

CHAPTER Ncr 730 PARKS AND RECREATION

REVISION NOTE:

The Department of Natural and Cultural Resources (Ncr) was established under RSA 12-A:1 and the Department of Resources and Economic Development (DRED) abolished, pursuant to 2017, 156:15, effective 7-1-17. Some of the existing rules under DRED, identified by the prefix Res, were transferred to the prefix Ncr.

All filings prior to Document #14291, effective 6-25-25 can be found in the filing history for the Res 7300 rules.

CHAPTER Ncr 730 PARKS AND RECREATION

Statutory Authority: RSA 12-A:2-c, I, II, III and IV, RSA 215-A:3-b, I, RSA 215-C:3-a, I, and RSA 227-G:4, I.

PART Ncr 731 RULES RELATING TO ALL PARKS AND DEPARTMENT PROPERTIES

Ncr 731.08 Animals.

(a) For purposes of this section, “animal” means any domestic animal kept for pleasure, comfort, or both rather than utility, including but not limited to dogs and cats, and animals traditionally associated with agriculture such as cattle, sheep, goats, llamas, alpacas, or swine, and wildlife raised in captivity, but excluding equines and animals used for utility covered in Ncr 731.09.

(b) Service animals that are actively working, including animals used for detection and search and rescue training and operations, shall be exempt from all prohibitions in this section unless stated otherwise.

(c) Animals shall be permitted on a department property unless temporarily prohibited or restricted to public use by posting under Ncr 731.07, or prohibited or restricted to animals under:

- (1) Ncr 731.08(d), where animals shall be permitted only in certain areas during the operating season;
- (2) Ncr 731.08(e), where animals shall be prohibited in certain areas during the operating season;
- (3) Ncr 731.08(f), where animals shall be permitted where normally prohibited under (d) and (e) after seasonal property closings and prior to seasonal property openings, except for certain restrictions at Hampton Beach state park; or
- (4) Ncr 731.08(g), where animals shall be prohibited year-round.

(d) In accordance with (e) and (g) herein, during the operating season animals shall be permitted on department properties except at department properties listed below where animals shall be permitted only in the following areas:

- (1) In all department campgrounds from April 1 through November 1;
- (2) In Bear Brook state park, at the campground and hiking trails only;

- (3) In Crawford Notch state park, at the campground, park hiking trails, and the designated dog walk area at the Willey site only;
- (4) In Franconia Notch state park, at the designated dog walk area and on hiking trails only, but not ski trails;
- (5) In Greenfield state park, at the campground and on hiking trails only;
- (6) In Moose Brook state park, at the campground and on hiking trails only;
- (7) In Mount Washington state park, at designated areas only;
- (8) In Umbagog state park, at base camp and designated remote campsites only; and
- (9) In Wellington state park, at the hiker parking area and trails on the west side of West Shore Road only.

(e) In accordance with (d) and (g) herein, during the operating season where animals are otherwise permitted, animals shall be prohibited in the following areas:

- (1) At state park coastal beaches, including Rye Harbor also known as “Ragged Neck;”
- (2) At state park freshwater beaches, beach recreation areas, and designated swim areas;
- (3) At established state park picnic shelters, picnic areas, pavilions, and group use areas;
- (4) In the camper cabins, lodge houses, and lodge rooms at Coleman state park;
- (5) In the camper cabin at Deer Mountain campground;
- (6) In Echo Lake state park, at the beach, picnic area, or on the lake perimeter hiking trail;
- (7) At Ellacoya state park;
- (8) At Fort Constitution historic site;
- (9) At Fort Stark historic site;
- (10) In the camper cabins at Jericho Mountain state park;
- (11) In the yurts at Milan Hill state park;
- (12) In Monadnock and Gilson Pond campgrounds;
- (13) In Mount Sunapee state park, at the beach, and at the main park and ski area, during the annual arts and crafts festival;
- (14) In Pawtuckaway state park, at the beach and at the campground;
- (15) In White Lake state park, at the beach and at the campground, picnic areas, beaches, and near park facilities.

(f) After seasonal property closings and prior to seasonal property openings, animals shall be permitted on department properties unless otherwise posted or prohibited year-round under Ncr 731.08 (g), except:

- (1) In Hampton Beach state park along Ocean Boulevard and at Hampton Beach South, Jenness state beach, North Beach, North Hampton state beach, Rye Harbor/Ragged Neck state

park, and Wallis Sands state beach animals shall be permitted only from October 1 through April 30. The provisions of Ncr 731.08(k) through (m) shall remain in full force; and

(2) The department shall prohibit animals in Hampton Beach state park where animals are permitted when the department determines there is a lack of compliance to this section by animal owners or the department determines it is necessary under Ncr 731.07.

