

**Article 44**  
**Moratorium on Implementation of NRC Dog Restrictions on Conservation Land**  
Donald Shobrys, 7 Wright Farm Concord MA 01742, April 6, 2018

Article 44 requests a two year moratorium on the new restrictions passed by the NRC in December 2017 to provide a cooling off period, to allow the NRC to collect sound, unbiased data, and to work with responsible dog owners to improve dog owner etiquette.

*The NRC says that Punkatasset is high value habitat.*

**Dog owners agree, but the NRC did not identify any specific threat to wildlife here in Concord, and did not offer any supporting data. There isn't even data on the frequency and volume of dog-related activity on these parcels. The NRC's presentation to the Select Board on January 22, 2018 did *not* identify any specific problems that these new restrictions are supposed to address, and provided no basis for determining what impact these restrictions will have.**

*The NRC points to the number of meetings it held with the public.*

**Yes, there were many meetings, but the only data the NRC shared were summer Ranger reports that said that, on an unspecified number of occasions, there were an unspecified number of dogs off leash or an unspecified amount of dog waste at some of the parcels of conservation land.**

Other than asking a professional dog trainer to attend and speak at an NRC meeting on Effective Control, **the NRC did not seek out any experts on canine health or behavior like our local veterinarians or animal behaviorists.**

*The NRC claims the restrictions affect a small portion of conservation land.*

**This still has a town wide impact. The decision by the private landowners at Estabrook to restrict off leash access to dog owners, followed by the NRC's restrictions, deprived Concord's 1500 dog owning households of privileges they have had for years. As citizens of Concord and taxpayers, we are all owners of town conservation land. The NRC's proposals affect usage in other areas by pushing us off lands we all paid for, crowding us into smaller and smaller areas.**

*What about the studies listed on the NRC website?*

**The majority of the citations provided by the NRC use data on feral, free roaming, or even wild dogs, usually in tropical or subtropical, underdeveloped countries. Dogs in those countries can do considerable damage, but dogs in Concord are not feral, wild or free ranging.**

*The NRC implies that the Food Safety Modernization Act (FSMA) requires that dogs be restricted on agricultural lands.*

The following is from the FDA Food Safety Modernization Act Final Rule on Produce Safety, found at <https://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472887.pdf>.

**“As was stated in the supplemental notice, farms are not required to exclude animals from outdoor growing areas, destroy animal habitat, or clear borders around growing or drainage areas. Nothing in the rule should be interpreted as requiring or encouraging such actions.”**

**Wild animals, and particularly wild birds that can fly over barriers, are in and about those fields twenty-four hours a day and receive no veterinary care, while most dogs in Concord receive monthly doses of anti-parasitic medications, annual veterinary visits, and spend limited amounts of time on conservation land.**

*Will collecting data be expensive?*

**No. Over the past four decades, other communities and other organizations have increasingly used members of the general public as citizen scientists to accomplish tasks that would otherwise be too expensive or time consuming. Concord dog owners now work with the DNR on trails and invasives, and could also be constructively engaged along with other citizens in these data collection efforts. Las Cruces, NM did an \$850 dog waste study to identify problem areas, define corrective measures, and provide a baseline for assessing their impact. The methods used could easily be incorporated into the Ranger program, which cost \$20,000 in 2017.**

A moratorium allows an opportunity for the NRC to clearly define the problem(s) they are trying to solve, identify measures of success, and capture a baseline that lets us measure the impact of the restrictions. It gives the NRC an opportunity to collaboratively collect and share data that would be viewed as credible by the public, which would help resolve conflicting opinions.