



CITY OF CONCORD

New Hampshire's Main Street™
Conservation Commission

TO: City Council

FROM: Conservation Commission

DATE: February 28, 2023

RE: Request to Ban Hunting on Broken Ground Trails, Council Referral

At the January 11, 2023 and February 8, 2023 meetings, the Conservation Commission reviewed the request to prohibit hunting on the Broken Ground Trails.

Recommendation

The Conservation Commission recommends that City Council decline the request to prohibit hunting on the Broken Ground Trails.

Discussion

Hunting is currently allowed and regulated on conservation land under the ordinance.

“4-6-2 - Conduct Prohibited in Conservation Open Space. It shall be unlawful for any person in any conservation open space to: ... (e) Treatment of Animals. Remove or have in his possession any animal's nest or remove the young or eggs of an animal or injure or kill any animal except during a hunting or trapping season and while legally hunting or trapping...”

“4-6-3 - Regulated Uses. The following uses are considered regulated uses and are prohibited, except as permitted under the conditions stated below:

(a) Firearms. It shall be unlawful for any person in any conservation open space to bring into, possess or use any firearm except that hunting for wild game as otherwise may be permitted by state or local law during the designated seasons unless prohibited by the posting of signs...”

The Broken Ground Trails are located off Portsmouth Street and Curtisville Road, and cross land owned by both the City and private land owned by Unitil. The trails on the Unitil land are allowed through a conservation easement and trail agreement. The incident reported in the request to City Council occurred on trails located on the Unitil property. The City does not have jurisdiction to prohibit hunting on private property.

Hunting laws are enforced by NH Fish & Game. If there are concerns about hunting activities or potential illegal activities, it should be reported to the Game Warden for them to determine if there has been a violation and follow up with enforcement, if required.

Following receipt of this request, and at the request of the Conservation Commission, City Staff spoke with the Deer Project Coordinator from NH Fish & Game. She confirmed that the act of leaving entrails on a public trail is not illegal; however, it is against hunter etiquette guidelines, which hunters are taught in their hunter safety courses. The Coordinator stated that this appears to be an unfortunate and isolated incident, and they do not often hear complaints about this issue.

Conclusion

As previously conveyed to City Council, the Commission feels that hunting is a traditional use in NH, and the Commission does not recommend posting to prohibit hunting on City-owned conservation land.

The Commission offers the following public education and outreach prevent conflicts:

- During hunting season, the following information is provided on the City's Hiking Trails webpage (www.concordnh.gov/trails):
 - Hiking during hunting season safety tips
 - A list of hiking areas where hunting is prohibited by the private property owner or by deed restriction for hikers to use during hunting season
 - Hunting season schedules and links to the NH Fish & Game website for further information
- The safety tips are posted in kiosks at several trailheads.
- Multi-Use Area signs provided by NH Fish & Game are posted at several locations within the trail network. These signs state "Caution: Multi-Use Recreation Area. People in this Area may be Participating in Hunting and Other Forms of Outdoor Recreation."

Through the Open Space & Trails Ranger, the Commission will make sure that information is up to date and clearly posted for future hunting seasons, including contact information at trail heads for NH Fish & Game. Staff will continue to maintain an open dialog with the NH Fish & Game Education and Outreach Coordinator and the NH Deer Project Coordinator.