

MAINE STATE LEGISLATURE

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S.M.R.
R.O.S.

Date: 5/20/15

(Filing No. H-178)

Minority

INLAND FISHERIES AND WILDLIFE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 526, L.D. 773, Bill, "An Act To Allow Anadromous Fish Passage through Beaver Dams"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 38 MRSA §480-Q, sub-§21, as enacted by PL 1999, c. 148, §1, is amended to read:

21. **Removal of beaver dams.** ~~Removal~~ As authorized by a game warden, the removal of a beaver dam as authorized by a game warden or the alteration of a beaver dam to allow the passage of anadromous fish, as long as:

- A. Efforts are made to minimize erosion of soil and fill material from disturbed areas into a protected natural resource;
- B. Efforts are made to minimize alteration of undisturbed portions of a wetland or water body; and
- C. Wheeled or tracked equipment is operated in the water only for the purpose of crossing a water body to facilitate removal or alteration of the beaver dam. Where practicable, wheeled or tracked equipment may cross a water body only on a rock, gravel or ledge bottom.

This exemption includes the draining of a freshwater wetland resulting from removal or alteration of a beaver dam. It does not include removal of a beaver house.'

SUMMARY

This amendment is the minority report and replaces the bill. Currently, a person may remove a beaver dam with the authorization of a game warden and as long as certain

COMMITTEE AMENDMENT

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1 conditions are met. This amendment provides that a person may also alter a beaver dam
2 to allow the passage of anadromous fish with the authorization of a game warden.

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FISCAL NOTE REQUIRED
(See attached)



127th MAINE LEGISLATURE

LD 773

LR 669(02)

An Act To Allow Anadromous Fish Passage through Beaver Dams

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-178)

Committee: Inland Fisheries and Wildlife

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Inland Fisheries and Wildlife from allowing individuals to alter beaver dams to allow the passage of anadromous fish with authorization from a game warden are expected to be minor and can be absorbed within existing budgeted resources.