

Rationale for decisions on Hunting and Trapping

At their June 17, 2021 meeting the HCFSC voted unanimously to:

1. Mostly prohibit recreational trapping on the Huntington Community Forest (HCF). Trapping will not be allowed except under “compelling circumstances” as determined by the HCFSC. Examples of compelling reasons given in the course of discussion were- animals posing a danger to the public, such as a rabid animal, or animals causing concerning ecological damage.
2. Prohibit all hunting in an area at least 1000 feet from the Brewster Pierce School property boundary. In later discussions the boundary of this “Safety Zone” was extended an additional 11 acres further than 1000’ in some areas so as to follow logical boundaries along landscape features and/or trails. The Safety Zone covers a total of approximately 46 acres, including the entirety of the River Parcel.
3. Allow hunting in other parts of the HCF as legally allowed in the State of Vermont.
4. Institute some restrictions on hunting blinds, stands, and similar structures.
5. Reserve the right to close parts of the HCF to non-hunting recreational users during the November rifle season should the HCFS deem this action appropriate.

At the July 15, 2021 meeting, a committee member asked if the HCFSC should reconsider the topic of hunting and trapping restrictions. After a review of our prior decision, the Committee voted, again unanimously, not to reopen discussion on this topic. A motion for reconsideration was again made at an HCFSC meeting on September 16, 2021, and after discussion the motion did not pass.

Between January and August 2021, each HCFSC meeting had a dedicated decision-making topic. At each meeting in this timeframe, a topic was introduced, with initial discussion, and another topic was deliberated with formal votes on a decision. This schedule was discussed at each meeting and distributed with early agendas. Each topic was announced in the agenda updated prior to the meeting. This schedule allowed plenty of forewarning about topics under consideration and allowed the Committee members time to review available materials, information, conduct additional research and review public input prior to making a final decision.

Hunting and trapping was the last major topic considered. This was intentional to provide ample time for public input and independent research on this complex topic. The hunting and trapping topic was introduced for committee debate in May 2021, a full year after the formation of the HCFSC, and the decision-making deliberation and vote took place in June 2021.

The HCFSC considered many factors when making decisions about hunting and trapping restrictions to include in the Stewardship Plan. Considerable discussion was conducted as a group over the course of the year. Public comment was sought in the form of feedback at Public Forums, public comment received at meetings, public comment received via email, and the results of a community survey. While public comment was an important component of the decision-making process, it is important to state that it was not the only factor.

The HCFSC recognizes that these topics are complex, and there are impassioned opinions on both sides of the issue. Individual committee members conducted their own research and deliberation outside of formal meetings and every member brings a unique perspective to the table. This summary attempts to explain the major decision-making points but is not intended to be a comprehensive analysis of the individual members' reasoning for voting as they did.

Foundation for restrictions

In making stewardship decisions on several topics, the HCFSC considered whether restrictions being considered were due to actual conflicts, or perceptions of potential conflicts. The HCFSC took a position early in deliberations that as a public, community-owned asset, latitude should be given to embrace a wide variety of interests and recreational pursuits unless there was strong evidence that doing so would endanger other users or imperil the natural environment of the forest. All recreational uses have an impact on the natural condition of the forest, so likely or potential mitigatable impacts were generally not considered reasons to disallow something. The HCFSC again and again preferred an approach of education, awareness, and asking Forest users to operate in a mutually respectful manner. The HCFSC does not want to “create solutions in search of a problem”.

In addition, the HCFSC sought planning and stewardship that would not require nuanced or challenging enforcement. Rules that are easy to understand, and generally consistent with accepted community standards would be easier for the general public to understand and obey. The HCFSC is disinclined to function as a rule enforcer, therefore rules or prohibitions that are without strong, well-defined merit were generally discouraged.

With respect to hunting and trapping rules, it's our understanding that the State Police and Game Wardens can and will only enforce State Law. Any enforcement of additional restrictions placed on this particular piece of property will necessitate a local enforcement authority which, outside of Huntington's animal control ordinance, does not exist.

