

April 9, 2018

Board of Selectmen
Town of Rye
10 Central Road
Rye, NH 03870

RE: Rye Town Forest – Dogs Continuing to Run Wildlife and Trespassing on Posted Land

Dear Selectmen:

Please see the attached letter dated 12/1/17 to the BOS. We again ask that the BOS implement a temporary leash law in the Rye Town Forest along the Green Trail until the Town can figure out a permanent fix to the issue.

Starting 12/7/17, every week for 12 weeks, we emailed the Rye Conservation Commission (RCC) and the Rye PD pictures of dogs running at large on posted, private property as further proof of the extent of the situation. Some pictures included people trespassing on clearly marked, posted, private property looking for their dogs. Some weeks we only got a few dogs on camera, other weeks we got many. One week it was 14. In the 12-week period, the total was 39 dogs and 6 trespassers. We recently stopped emailing weekly pictures because it did not seem to have any affect. If you would like recent pictures, please let us know and we will provide them.

We are here tonight in front of the Selectmen because we have been trying to work with the RCC about this issue for the last two years and nothing has changed. In all respect, we believe that folks have placed their personal use over what is fair for wildlife, habitat, being a good neighbor and respecting private property rights. We understand that RCC leadership and its majority are personally against any requirement that dogs be leashed on the Green Trail as they like to walk their dogs there. However, it is not fair to continue to condone the impact dogs at large are having in the forest, especially the Green Trail. According to wildlife biologist at N.H. Fish and Game, Brendan Clifford, who was quoted in the Portsmouth Herald on 3/3/18 about the number of dogs running at large in the Rye Town Forest:

“Repeated behavior like that will flush the wildlife out of the area or deter wildlife in that area.”
“They’re not a natural thing to be there, so an animal will react adversely,” said Clifford, noting that in areas where there are dog parks, there typically isn’t wildlife surrounding them. You’re certainly not going to attract wildlife there. You’re only going to lose it.” As Clifford explains, *when dogs chase after wildlife, they might be curious or think they’re being playful, but that “adds stress to the animals there.”*

In all respect to the RCC, the citizens of Rye did not agree to turn the Town Forest into the Seacoast’s dog park. It is also clearly going against the conservation easement as well as the forest management plan. We respect that Selectman Winslow has commissioned a Dog Committee to provide recommendations about town-wide dog issues to the BOS sometime this fall. In the meantime, we again ask that the BOS gives us some much-needed relief from this well-documented issue and impose a temporary leash law in the Rye Town Forest along the Green Trail, the area where there is a high frequency of dogs at large running/disturbing wildlife through the forest and posted, private land. For the record, Sergeant Jeremy Hawkes,

Conservation Officer for NH Fish & Game who visited our properties last fall, recommend a leash law to mitigate this ongoing issue.

We believe that we have been good neighbors and that the Town should be as well. The RCC has tried everything else but a temporary leash law in this sensitive area and we feel that it is only fair that something meaningful be done while we wait for whatever the Dog Committee comes back with months from now for permanent recommendations. For the record, we are not in support of a town-wide leash law. Nonetheless, we believe there needs to be leash laws in high impact, sensitive areas when there are too many dogs, too many occurrences of irresponsible dog owners not controlling their dogs and limited ability to enforce current laws.

Respectfully,



Shawn Joyce
PO Box 5
270 Washington Rd
Rye, NH 03870



David Tilton
390 Washington Rd
Rye, NH 03870

cc: Chief Kevin Walsh, Rye Police Department
Rye Conservation Commission
Charlie Moreno, Moreno Forestry Associates
Sergeant Jeremy Hawkes, NH Fish & Game Conservation Officer

December 1, 2017

Board of Selectmen
Town of Rye
10 Central Road
Rye, NH 03870

RE: Rye Town Forest – Dogs Running at Large and Trespassing on Posted Land

With the closing of Pierce Island in Portsmouth and restrictions on dogs at other public property, the Town Rye Forest has become the seacoast's de facto dog park. As abutters to the Rye Town Forest, we are having reoccurring issues on weekly basis of dogs running at large and people trespassing on our land which is clearly posted. We have many pictures from our game cameras. We also have personally witnessed dogs running wildlife through our property and people searching for their dogs. They seem to be oblivious to the laws they are breaking and/or do not care.