(g) Animals shall be prohibited year-round on the following department properties:

(1) At Monadnock state park;

(2) At Odiorne Point state park;

(3) At Ossipee Lake natural area; and

(4) At Rhododendron state park, except at the parking area and the section of Rhododendron loop which is not posted as prohibited which provides trail access to and on Little Monadnock Mountain trail.

(h) Rules related to animals at all New Hampshire fish and game department access areas operated as state boat launches within department properties, to include but limited to, Bear Brook state park, Wellington state park, Greenfield state park, Bedell Bridge state park, Sky Pond state forest and Pawtuckaway state park shall be in accordance with Fis 1603.01.

(i) Dogs used for hunting or search and rescue shall be permitted on department properties off leash and under the control of their handlers in accordance with RSA 466:30-a, during hunting season or while active in search and rescue training or operations unless animals are prohibited year-round under Ncr 731.08 (g), search and rescue operations excepted. Dogs used for hunting shall be on a not greater than 6-foot length leash in areas where the public congregates, such as parking and trailhead areas, picnic areas, and while on established hiking trails. While on department properties, dogs in training for hunting shall be subject to the provisions related to such activity under RSA 207:12-a and Fis 902.04.

(j) Except for (g) and (h) above, in remote areas dogs shall be permitted off leash and under the control of their handlers in accordance with RSA 466:30-a provided that the dog is not or does not become a menace, a nuisance, or vicious as defined in RSA 466:31, under which the owner or handler shall restrain, leash, and remove the dog from the property. For purposes of this section, "remote area" means those areas and trails where and during a time when the dog owner or handler and the dog will not come in contact with other users. The dog owner or handler shall leash the dog when other users are present.

(k) Sled dog teams shall be permitted on department property roadways, parking areas, and multi-use trails when posted as an allowable use.

(l) Except for (h) above, every animal, including service animals unless required to be off-leash to perform the service required, shall be on a not greater than 6-foot length standard or retractable leash or lead, under the control of their handlers, and shall not be left unattended at any time or place, including in any campsite, vehicle, camper, recreational vehicle, carrier, or enclosure at any time while on department properties.

(m) Animal owners, including owners of service animals, shall clean up and remove offsite any waste eliminated by their animal(s) from public traffic areas, including all trails, multi-use trails, walkways, sidewalks, play areas, play fields, lawns, campgrounds, beaches, and parking lots.

(n) If an animal, including a service animal, becomes objectionable to other patrons or other animals, or causes or acts in a manner that might cause or contribute to damage or hazard to patrons, property, or park resources, or is a dog considered to be a menace, nuisance, or vicious in accordance with RSA 466:31,

as determined by the authorized department personnel, the owner of the animal shall immediately remove the animal from the department property at the request of the authorized department personnel.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.09 Equine and Other Animals Used for Utility.

(a) This section shall apply to equine and other animals used for utility such as riding, driving, or transportation of persons, property, or goods, and including but not limited to animals traditionally associated with utility such as equines, cattle, goats, and llamas, but excluding animals kept for pleasure or comfort covered in Ncr 731.08.

(b) Service animals, as defined in Ncr 731.02, shall be exempt from the prohibitions in this section unless stated otherwise.

(c) The use of equines or other utility animals shall be permitted on all roads and other established trails, unless prohibited or restricted in certain areas as identified under (d) through (g) herein, or unless closed or restricted to public use by posting under Ncr 731.07.

(d) In accordance with (c) above, equines and other utility animals shall be prohibited within or upon the following areas where the public congregates or where there is the need to protect developed or improved facilities or natural resources, unless permission has been granted by special use permit pursuant to Ncr 740 or by volunteer agreement pursuant to Ncr 750, or by a property management plan, or by posting:

- (1) Lawns and fields maintained by regular mowing and associated with a developed recreation area;
- (2) Picnic areas;
- (3) Pavilions and group use areas;
- (4) Playgrounds, play areas, and athletic fields;
- (5) Areas around bathhouses and toilet buildings;
- (6) Areas around park stores;
- (7) Campgrounds;
- (8) Geologic features, such as but not limited to exposed rockface and glacial erratics; and
- (9) Beaches, except for (e) below at the location and during the dates specified.