This foundational approach was applied to the hunting and trapping discussion, as well as other topics. Additionally, the HCFSC recognizes the rural landscape and history of Huntington and the strong place the tradition of hunting and trapping holds in the community.

Easement.

The HCFSC is subject to a Conservation Easement held by Vermont Land Trust (VLT) and Vt. Housing and Conservation Board (VHCB). VLT has the primary responsibility for easement compliance review. The Town of Huntington accepted the terms of the easement as a condition of the acquisition of the property.

The easement includes standard, broadly accepted language that is used in easements for many other public properties, including town forests. Regarding hunting, the Easement states:

Permitted Uses- The right to use the Protected Property for all types of non-commercial, non-motorized recreational purposes (including, but not limited to, bird-watching, boating, cross-country skiing, fishing, hiking, hunting, snowshoeing, swimming, trapping, walking and wildlife observation) consistent with the Purposes of this Grant and the Management Plan(s).

In conversations with VLT representatives, it was made clear that the easement is intended to give strong deference to the right to hunt and trap, but strong, well-documented arguments such as for safety or ecological protection could be considered in a move to limit or prohibit any of these activities.

Public Feedback.

On the topic of trapping, public feedback was heavily on the side of prohibiting this activity. In the survey results, trapping was the only topic with a negative consensus- that is the vast majority of respondents were not in favor of allowing trapping on the property. Approximately 80% of survey respondents thought trapping should be prohibited property-wide. Some email comments and numerous in-person comments were received that generally were opposed to trapping altogether or supported trapping with significant restrictions imposed.

Public comment on the topic of hunting was more nuanced and divided. As a general rule, public feedback in all venues supported limits to hunting in proximity to BPMS, although several commenters noted hunting has historically taken place close to the school without incident. In a review of comments received via email prior to the July 2021 vote, approximately 97 emails had been received with comments or questions on various topics. Approximately 57 (59%) of these 97 messages expressed some opinion on hunting and/or trapping. There were several repeat commenters- over 25% of the hunting related emails came from 2 individuals. When filtered for those expressing opinions related to allowing or not allowing hunting on the HCF in areas away from BPMS, and collating opinions expressed by the same individual more than once, the feedback was equally divided with approximately 17 (53%) people expressing a desire to see hunting allowed and 15 (47%) wishing to see it prohibited or further restricted in some fashion. These results were consistent with the results of the public survey and of the comments offered at the public forum on hunting and trapping in October 2020. In the survey, ~52% of respondents supported hunting without limits, or with certain limits imposed. When asked about types of limits, seasonality and location were the most-cited limits desired. Limits on species and methods were less popular. The takeaway for the HCFSC is that the community is split on the topic of hunting, with slightly more appearing to support hunting. There appears to be more consensus to limit hunting on parts of the property, notably near BPMS, and there is support for considering seasonal limits.

Other Town Forests.

The HCFSC researched rules and restrictions around hunting and (to a lesser extent) trapping on other Town Forests in the region. Our 3 closest neighboring towns- Hinesburg, Richmond, and Starksboro all have municipally owned Town Forests, and all allow unrestricted legal hunting throughout the properties. Barre, Northfield, West Windsor, Fayston, and Georgia all similarly allow hunting in compliance with Vt. Fish and Wildlife regulations. In 2020 Hinesburg closed both of their Town Forest properties to non-hunting recreational users during portions of the bow-hunting, rifle, and muzzleloader seasons.

Westford has a 2-parcel town forest, with one property adjacent to their elementary school- hunting is restricted on the school-adjacent portion, and allowed elsewhere during deer, turkey, and youth seasons. Moretown similarly limits hunting with a posted safety zone adjacent to their school.

The Catamount Community Forest (CCF) in Williston is the only community forest in the region found to prohibit hunting altogether. Williston is a significantly more suburban town than Huntington, and non-hunting recreational use at the CCF is high.

