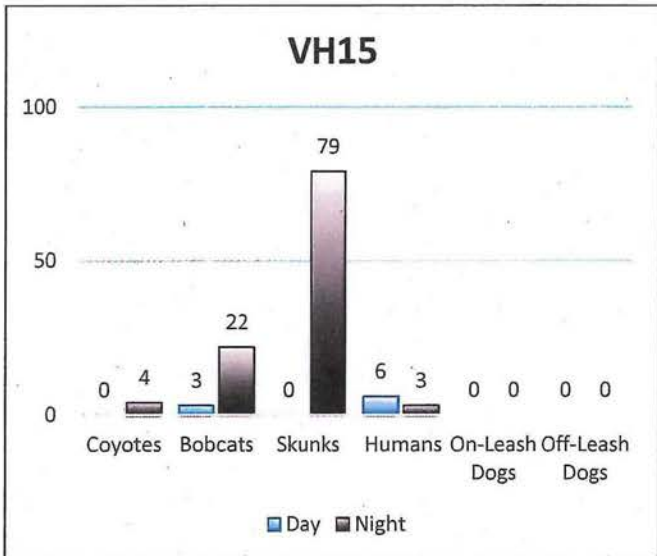
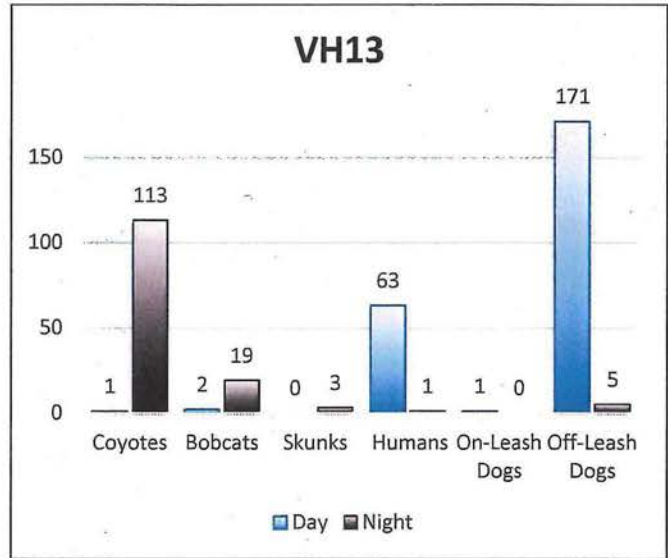
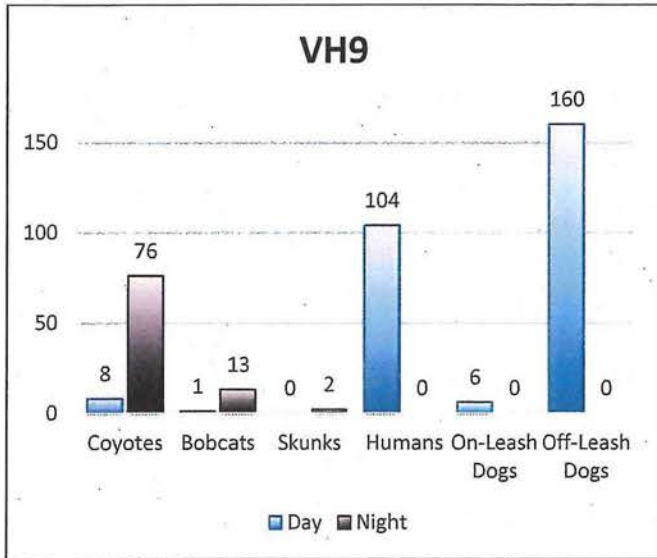


Attachment 2

Relative Number of Wildlife, Humans and Dogs at Selected Locations



Relative Number of Wildlife, Humans and Dogs at Selected Locations



**Sheila Cobian**

---

**Subject:** FW: Village H Off Leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

-----Original Message-----

From: Julie Less  
Sent: Tuesday, April 14, 2020 9:36 AM  
To: City Clerk <Clerk@carlsbadca.gov>  
Subject: Village H Off Leash Trail Use

Dear Mayor and Council Members,  
Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.  
Sincerely,  
Julie & Geoff Less  
Carlsbad Voter  
CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

**Sheila Cobian**

---

**Subject:** FW: Village H Off leash Trail Use

All Receive - Agenda Item # 10

For the information of the:

CITY COUNCIL

Date 4/14 CA  CC

CM  ACM  DCM (3)

**From:** John Davis <  
**Sent:** Tuesday, April 14, 2020 9:50 AM  
**To:** City Clerk <[Clerk@carlsbadca.gov](mailto:Clerk@carlsbadca.gov)>  
**Subject:** Village H Off leash Trail Use

Dear Carlsbad City Clerk,

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,

John Randall Davis

Carlsbad voter

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**Sheila Cobian**

**Subject:** FW: VillageH Off-Leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

**From:** Kristin Johnsor  
**Sent:** Tuesday, April 14, 2020 12:55 PM  
**To:** City Clerk <[Clerk@carlsbadca.gov](mailto:Clerk@carlsbadca.gov)>  
**Subject:** VillageH Off-Leash Trail Use

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

Over a year ago, I was beyond excited to move in to the neighborhood, down the street from the off-leash trail. I moved to the area one year prior and enjoyed being able to bring my 2 dogs and my then 2 year old and let them all run free and explore. I tried the dog park on Carlsbad Village Drive and it wasn't safe for either my dogs nor my son. I had to hold my son (I'm a single mom so I don't have the option of not bringing him) the entire time, plus my dogs got in fights because the quarters are too close and they got many slivers of wood from the bark caught in their toes. It was a miserable experience for all of us. To have this trail taken away from us has been devastating. My son, now 3 constantly asks to go to the trail, but it's not the same. I have to keep my dogs leashed up which doesn't give any of us the freedom we once had. In over a year at the former trail, I met wonderful people, dogs and children all enjoying the dog path. Now, I drive by and rarely see a person enjoying what once was. It's sad to see what was once a vibrant trail now barely used.