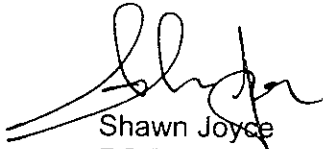
For the last few years, we have been reporting the issues to the Rye Conservation Commission. Nonetheless, little has been done that has had any affect and the issues are getting worse. The RCC recently posted signs that state people must control their dogs. However, many do not understand what it means to control their dog or do not care because there is no enforcement. In the last few weeks, we had over 20 different dogs on our cameras and numerous people trespassing. The cameras are a 100 yards or more off the public trails, so it is an ongoing serious infringement.

Allowing dogs to run at large and disturbing wildlife and habitat is against NH state laws. It also violates the spirit of the Conservation Easement that protects the Rye Town Forest dated 1/29/01¹ and the recommendations in the Forest Management Plan for the Rye Town Forest dated 7/11/03². Please see the attached footnotes. These issues are seriously affecting wildlife and habitat. They are also impeding the peaceful enjoyment of our land. We lawfully hunt and trap our land. Dogs and people coming through our woods put us in a compromising position and are a serious safety risk.

Just last week when we were tracking a wounded deer a few hundred yards on our posted private property. A golden retriever with a white tail came bounding through the woods from the Rye Town Forest. That dog could have easily been mistaken for the deer. The dog's owner then came looking for him. We also have dogs coming in on coyote bait. Although NH law does not make us responsible for dogs at large, we do not want to see harm to a dog because of an owner who breaks numerous laws. These are just a few of many examples of how people are putting their dogs and themselves at risk by trespassing on posted land.

In conclusion, we ask that the Town of Rye implement a temporary leash law in the Rye Town Forest until it can figure out how to educate dogs owners that they cannot allow their dogs to run at large and disturb wildlife, stop the dogs and their owners from trespass on posted land and enforce those laws. The Rye Town Forest was never intended to be the seacoast's dog park and it's time to stop that movement for the peaceful enjoyment of all.

Respectfully,



Shawn Joyce
PO Box 5
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Rye, NH 03870



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Cc: Chief Kevin Walsh, Rye Police Department
Rye Conservation Commission
Charlie Moreno, Moreno Forestry Associates
Sergeant Jeremy Hawkes, NH Fish & Game Conservation Officer

¹ Page one of the **Conservation Easement** under Purposes: The purpose of this Conservation Easement is to assure that, while permitting the forest management and public recreation uses described in Section III herein, the Premise will retain IN PERPETUITY predominantly in its natural, scenic, undeveloped, and open condition as Town Forest for fish and wildlife conservation, habitat protection.

² Page five, paragraph two of the **Forest Management Plan for the Rye Town Forest** states recreational activity must "not adversely affect the natural condition of the Premise. Page six refers to "reserve areas, "sections left permanently to the course of nature and generally free from human intervention. The Forest Management Plan for the Rye Town Forest. Page twelve notes wildlife habitat enhancement, high importance, protect and enhance wildlife habitat for species diversity.

³ At the **Rye Conservation Commission Meeting on 7/21/16**, the RCC Voted in Favor of "no further bridges be constructed, instead trail relocation be considered. It might also be necessary to close certain trails, or certain sections of trails, at various times to protect the wildlife and natural state of the forest." This was based on recommendations by the Rye Town Forest Trail Committee that met many times over six months including a site visit of the Rye Forest as well as a thorough review of the Town Forest Easement and Rye Forest Management Plan.