The HCFSC sought information on injuries or conflicts as a result of hunter and non-hunter mixed activity on town forests. The Hinesburg Fire Department reported that their TF, with a long history of allowed hunting and relatively heavy non-hunting recreational use, has seen a “very few injuries over the last 10 years or so...”. No injuries were attributed to hunting, rather included lost hikers, a bee sting, a hiker fall, a horseback rider injury, and a serious snowmobile injury. Management plans from other towns we consulted included some of their own research into hunter related incidents on other town forests, and none were identified.

Safety

With respect to trapping, the HCFSC considered the un-manned nature of trapping, and potential conflicts between traps placed for target animals and other users of the HCF. The HCFSC had previously decided that dogs would be allowed on the HCF, and traps could become a danger for pets. In addition, because children and others will be encouraged to explore the forest, both on and off the developed trails, the HCFSC was particularly concerned about people either encountering set traps or encountering a trapped animal. The HCFSC

acknowledged that specific special circumstances may make trapping a necessary activity, and in that case, the HCFSC would have strong oversight, including broad education to protect the public.

Safety was an oft-cited concern by community members concerned about allowing hunting on the HCF. In particular, many people cited the proximity to BPMS, and the use of the HCF by school children in outdoor classrooms. Errant shots, misfires, and irresponsible behavior were cited concerns. The Gun Free School Zones Act of 1990 limits certain types of firearms on public land within 1000' of school properties. In recognition of this law, as well as an interest in providing a portion of the property for those wishing to recreate without encountering hunters, a safety zone of at least 1000' from the school property boundary was adopted where ALL hunting, by firearm or other method, in all seasons, will be prohibited. This area was extended beyond the minimum 1000' by an additional 11 acres. Signs will be placed along the boundary to alert Forest users to the presence of the safety zone. This safety zone goes beyond the minimal limitations of the Gun Free School Zones Act by prohibiting all hunting activities in all seasons in this area. The safety zone covers approximately 46 acres of the property, including the entirety of the river parcel, in the area with the greatest amount of trail density and where BPMS students most often engage in outdoor learning activities.

BPMS Principal Sally Hayes mentioned on several occasions (both prior and subsequent to her appointment as an HCFSC member) that it was valuable for students to learn about sharing the forest with other users, including hunters, and was an opportunity to teach kids about steps they can take to be aware and in the forest safely.

Committee members researched safety concerns relevant to hunting on the remaining HCF land. Statistics consulted show hunting is very safe as compared to many outdoor recreational activities. Outdoor recreators are far more likely to be struck by lightning (statistically) than to be killed in a hunting accident. Nationwide, the vast majority of hunting incidents are accidental injuries within a hunting party, and injury or death to non-hunters is exceedingly rare. No issues with hunters have been identified to date on the HCF (hunting is allowed under the HCF interim management plan, currently in effect). No hunter-related injuries or issues were identified by any of the committee members in their own recreational pursuits throughout Huntington. And, as previously discussed, no hunter-related issues have been documented on other town forests that allow hunting. The committee also discussed the anticipated hunting pressure on the remaining portions of the HCF. Due to the relatively small size of the parcel, proximity to the village, and anticipated use by non-hunting recreationalists, the number of hunters are expected to be low. This assumption was reinforced through comments provided by resident hunters. In addition, in this region species such as coyote are nearly always hunted in open environments, rather than in interior forests. With the open and shrubby areas in the lower portion of the property closed to hunting and clearly marked, use by hunters outside the most popular seasons- deer and upland game birds, was seen as unlikely or at most appreciably infrequent. For these reasons, the HCFSC could not make a convincing argument that hunting, in any season, poses an undue risk to the non-hunting users of the HCF.

Deer Management

The HCFSC is concerned about the potential of ecological damage to the forest due to over-browse by deer. This is a documented issue in some surrounding communities as Vermont's hunter population declines, land available for deer habitat is lost to development and land available for hunting is lost to posting of private property. The Hinesburg Town Forests have been closed to recreational users for portions of the deer hunting seasons specifically to combat significant forest damage due to deer over browse.