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our off-leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,

Kristin Johnson

Carlsbad Voter

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**Sheila Cobian**

**Subject:**

FW: Village H Off leash Trail Use

All Receive - Agenda Item # 10

For the Information of the:

CITY COUNCIL

Date 4/14 CA  CC

CM  ACM  DCM (3)

**From:** Robin Kimball

**Sent:** Tuesday, April 14, 2020 1:21 PM

**To:** City Clerk <Clerk@carlsbadca.gov>

**Subject:** Village H Off leash Trail Use

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,

Robin Kimball

Carlsbad Voter

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**Sheila Cobian**

**Subject:** FW: Village H Off-leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

**From:** Lisa Beveridge  
**Sent:** Tuesday, April 14, 2020 2:10 PM  
**To:** City Clerk <[Clerk@carlsbadca.gov](mailto:Clerk@carlsbadca.gov)>  
**Subject:** Village H Off-leash Trail Use

**Please read this message into the record at the City Council meeting:**

Dear Mayor and Council Members,  
Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,  
Lisa Beveridge  
Carlsbad Voter

**Background Information:**

Since the last council meeting on this topic, Lonnie Smith who has been the leader of our group, became unable to continue in this role due to a family health emergency. At that time, he requested that Tom Watson assume this role on a temporary basis until he is able to continue.

Since that time Tom has been following the city's progress in planning for this project, including a detailed review of the staff report and several meetings with Diane Nygaard of Preserve Calavera. (Preserve Calavera has a legal right to approve any planned use of the property).

The staff report (available for review on the city Village H website) includes 2 potential design options: 1) The "Staff Option", 2) The "Staff and Preserve Calavera Option." It requests that the council give guidance on which option to pursue.

The "Staff Option" is not sensible, won't be accepted by Preserve Calavera, and won't be pursued.

The "Staff and Preserve Calavera Option" restores the Off leash trail use to the trail (yeah!), but with several caveats:

- The Off leash use only extends to about the midway point of the trail, because the land beyond that is designated as "wilderness" and therefore it is not legal to use this land for anything other than a city trail
  - The Off leash use only includes the "upper trail segment", since the "lower trail segment" is proposed to remain a city trail, where only on-leash dogs will be allowed.
  - The plan includes a parking lot, restroom, and EV-charging station
  - Preserve Calavera has included a list of 17 "required modifications" to the plan. The great majority of these modifications are favorable to our group, including elimination of the parking lot, restroom and EV-charging station
- Based on the plan review, Dr. Watson has developed a comprehensive proposal that will be submitted to the council prior to Tuesday's meeting. Highlights include:

1. A point by point response to the 17 proposed modifications by Preserve Calavera (substantially supporting the requests from Preserve Calavera)
  2. A proposal to initiate a city action to change the land designation of the remaining portion of the trail from "wilderness" to something else that would allow for eventual Off leash use. Although this effort would probably take considerable time, it is important to initiate since the trail is clearly not a "wilderness" area and this step will be required to secure eventual Off leash use of the entire trail
  3. A proposal to include in the design phase consideration of a "shared use" mode of operation in which use days and hours would be established for On leash and Off leash use. The advantage of this approach is that would allow for all trail users to enjoy the entire trail in a loop configuration, and wouldn't require construction on a barrier to separate the loop segments.
  4. A proposal to form an ad-hoc committee to oversee the design phase, including representation of Village H user community
- If you have questions about this request or any of the contents of this message, please feel free to email Tom Watson ([Tomsatrojan@gmail.com](mailto:Tomsatrojan@gmail.com)<<mailto:Tomsatrojan@gmail.com>>) and he will attempt to answer all inquiries as soon as possible.  
Stay Safe and Healthy.



**Sheila Cobian**

---

**Subject:**

FW: 4/14/20 council meeting comments

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/13 CA  CC   
CM  ACM  DCM (3)

**From:** Paige DeCino

**Sent:** Sunday, April 12, 2020 6:34 PM

**To:** City Clerk <Clerk@carlsbadca.gov>

**Cc:** Paige DeCino

**Subject:** 4/14/20 council meeting comments

I would like to having the following read as part of public comments for Item #10 (Village H) on Tuesday:

"My name is Paige DeCino representing Preserve Calavera.

Carlsbad has been a regional leader when it comes to protecting habitat, being the only one of its neighbors to have a Habitat Management Plan or HMP. The HMP design is a combination of large core areas with wildlife corridor linkages between them. Those corridors are critical for the health of the wildlife populations. Village H has been one of the designated corridors since the adoption of the HMP. Adding the trail and off leash dog area puts further constraints on this corridor but at least the current proposal is less intrusive into the wildlife corridor than the previous staff option. Designating the land outside of that area as hardline HMP ensures that at least that narrow strip is protected for wildlife. We believe that is critical to off set the impacts of the off leash area and to honor the promise of the HMP to protect the wildlife movement corridor.

Included within the HMP are areas defined as "sensitive habitat outside preserve area" and also, "non-sensitive habitat open space" which cover part of the Village H south parcel under discussion. We are hoping that you'll honor the intent of the HMP to protect as much natural open space for wildlife as possible, as you directed staff to do when planning for Village H South improvements.

Furthermore, this parcel tied for 2<sup>nd</sup> place in the ranking of 16 parcels recommended for acquisition by the Citizen's Open Space Committee and ADOPTED by the City Council in 2009. Given the greater demands on our open space, the permanent protection of Village H as natural open space is even more important now than it was in 2009. Obviously, the land now is not high-quality native habitat. But neither of the proposed designations ensure this area will be managed to protect the core biological function - that is, part of the regional wildlife movement corridor. Changing its designation to "sensitive habitat with restrictive use", i.e., HMP hardline preserve, will provide that protection and is consistent with years of planning to protect the natural lands of Carlsbad."

Thank you.

