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Date: (Filing No. H- )

**INLAND FISHERIES AND WILDLIFE**

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT “ ” 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**

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**

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**(See attached)**