(e) For coastal beaches after seasonal property closings and prior to seasonal park openings, equines shall be permitted at Hampton Beach, from Hampton Beach South to Boar's Head, from October 1 through April 30, and the parking of animal trailers and vehicles towing animal trailers shall be permitted at the Hampton Beach South parking lot only.

(f) Equines and other utility animals shall be prohibited year-round in the following department properties, unless permission has been granted by special use permit pursuant to Ncr 740 or volunteer agreement pursuant to Ncr 750, or unless allowed in certain areas by posting:

- (1) At all state historic sites under the jurisdiction of the department's bureau of historic sites;

- (2) At Connecticut Lakes Headwaters Tract, except as permitted in accordance with the public recreation management plan;
- (3) At the Cotton Valley Rail Trail;
- (3) At Crawford Notch state park;
- (4) At Echo Lake state park;
- (5) At Franconia Notch state park;
- (6) At Hampton Beach state park on the cement access path;
- (7) At Miller state park;
- (8) At Monadnock state park;
- (9) At Mount Washington state park;
- (10) At Odiorne Point state park;
- (11) At Ossipee Lake natural area;
- (12) At Rhododendron state park;
- (13) At Rollins state park;
- (14) At Rye Harbor state park; and
- (15) At Winslow state park.

(g) Driving of any equine or other utility animal-drawn vehicle shall be permitted on department property roadways, parking areas, and trails when posted as an allowable use. Permission for this activity in areas otherwise prohibited may be granted by special use permit pursuant to Ncr 740 or volunteer agreement pursuant to Ncr 750.

(h) Every animal, including service animals, shall be on rein or lead under the control of their handlers, and shall not be left unattended at any time or place while on department properties.

(i) Owners shall clean up and remove offsite within a reasonable time, but prior to leaving the site, all waste eliminated by their equine or other utility animal from public traffic areas and areas where the public congregates. These areas are defined as paved sidewalks and walkways, maintained play areas, and athletic fields, lawns, and fields maintained by regular mowing and associated with a developed recreation area, campsites, fresh water beaches, areas above the high tide mark at Hampton Beach, improved features such as picnic areas, staging, and gathering areas, and parking lots and trail heads.

(j) Owners shall with reasonable effort remove off of and scatter all waste eliminated by their animal from remote scenic overlooks, vistas, and picnic areas.

(k) When required by posting, owners shall with reasonable effort remove off of and scatter all waste eliminated by their animal from trails and unimproved walkways.

(l) Disposal of stall waste, hay, or manure shall not be permitted on department properties, unless permission has been granted by special use permit pursuant to Ncr 740 or volunteer agreement pursuant to Ncr 750.

(m) If an equine or other utility animal, including a service animal, causes or acts in a manner that might cause or contribute to damage or hazard to patrons, property or park resources, as determined by the authorized department personnel, the owner of the animal shall immediately remove the animal from the department property at the request of the authorized department personnel.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.10 Hunting.

(a) No person shall discharge a firearm within 300 feet of developed recreation areas and state historic sites, including parking lots, administrative and maintenance facilities, dwellings, camps, cabins, and yurts, bathhouses, campgrounds, campsites, playgrounds, athletic fields, beaches, pavilions, picnic areas, and boat launches, lawful use of firearms pursuant to RSA 627 excepted.

(b) Hunting shall not be permitted at Robert Frost historic site, the Urban Forestry Center, that portion of Odiorne Point state park located on the east side of NH route 1-A, Opechee Bay state forest, and Shieling state forest.

(c) At Bear Brook state park, hunting in the area known as the game refuge east of Podunk Road shall be limited to bow and arrow and crossbows.

(d) Portable tree stands shall be permitted for the purpose of hunting only within the dates specified in RSA 207:36-a, provided that they are temporarily installed without driving nails or inserting other devices permanently into a tree and that they are installed and removed without damage to any vegetation.

(e) All tree stands left outside the dates specified in RSA 207:36-a shall be subject to removal and disposal by authorized department personnel, for which department shall not be held liable or responsible for loss or damage of such tree stands. The department shall remove tree stands during active timber harvest operations, for which the department shall not be held liable or responsible for loss or damage of such tree stands.

(f) Baiting and trapping shall not be permitted except by permit granted by the state fish and game department pursuant to the interagency agreement with the department.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35