Paige DeCino

**Sheila Cobian**

---

**Subject:** FW: Village H Offleash Trail Use (Please confirm receipt)  
**Attachments:** Response to Staff and Preserve Calavera Proposal.docx

**From:** Tom Watson <  
**Sent:** Monday, April 13, 2020 9:59 AM  
**To:** City Clerk <Clerk@carlsbadca.gov>  
**Subject:** Village H Offleash Trail Use (Please confirm receipt)

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/13 CA  CC   
CM  ACM  DCM (3)

**Please read this message into the record at the City Council meeting**

Dear Mayor and Council Members,

First, I want to mention that Lonnie Smith, the defacto leader of this community, it not able to participate in this effort currently due to a family health emergency. He has asked me to assume this role on an interim basis until he can resume. Also, other members of our user community have been stricken by the current health situation. For them and all other members of our community who have been impacted this situation, we want to give best wishes for the best and fastest possible recoveries.

Second, as I have been stepping into this role, I want to give a personal thanks to Diane Nygaard of Preserve Calavera, who has been very generous with her time and knowledge, meeting at her home and also at the trail to ensure that our group had all the relevant information with which to evaluate the staff report.

After reviewing the staff report and consulting with Ms. Nygaard we have developed the proposal below, which is described in greater detail in the attachment. All elements of this proposal are consistent with the area footprint already agreed between staff and Preserve Calavera:

- 1) Council formation of an adhoc committee to oversee the design phase. It is critical in this phase that User Group membership be presented in this committee. (other members being city council member TBD, parks and rec, and Preserve Calavera). Council membership is suggested to serve as arbitrator and also for executive sponsorship support.
- 2) A council directive to initiate a city action to change the area land designation to apply the HMP restrictions more sensibly to avoid the entire existing eucalyptus grove/trail and to extend to the areas proposed by Preserve Calavera. Such a modification would enable a later council action to restore the historical Offleash trail use over the entire length of the trail.
- 3) A directive to staff to include in the design phase consideration of a "shared use" mode of operation in which use days and hours would be established for onleash and Offleash use. The advantage of this approach is that would allow for all trail users to enjoy the entire trail in a loop configuration, and wouldn't require construction of a barrier to separate the loop segments, which also offers some risk of confrontation between proximate onleash and Offleash animals.

- 4) A directive to staff to eliminate the parking lot, restroom and EV charging station. These are amenities that have no justification and add significant construction and maintenance costs, while also reducing the useful trail space.
- 5) A directive to staff to consider as design input the 17 proposed modifications by Preserve Calavera, and corresponding User Group inputs on each point. (see attachment).

Thank you for your attention.

Tom Watson

Oceanside, CA 92056

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## Village H Community User Group Response to Staff & Preserve Calavera Option

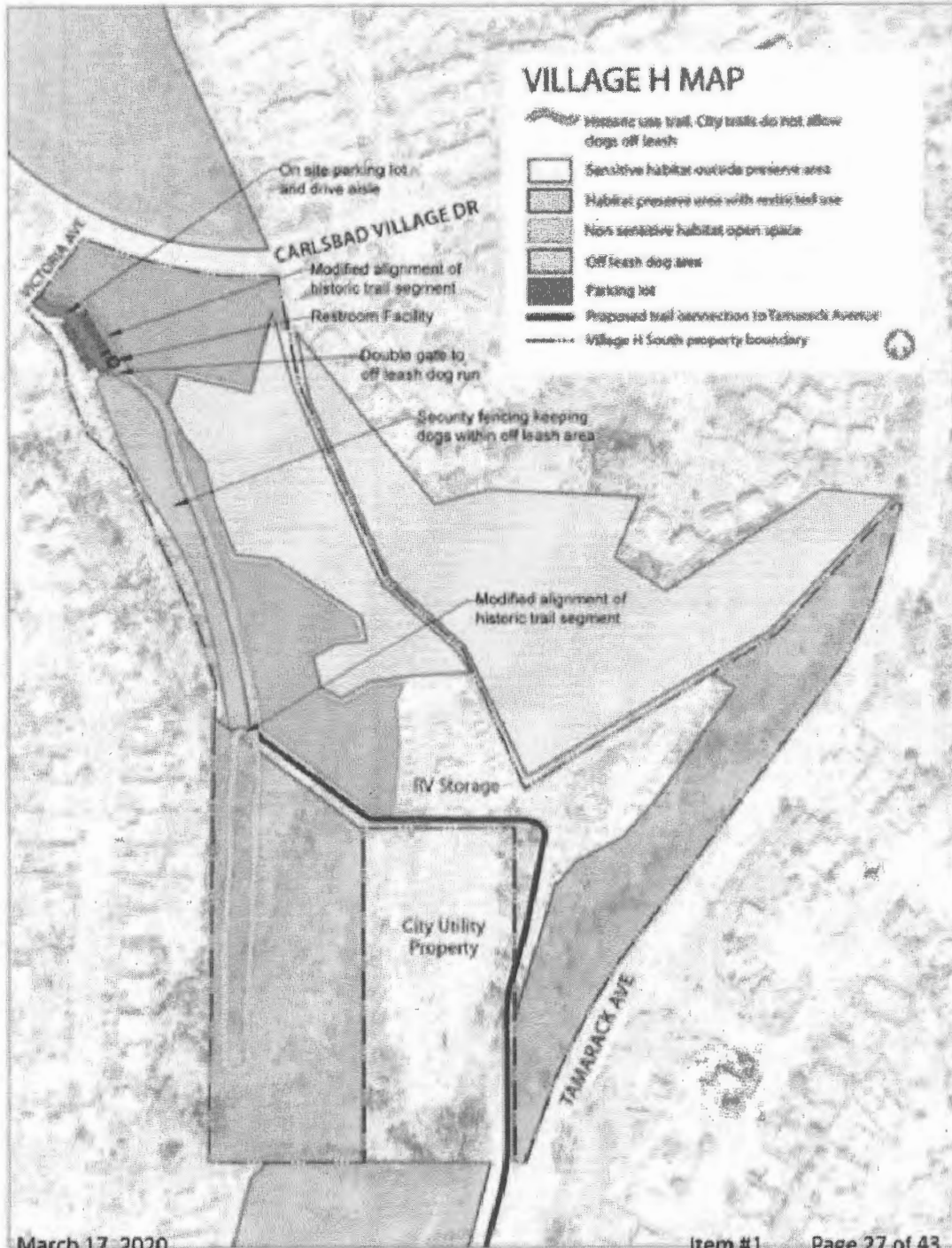
April 14, 2020

### Introduction

As this project moves past the current phase and into further stages of design, we are proposing incorporation of the following elements in the overall plan, all of which are consistent with the area footprint already agreed between staff and Preserve Calavera:

