

At the 2018 Annual Meeting, concern was raised by a member of the community living on Dawkins Court about recent hunting activity on SLS common areas near this member's property. The concern was extended to those SLS member properties and community common areas that are bordered by property owned by Parran/Briscoe relatives which generally forms the southern and southwestern borders of our community, from St. Leonard Creek to Parran Road. It was assumed, though not established, that this recent hunting was being conducted by other than residents of the community.

Background:

Hunting complaints within the community have not been a significant issue over the last 30 years, but there have been a few incidents. About 25 years ago, a party of non-residents parked on Wagner alongside the power lines and proceeded to hunt the utility right-of-way. Alarmed SLS residents whose properties adjoined the ROW saw this group hunting virtually in their back yards. Even if those hunters had obtained Dominion's permission to hunt the ROW, they were probably in constant violation of the 150-yard dwelling distance rule. They were chased and never returned. In another more recent case with an ironic twist, a member of our community was caught red-handed with a deer he poached on Parran land, illegally because he hadn't written permission to hunt there, a violation of State hunting regulations. And most folks, especially those living along SLS's southern and southwestern perimeter hear deer hunting nearby on Parran land during shotgun and blackpowder seasons, every year, as well as waterfowl hunting on the Patuxent and St. Leonard Creek. It is a condition of living in hunting areas, here and everywhere.

By all accounts, hunting is one of the safest sports activities in Maryland. According to the Department of Natural Resources Police safety division, there are about 80,000 hunters in Maryland. Out of these, in a season that runs from 1 September to spring turkey hunting in April, the State averages about 15 hunting accidents a year, of which up to 85 percent involve falls from tree stands. Since the introduction 40 years ago of mandatory hunter safety training for all new hunters, hunting fatalities have fallen in half, and now average 3 per year. Moreover, "*Maryland has never had a civilian shot and killed by a hunter,*" said Lt. Bob Ford, supervisor of the Natural Resources Police safety division. This hunting season, to date, the DNR reports there have been no hunting accidents in Calvert County.

It is legal to hunt on one's property in SLS, using firearm or bow, so long as state laws are observed, especially (for firearm hunters) the 150 yard minimum distance to houses other than one's own. [For bow hunters in Calvert County, that minimum distance is 50 yards.] If necessary, one must obtain written permission of neighbors if their houses are within 150 yards of hunting activity. Any number of SLS residents, past and present, hunt or have hunted, on their respective properties, or have given others permission to hunt, especially, for example, to state-certified bowhunters for the purpose of reducing nuisance deer populations habituating their properties. That is our residents' right.

However, it is also each member's right to post his property off limits to hunting. This can be accomplished with no-hunting signs or by painting bright blue vertical, 2" x 8" stripes on trees bordering one's property, or both. The blue stripes symbolize private property boundaries and signal to hunters

that they need written permission to hunt therein. This should serve as a deterrent, or to warn someone that he is about to trespass. However, from a legal standpoint, such physical postings are redundant measures. There is and has been for decades a law in Maryland requiring all hunters to obtain written permission from owners of private property they wish to hunt. Without written permission, it is unlawful for a person to hunt that property. Part of this requirement is that it is the hunter's responsibility to learn who owns what property in the first place. This same principal obtains to people hunting common SLS properties. To do so legally, they would have to first obtain written permission from the SLS BOD. Since it is highly unlikely the BOD would grant such permission, it may be presumed that no hunter may legally hunt SLS common areas, and any member of the community observing such activity therefore may report it as a suspected violation to the DNR Police (or State or County law enforcement) without reference to the BOD and without delay.

There is a point of potential ingress to SLS community property from Parran property, running along the common Parran-SLS property line from SLS lot 24 on Solomon Rutter Ct. some 2200' to Parran Rd. 87 feet behind SLS lot 1 on Dawkins Ct.. For most of its length, there are no visible property markers along this property line. It crosses a convoluted drainage that begins on Parran land, extends across SLS community property, and ends in the stream that passes under Bond Street at Parran Rd before it empties into St. Leonard Ck. The SLS piece of the drainage is a meandering funnel maze of steep ravines, numerous watercourses, impenetrable mountain laurel thickets and no points of reference. It would be easy for a hunter on Parran property to cross onto the SLS side, by accident or design, because the boundary is unmarked. To help prevent that, SLS volunteers have just traversed the entire boundary as accurately as possible and have marked trees along the way with vertical stripes of blue paint.

The issue of SLS and member liability was also raised at the annual meeting. Quoting from the current (2017-18) Maryland Guide to Hunting and Trapping, "Any person hunting on private property shall be liable for any damage caused by that person to private property while hunting. The landowner may not be liable for accidental injury or damage to the hunter, whether or not the landowner or landowner's agent or lessee has given permission to hunt."

The DNR 24-hour numbers for assistance or to report violations:

1-800-628-9944 (or)
1-410-260-8888

This report was prepared for the SLS BOD by Hank Curtis and is based on information published 10 Dec 2016 in a Baltimore Sun article by Mike Klingaman, on information published in the "2017-2018 Maryland Guide to Hunting and Trapping, and on information obtained directly from Lt. Bob Ford of the Natural Resources Police safety division, among others. Feb 2018.

With the Board's approval to do so, Gary Pavis and I will paint blue stripes on trees along the SLS side of the SLS-Parran/Briscoe property line between the Williams' driveway on Solomon Rutter Court and Parran road just 86 ft west of Lot 1. This will denote to hunters that the property they are approaching from the Parran land is private and closed to hunting without written permission.