HCFSC specifically requested that the UVM LIA class explore the issue of deer browse during their studies on the property in early 2021. Their findings, though informal, are notable.

Based on their evaluation, portions of the property where deer access is more available have significantly lower maple and ash regeneration success than places where deer access is limited by natural conditions.

According to the Vt. Fish and Wildlife Department, much of the deer population control takes place not in the 2-week rifle hunting season, but through doe permits issued for archery and muzzleloader seasons during the fall and early winter months. Maintaining hunting during the full suite of deer hunting seasons will help control the deer herd on the property and in the region, and hopefully reduce the potential of future forest damage.

Ecological Protection

In addition to safety, VLT cites ecological protection as an acceptable reason to argue for limits to hunting and trapping under the terms of the easement. Several commenters have offered opinions on the ecological impacts of predator hunting. There are no known sensitive or unique habitats such as specialized denning sites on the property that would suggest hunting of any legal species would constitute undue damage to the larger population in the area. The HCF is a relatively small parcel in a much larger forested landscape, and as such, the HCFSC believes the property will see limited hunting pressure, it is not believed that hunting of any species on this particular property would negatively impact population dynamics for either prey or predatory species in the region.

The HCFSC recognizes the Vt. Department of Fish and Wildlife as the appropriate scientific experts on wildlife habitat and population dynamics. The Department is therefore best positioned to offer guidance, regulatory parameters, and enforcement of those regulations on a broad basis across properties, communities, and habitats.

Morality and Activism

Several public comments have focused on the morality of hunting and trapping and asked the town to prohibit these practices on the basis of perceived cruelty. The HCFSC believes that public land should represent the broadest range of public activities and acceptable practices whenever possible. While individual HCFSC members may in some cases agree with the moral positions stated such as around bear hounding and “wanton waste”, the fact remains that hunting is regulated by the State of Vermont, and there are appropriate statewide forums and venues for influencing public opinion and to change laws and regulations. Political or moral activism achieved through restrictions on a single piece of public land in an effort to impose the moral views of a certain segment of the community is not seen by the HCFSC as good stewardship. Such debates are best held in the larger political arena, with significant input by the scientific community, and should follow with rules that apply to all citizens and all land evenly.

Hounding

Hounding or allowing Bear Dogs in the Forest was another expressed safety concern. In a conversation with Game Warden Dana Joyal on 9/24/20, Joyal shared that houndsmen begin their dogs on a scent and the dogs continue from there. Joyal stated that houndsmen do have difficulty keeping the dogs in check and the hounds will travel across posted and unposted land. The committee determined that without a state law, we would be unable to enforce prohibited hounding practices. In order to ban hounding practices, the State Legislature would need to pass a law prohibiting or limiting hounding. That law currently does not exist, although as of this writing there is a petition to request a bill in the legislature which would outlaw hounding in the state.

Summary

The HCFSC is providing places on the HCF where hunting is both entirely prohibited, and where it is allowed within the laws and regulations of the State of Vermont. Due to the risk potential of unattended traps on a relatively small parcel with considerable recreational use, all trapping is prohibited unless by special need. This decision was made after considerable public input, research, discussion, and contemplation. We do not expect every towns person to agree. We feel this approach provides a balanced opportunity for community members who wish to hunt, as well as for those who would like to avoid hunters at all times. In addition, this approach supports appropriate habitat management, and the available science. This approach will allow for communication of clear guidelines, with both hunters and non-hunters easily able to understand the landscape without complex rules and seasons or unenforceable restrictions that deviate from the norms established by State law for the surrounding land. The HCFSC intends to provide educational materials about hunting in the HCF, including informational signage at kiosks. The HCFSC encourages the hunting and non-hunting communities in Huntington to be sensitive to each others views and pursuits, and mutually respectful when encountering each other in the forest.

HCFSC members noted on multiple occasions that the HCFSC will be able to continue to review and address any actual issues that arise, and implement appropriate measures, which could include plan revisions if necessary, to best support broad public use and good stewardship of the HCF.