- 1) Council formation of an adhoc committee to oversee the design phase. It is critical in this phase that User Group membership be presented in this committee. (other members being city council member TBD, parks and rec, and Preserve Calavera). Council membership is suggested to serve as arbitrator and also for executive sponsorship support.
- 2) A council directive to initiate a city action to change the area land designation to apply the HMP restrictions more sensibly to avoid the entire existing eucalyptus grove/trail and to extend to the areas proposed by Preserve Calavera. Such a modification would enable a later council action to restore the historical Offleash trail use over the entire length of the trail.
- 3) A directive to staff to include in the design phase consideration of a "shared use" mode of operation in which use days and hours would be established for onleash and Offleash use. The advantage of this approach is that would allow for all trail users to enjoy the entire trail in a loop configuration, and wouldn't require construction of a barrier to separate the loop segments, which also offers some risk of confrontation between proximate onleash and Offleash animals.
- 4) A directive to staff to eliminate the parking lot, restroom and EV charging station. These are amenities that have no justification and add significant construction and maintenance costs, while also reducing the useful trail space.
- 5) A directive to staff to consider as design input the 17 proposed modifications by Preserve Calavera, and corresponding User Group inputs on each point. (see below).

# VILLAGE H SOUTH - STAFF & PRESERVE CALAVERA OPTION



Modifications Required to Allow Off Leash Dogs in Wildlife Corridor at Village H Feb 16, 2020

A City of Carlsbad staff response is in italicized font below each modification Mar. 5, 2020

**D- Design Modifications to Staff Option**

**D - 1 Hold construction of parking lot until justified by use**

This is intended as a neighborhood amenity- not one to accommodate city wide/regional use. The area proposed for parking includes slope along Victoria which increases the area of impact for no real benefit. This is of particular concern because of documented wildlife movement across Carlsbad Village Drive that would be severely impacted by the combination of parking lot and off-leash dogs in this constrained area. Future construction would be dependent upon an actual analysis of parking demand demonstrating impact on adjacent neighborhood.

*This modification is not anticipated to be addressed with the implementation of project for an off leash dog area. Staff is confident an onsite parking lot would be needed for such an amenity, to reduce the potential of off leash dog area patrons using street parking in adjacent neighborhood.*

**D -2 Modify gate on northeast corner to be secure from pedestrian/dog access**

The revised plan assumes wildlife will continue to move along eastern side of site. Currently there is illegal access from that corner with high volume of dog waste. Current gate is often unlocked and even when closed and locked people just walk under it with their dogs.

*This modification can be addressed upon implementation of a project for an off leash dog area.*

**D - 3 Move off leash area to western edge**

Buffers impacts of off leash dogs by placing pedestrian/ on-leash trail between them and area for wildlife. (Current design has off leash area next to wildlife corridor)

*This modification is addressed in the latest concept plan, titled "Village H South - Staff & Preserve Calavera Option."*

**D - 4 Modify boundary of dog related security fencing**

So it does not restrict wildlife movement in the area planned for wildlife

*This modification is addressed in the latest concept plan, titled "Village H South - Staff & Preserve Calavera Option."*

**D - 5 Expand area for hardline open space**

Corridor width is already compromised to less than what is allowed for a "pinch point". Entire area not restricted for off-leash dog use should be added to the HMP hardline preserve.

*This modification is not anticipated to be addressed. The area not restricted for off leash dog use is anticipated to be a combination of preserve, sensitive habitat open space and non-sensitive habitat open space.*

D-6 Keep trail surface, for both off leash and on leash areas per existing

IE dirt surface with wood chip mulch along edges

*This modification can be addressed upon implementation of a project for an off leash dog area.*

D-7 Modify standard dog park fencing to be less obtrusive

*This modification can be addressed upon implementation of a project for an off leash dog area.*

O- Offsite Changes to Improve Function/mitigate for Impacts to the Wildlife Movement Corridor

O-1 Establish inspection program to ensure wildlife undercrossing of Tamarack remains open and functional.

Thank you for opening this major barrier to wildlife movement!

*This modification is currently being addressed.*

O-2 Add "Caution-wildlife crossing" signs to each side of Tamarack to mark crossing area

This was a condition in Robertson Ranch settlement agreement that has been ignored.

*This modification is currently being addressed.*

O-3 Maintain culverts/access to culverts to facilitate wildlife movement from the south

*This modification is currently being addressed.*

O-4 Maintain brow ditches that facilitate wildlife movement in this segment of the corridor

Recent wildlife movement studies indicate these are important corridor connections that are facilitating wildlife movement. See att. map for brow ditch locations

*This modification is currently being addressed.*

O-5 Maintain vegetation on slope above city utility property

This area is now being used for wildlife movement. Consider adding this to the HMP hardline to ensure vegetation is maintained in a way that supports continued wildlife movement. (Note-existing brow ditches extend into this area).

*This modification is currently being addressed. The subject area is already within the HMP hardline, and under monitoring and management by the contractor for city-owned preserves (Center for Natural Lands Management).*

O-6 Commit staff time and needed resources to develop a real plan to address the wildlife corridor pinch point issues identified in Pinch point study – city wide

This is just one of many pinch point/constrained areas for wildlife movement. There needs to be an on-going long-term effort to ensure the wildlife movement corridors assumed to be functional in the HMP are adequate.

*This modification is currently being addressed.*

**M – Management actions**

**M-1 Regular Ranger patrols to monitor leash compliance and that fencing/gate are intact**

These can be adjusted over time as conditions warrant

*This modification can be addressed upon implementation of a project for an off leash dog area.*

**M-2 Regular dog waste removal- to include pick-up along outside of fence along CBV Dr**

This will become a key area for wildlife movement and dog waste is a deterrent to use by wildlife. Currently there is a high volume of dog waste along this fence.

*This modification is currently being addressed.*

**M-3 Restrict all night time use between 10 pm and 6 am**

Studies show use impacts patterns of movement and there needs to be some restricted times in this narrow space that already fails to meet minimum requirements for a wildlife movement corridor. This will also make the addition of off-leash dogs less onerous for adjacent residents.

*This modification can be partially addressed upon completion of a project for an off leash dog area. Staff can recommend imposing open hours of 8am to sunset for the off leash dog area. The gates to the off leash dog area would then be locked each night and unlocked each morning. Staff cannot recommend imposing hour restrictions on trail use adjacent to the off leash area.*

**M- 4 Continue to monitor wildlife movement across CBV and Tamarack.**

Consider wildlife crossing signs on CBV if warranted.

*This modification is currently being addressed.*



## Modification List Analysis

The table below summarizes User Group feedback on the plan “Modification List” developed by Preserve Calavera. In summary, we are in substantial agreement with these modification proposals.

Category	Paragraph	Subject	User Group Response
D-Design	D-1	Parking Lot	<p>We support the modification by Preserve Calavera. A parking lot should be deferred to a later phase, and based upon actual usage since there is no basis for forecasting actual usage for a facility like this, other than the use prior 2018 facility closure, in which availability of nearby parking was never a cause for concern.</p> <p>The same comment applies to the idea of a restroom. Area visitors rarely if ever stay for more than an hour, and there are no other area amenities which would change that behavior.</p> <p>Moreover, we propose that the area currently allocated for a parking lot be used to enhance the offleash user experience through addition of a congregation area that can serve the function of the current meadow area, and also offset the loss of offleash trail area due to the habitat hardline area at the trail mid-point.</p>
“	D-2	Gate	Agree; if city staff or other contractors require access for maintenance or emergencies, a lock can be added
	D-3	Off-leash area	Agree; as mentioned above, to offset the loss of the meadow area for offleash area, we favor the development of improved offleash amenities in the area currently allocated for a parking lot
	D-4	Fencing Boundary	Agree
	D-5	Open Space	We favor this idea, but request strongly that it should be employed not just to expand the existing open space, but to change it to sensibly remove the existing trail from the HMP restricted area and to add other areas to it. If the timeline for such changes is long, it can be launched soon and when implemented a Phase 2-offleash trail extension project can be launched.
	D-6	Trail Surface	Agree
	D-7	Off-leash Fencing	Agree in principal; this should be finalized in design

			phase. However no fencing modifications along the main trail are believed to be required in the "shared use" operation mode proposed for consideration.
O-Offsite	O-1	Tamarack Undercrossing	Agree
	O-2	Wildlife Signage	Agree
	O-3	Culverts	Agree
	O-4	Ditches	Agree
	O-5	Vegetation	Agree
	O-6	Pinch Points	Agree
M-Management	M-1	Ranger Patrol	Agree, most likely a weekly check should be sufficient to identify any required maintenance
	M-2	Waste Removal	Agree; dog waste on CBV is not related to the area under discussion but is important for wildlife
	M-3	Use Restriction	Agree in principal, but suggest a simple implementation of signage for the offleash area: "Offleash area open during daylight hours only." Nobody is going to visit this area when it's dark, so it would be a waste of staff resources to have someone with the responsibility to lock and unlock gates on a daily basis. If a timed lock system can be implemented at reasonable cost, which can be programmed and does not require daily staff interaction that could be a practical implementation.
	M-4	Wildlife Movement	Agree

**Sheila Cobian**

---

**Subject:** FW: Off Leash Area for Dogs at Village H

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/13 CA  CC   
CM  ACM  DCM (3)

-----Original Message-----

From: Pamela Walls  
Sent: Monday, April 13, 2020 2:48 PM  
To: City Clerk <Clerk@carlsbadca.gov>  
Subject: Off Leash Area for Dogs at Village H

Heard this item is on the agenda and would just like to support having an off-leash area for dogs at Village H. There are a large number of residents in the neighborhood that would also support this. Please let me know if it would be helpful to have them email the City Council as well.

Thank you,

Pamela Walls

Carlsbad, CA 92010

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

**Sheila Cobian**

---

**From:** Tiffany Fairchild  
**Sent:** Tuesday, April 14, 2020 4:33 PM  
**To:** City Clerk  
**Subject:** Village H Off leash Trail Use

All Receive - Agenda Item # 10 All Receive - agenda item  
For the Information of the: For the Information of the  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sent from my iPhone

**CAUTION:** Do not open attachments or click on links unless you recognize the sender and know the content is safe.

## Sheila Cobian

---

**Subject:** FW: Village H Off Lease Trail Use

---

**From:** Sherri - icanhike <[icanhike@hotmail.com](mailto:icanhike@hotmail.com)>  
**Sent:** Tuesday, April 14, 2020 5:24 PM  
**To:** City Clerk <[Clerk@carlsbadca.gov](mailto:Clerk@carlsbadca.gov)>  
**Cc:** Sherri - icanhike <[icanhike@hotmail.com](mailto:icanhike@hotmail.com)>  
**Subject:** Village H Off Lease Trail Use

Please read this message into the record at the City Council Meeting:

Dear Mayor and Council Members,

I am one of many who are waiting patiently for the Village H trail to be restored to historic use of off-leash dogs and family recreation. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson, and taking in to consideration my comments below.

I have reviewed the Staff and Preserve Calavera option in the City Council Meeting packet and am very disappointed. This option would limit off leash use of the area to an very small portion of the trail, with no open area use. Preserve Calavera comments and submittals are focused on wildlife corridors, which are very important and valued by all. But the data show that wildlife is continuing to use the area after more than 30 years of off-lease dog use, and that fact is not being represented by their preferred option, which excludes dogs from even the disturbed area adjacent to Carlsbad Village Drive.

The wildlife studies are flawed, in that camera traps can only show presence, not abundance and persistence; additionally, the study fails to factor in changes in activity during and after breeding season, comparing the non-dog activity period during breeding season to the dog activity period during non-breeding season. This makes it appears that there is more activity when dogs are not present, but in fact, the data is likely more influenced by natural changes in animal patterns throughout the year. But the camera studies do tell us is that there is presence of mesocarnivores, birds, and small mammals in the space that has been used by families and dogs for decades.

Last year the Mayor and City Council seemed to enthusiastically support the community in our effort to continue using the Village H space in a manner consistent with historic use. Many of us spoke at the council meeting, the Park Dept was tasked with coming up with solutions, and the City held a community outreach meeting to get our input. I am respectfully requesting that you don't lose sight of that moment and our mutual goals to preserve this golden treasure, so unique to this community. Sometimes goals are difficult, and require thinking outside the box and rolling up our sleeves. We are willing to do this, we would like your support.

Respectfully,

Sherri Sullivan  
Crest of Calavera Resident, 14 years

Responsible Dog Owner  
Wildlife Biologist

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## Sheila Cobian

---

**Subject:** FW: : Village H Off leash Trail Use

---

**From:**

**Sent:** Tuesday, April 14, 2020 7:41 PM

**To:** City Clerk <[Clerk@carlsbadca.gov](mailto:Clerk@carlsbadca.gov)>

**Subject:** : Village H Off leash Trail Use

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,

Timothy and Cristina Hanks

Carlsbad Voters

**CAUTION:** Do not open attachments or click on links unless you recognize the sender and know the content is safe.

**Sheila Cobian**

---

**From:** Hal Doan  
**Sent:** Tuesday, April 14, 2020 10:36 AM  
**To:** City Clerk  
**Subject:** Village H Off leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Best,  
Hal

**CAUTION:** Do not open attachments or click on links unless you recognize the sender and know the content is safe.



**Sheila Cobian**

---

**From:** Peg Selover  
**Sent:** Tuesday, April 14, 2020 9:14 AM  
**To:** City Clerk  
**Subject:** Village H Off Leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

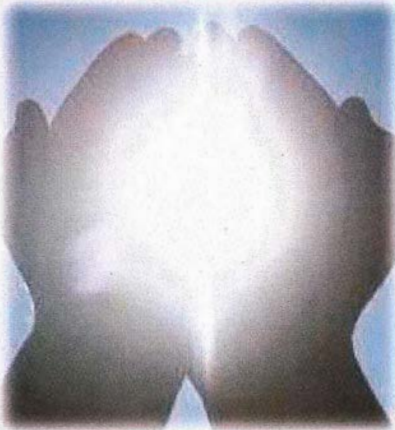
Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,

Peg Selover

Carlsbad, CA 92011  
(Carlsbad Voter)

--  
Don't let anything dull your sparkle!!!



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**Sheila Cobian**

---

**From:** Megan Woolsey  
**Sent:** Tuesday, April 14, 2020 9:15 AM  
**To:** City Clerk  
**Subject:** Village H Off leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4-14 CA  CC   
CM  ACM  DCM (3)

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,

Megan Woolsey

Carlsbad Voter

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**Sheila Cobian**

---

**From:** Melissa Furioli  
**Sent:** Tuesday, April 14, 2020 9:16 AM  
**To:** City Clerk  
**Subject:** Village H Off-Leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

My family of four (plus our dog!) is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Thank you so much,  
Melissa Furioli

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**Sheila Cobian**

---

**From:** Donald Howard  
**Sent:** Tuesday, April 14, 2020 9:16 AM  
**To:** City Clerk  
**Subject:** Village H Off leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

Please read this message into the record at the City Council meeting:

Dear Mayor and Council Members,

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Thank you for your attention and consideration. We miss our walks there with our dog.

-Don Howard

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**Sheila Cobian**

---

**From:** susan scheirman  
**Sent:** Tuesday, April 14, 2020 9:19 AM  
**To:** City Clerk  
**Subject:** Proper Village H Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

Dear Mayor and Council Members,  
Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson. Sincerely, David and Susan Scheirman, Carlsbad voters  
CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

**Sheila Cobian**

---

**From:** susan scheirman  
**Sent:** Tuesday, April 14, 2020 9:25 AM  
**To:** City Clerk  
**Subject:** Village H

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

I would like my comments read at the meeting today. See previous email. Susan Scheirman  
CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

**Sheila Cobian**

---

**From:** Karen Merrill  
**Sent:** Tuesday, April 14, 2020 9:29 AM  
**To:** City Clerk  
**Subject:** AB#10-Village H Off leash dogs-Preserve Calavera

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

City Clerk,

Please read these comments below into the record for # 10 on April 14,2020.

I will speak on items 2-3 of Preserve Calavera's handout.

Thank you,  
Karen Merrill  
Preserve Calavera

**Subject : # 10 Village H-Off-leash Hybrid Proposal-Carlsbad City Council-April 14, 2020**

Honorable Mayor and Council members,

Please read my comments into the record as the 2<sup>nd</sup> of 3 speakers on behalf of Preserve Calavera.

I am addressing items # 2 and 3 on our Preserve Calavera handout. We see no reason to construct a parking lot for what is intended to be a neighborhood amenity. The intent is to accommodate the area residents, not invite visitors from some distance to drive there. We are supposed to be reducing auto trips and the air quality and GHG impacts that result from unnecessary driving. This project is a one-of-a-kind effort and should not be required to provide the same amenities as a formal dog park. Save the tax payer's money and remove the parking lot from this project.

We believe there is justification for restricted nighttime use at Village H South as well. We know this corridor is already below minimum width requirements. Studies show wildlife adjust to human presence by shifting to nighttime travel. We know that wildlife use this corridor and your HMP manager provided a February 2020 **Update on Village H Wildlife Movement and Dog Waste Studies** and I quote:

“The presence of people and dogs, such as along heavily used trails, can also restrict or deter wildlife movement through avoidance of an area or behavioral changes, including limiting movement to nighttime hours.”

There is ample justification for use restrictions here. Staff can recommend use hours for the gated off-leash dog area and council should impose nighttime restrictions for the remainder of the trails at Village H South.

Karen Merrill

On Behalf of Preserve Calavera

**Sheila Cobian**

---

**Subject:** FW: Village H comments

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

-----Original Message-----

From: Jasanna Maher <  
Sent: Monday, April 13, 2020 7:49 PM  
To: City Clerk <Clerk@carlsbadca.gov>  
Subject: Village H comments

We would like this read into record for the City Council Meeting on 4/14/20

Hello City Council,

The staff report includes a 20 car parking lot and restrooms for Village H. This will attract people from other cities and it will no longer be a small local use area. The locals will be courteous and respect the park but people from other areas might not. We live next to the park and have never seen more than 4 or 5 cars parked there and do not see the need for a parking lot. We agree with Preserve Calavera's report.

As Village H is our backyard it is of great concern to us that there will be a chain link fence and a dog park just several feet from our backyard.

A dog park means a lot of dogs barking all day long.

We request that before any decision is made the staff and city council come to our home and view the potential dog park from our perspective and the other residents who will be affected.

Sincerely,

Walt Meier  
Jasanna Maher

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## Sheila Cobian

---

**Subject:** FW: AB # 10- Village H off Leash Dogs by Preserve Calavera  
**Attachments:** village h tweaks mar 2020 (1) (1).docx

**From:** Diane Nygaard  
**Sent:** Monday, April 13, 2020 11:43 PM  
**To:** City Clerk <Clerk@carlsbadca.gov>  
**Subject:** AB # 10- Village H off Leash Dogs by Preserve Calavera

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/14 CA  CC   
CM  ACM  DCM (3)

City Clerk

Please read these comments below into the record for # 10 on April 14,2020.

If possible we would appreciate it if the three commenters for Preserve Calavera could be heard in order # 1- Paige deCino (sent on April 8th) , # 2 Karen Merrill (to be sent shortly) and # 3 Diane Nygaard.

Attached is also a handout that goes with these three comments. It is my understanding that you will distribute the handout to the Mayor and Council prior to this item being considered.

Thank you.  
Diane

Honorable Mayor and Council

It has been so heartwarming to see the images from the wildlife study at Village H these last few months! Opening up the undercrossing of Tamarack and reducing the number of offleash dogs has already made such a difference. Its like someone put up a sign-" here is your wildlife corridor" - and they have all read it.

Please- we cannot go backwards. If off leash dogs are added back into the mix it needs to be done very carefully, while monitoring the results and reporting back on what has been happening.

We worked for so many years to fix this pinchpoint in the regional wildlife movement corridor. Now we are asking for your help to make sure those gains are not lost . If you think it is better to ignore the science and allow off leash dogs- please add the 4 conditions in our handout to make sure the damage is minimized : designate the remainder of the site as hardline open space, put the parking lot on hold until conditions justify it, restrict people and dog use at night, and monitor and report on results.

With these important changes we can all hope the wildlife will still be able to read the signs and know that they are welcome here.

Diane Nygaard  
On behalf of Preserve Calavera

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If the City Council decides to move forward with this pilot project for off-leash dogs at Village H we all want to make sure this is done in a way that protects the function of the wildlife movement corridor, allows multiple users of this public space, and is considerate of nearby neighbors and costs.

We propose the following modifications to make sure that the wildlife corridor function is protected, while other stakeholder concerns are also considered:

1. Formally designate the land used for, and critical for wildlife movement as HMP hardline open space.

Part of the area used by wildlife is shown as "Sensitive habitat outside preserve area" and part is "Non-sensitive habitat open space." Neither of these designations ensure the area adequately protects wildlife movement through this compromised link between two core areas of the Habitat Management Plan. This parcel tied for 2<sup>nd</sup> place in ranking of 16 parcels recommended for acquisition by the Citizen's Open Space Committee and adopted by the City Council in 2009. Its permanent protection as natural open space is even more important today than it was then. Of course, today the land is not all high-quality native habitat. But neither of these proposed designations ensure this area will be managed to protect the core biological function: the connection of the regional wildlife movement corridor. Changing its designation to "Sensitive habitat with restrictive use (ie HMP hardline preserve)" will provide that protection and is consistent with years of planning to protect the natural lands of Carlsbad.

2. Put parking lot on hold

We have never seen more than 4-5 cars parked -even when extensive on-line efforts were being used to call attention to this as an off-leash dog area. The adjacent street can accommodate that number, without adding any parking. Today, as we all work to reduce auto trips, we need to stop incentivizing cars by providing "free" parking everywhere- that we all pay for. Taxpayers will pay to build and maintain it, and we all get the air quality and GHG impacts. Or we can continue the short-sighted practices of the past and "pave paradise to put up a parking lot."

3. Restrict nighttime use of entire site.

Hours of use are a discretionary determination by the city. If ever a place justified nighttime use restrictions- this one does. Wildlife studies already show wildlife are altering their behavior to use the area at night. Numerous studies show how important nighttime restrictions are for wildlife- and the adjacent neighbors will appreciate it too. Options are dawn to dusk use, or just restrictions from 10 pm to 6 am as is done with other city parks.

4. Establish monitoring procedure to make sure this works as planned.

This is a new concept. It will be important to monitor how it works- for wildlife, dog owners, and nearby residents. It should be implemented slowly, in phases, while monitoring impacts and adjusting as needed. The initial approvals could be for the entire project. We propose holding the parking lot to Phase 2- and only building it if warranted. Monitoring should be established to assess things like: Are the rules being followed? What level of enforcement is needed to protect the wildlife, users, and adjacent neighbors? Are there adverse impacts on the wildlife? and most importantly- What actions need to be taken to address any problems that are identified?

3

**PROPOSITION C OPEN SPACE AND TRAILS COMMITTEE PROPERTY ANALYSIS**  
**(AS OF JANUARY 28, 2008 -- new information in Italics)**

EXHIBIT 1

OS Committee or Staff Ranking	Property Name	Acreage (approximate)	Adds Open Space to City System	Benefits HMP	Adds Trails to City System	Land Use Conflicts	Mitigation Credit	Willing Seller Status
1	Quarry Creek	100 acres	Yes	Yes	Yes	Yes -- portion of site is designated for residential land uses	Potential subject to Agency approval.	No
2	Sherman Property (trail easements)	134 acres, trail acreage unknown.	No -- property is already conserved.	No -- property is already conserved.	Yes	No -- trails would not conflict with land use designations.	No -- property is already conserved.	Yes
2	Calavera Village H	60 acres	Potentially, if the 3.2 acre CF site is designated OS.	Potentially, if 3.2 acre CF site is conserved and replanted.	No -- City trail already exists on property	Yes -- a 3.2 acre portion of site is designated Community Facilities	No	Yes
4	<i>Sunny Creek Properties (11)</i>	<i>143.86 acres</i>	<i>Yes -- habitat and floodplain areas are outside of existing Open Space.</i>	<i>Yes -- additional habitat preservation and wetlands buffering is possible.</i>	<i>Yes -- future City trail traverses the properties.</i>	<i>Yes -- most of the properties are designated for future residential development.</i>	<i>Potential subject to Agency approval.</i>	<i>Varied status</i>
4	<i>S. Agua Hedionda Properties (6)</i>	<i>325 acres</i>	<i>Yes -- one of the properties is designated for future development.</i>	<i>Yes -- conservation could provide revegetation and additional buffers</i>	<i>Yes -- future City trail traverses the properties.</i>	<i>Yes -- one of the properties is designated for future commercial development.</i>	<i>Potential subject to Agency approval.</i>	<i>Unknown</i>
6	Co. Airport Property (OS easement)	204 acres	No -- property is already conserved	No -- property is within County MHCP.	Yes -- portion of property is designated for City trail.	No -- property is already conserved	No	No

# Please read this email at the City Council meeting. Thank you

Dear Mayor and Council Members,

Our family is one of hundreds who have waited patiently for the past year to have the Village H trailed restored to its historic use for our Off leash dogs and our families. Please take the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,

Marta Rounsville

Carlsbad Voter

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**Hector Gomez**

---

**From:** Jake Nyberg  
**Sent:** Wednesday, April 15, 2020 12:30 PM  
**To:** City Clerk  
**Subject:** Village H Off leash Trail Use

All Receive - Agenda Item # 10  
For the Information of the:  
CITY COUNCIL  
Date 4/15/20 CA  CC   
CM  ACM  DCM (3)

Please read this message into the record at the City Council meeting scheduled on Tuesday, April 14th.

Honorable Mayor Hall, Mayor Pro Tem Blackburn and Esteemed City Council Members, for the record, my name is Jake Nyberg, a proud Carlsbad voter.

Our family is one of hundreds who have waited patiently the past year to have the Village H trail restored to its historic use for our off leash dogs and families. I support and taking the required steps to keep this project moving forward, including implementation of the proposals submitted separately by Dr. Tom Watson.

Sincerely,  
Jake Nyberg  
Carlsbad Voter

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# Potential Off-Leash Dog Area at the Village H South Property

Kyle Lancaster, Parks & Recreation Director

April 14, 2020

# Background

- Nov. 25, 2013 - Preserve Calavera, Quarry Creek Investors, and city entered into a legal settlement agreement that led to transfer of deed for Village H property to the city in 2019
  - Section 4.b of agreement states city “...shall promptly allow public access to the historic public use trail...”

# Present Status

- Aug. 4, 2019 - Upon completion of remedial work, staff complied with Section 4.b of agreement related to the trail
  - The balance of the southern section of the property remains a combination of preserve area and open space
  - Dogs allowed on-leash on trail; not in other open space



# Council Direction

- Dec. 10, 2019, staff presented a report to City Council on the public outreach for a potential off-leash dog area
  - Report advised City Council of the opportunities and constraints of conceptual plans and requested direction

# Council Direction

- City Council directed staff to narrow consideration of the concept plans to the Staff Option, to meet with Preserve Calavera members to hear their option and then find a hybrid of the options within two months and return

# Staff Option



# Communication with Preserve Calavera

- Dec. 11, 2019 to March 6, 2020 - staff exchanged emails and met with Preserve Calavera members to find a hybrid
  - Preserve Calavera’s “preference is to leave things as they are as that is the least damaging alternative.”

# Fish and Wildlife Service Review

- Jan. 14, 2020 - staff met with CA Fish and Wildlife and U.S. Fish and Wildlife Service reps, regarding wildlife movement through property and potential for an off-leash dog area
  - Agency reps conveyed general support for Staff Option

# Wildlife Movement Studies

- Consultants and volunteers have continued to perform wildlife movement and dog waste studies on the property
  - Feb. 14, 2020, staff prepared a memo summarizing the status of studies, which was presented in HMP Report

# Staff & Preserve Calavera Option



# Preserve Calavera Concerns

- March 6, 2020 - Preserve Calavera expressed concerns:
  - Size/type of proposed parking lot and restroom facility
  - Maintenance and possible alteration of open space to the east if it is not added to habitat preserve area



# Both Staff Option and Hybrid Option

- Meet requirements of current settlement agreement
  - Provide public access to historic public use trail and use best efforts to implement the Trails Master Plan
- Are consistent with the Habitat Management Plan
  - Off leash dog area does not encroach upon preserve

# Recommended Action

Receive a report on a potential off-leash dog area at the Village H South property, and direct staff to either (a) not pursue an off-leash dog area, (b) pursue the Staff Option concept plan for an off-leash dog area, or (c) pursue the Staff & Preserve Calavera Option concept plan for an off-leash dog area

# Fiscal Analysis

- No direct fiscal impact associated with receipt of report
- Should City Council provide direction (b) or (c), staff will include a request for establishment of a project charter and appropriation of funding in FY 2020-21 CIP Budget
  - Inclusion of trail connection would be recommended

# Next Steps

- Staff will implement direction provided by City Council
- Should City Council provide direction (b) or (c), staff will include the new project within its existing workload of active CIP projects related to parks and trails
  - A partial listing of those projects is included in report

# Comments and Questions