



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 22, 2019

The Honorable Cathryn Harvey
Chair, Fish and Game and Marine Resources Committee
Legislative Office Building, Room 307
Concord, New Hampshire 03301

Re: HB 281 AN ACT relative to beaver deceivers

Dear Chair Harvey and Members of the Committee:

Thank you for the opportunity to comment on HB 281 which would permit the installation of "beaver deceiver" water flow control devices for the purpose of discouraging beaver damming and reducing the risk of flooding.

While the NH Department of Environmental Services (NHDES) takes no position on the incorporation of "beaver deceivers" into RSA 210:9, we wish to raise a related issue concerning whether a permit from NHDES should be required to install beaver pipes, beaver fences or beaver deceivers. Since current legislation allows for complete removal of beaver dams without a permit from NHDES, we believe these lesser modifications to beaver dams should also be allowed without a permit from NHDES, subject to the current restriction on use of machinery in the water and filling or dredging. If the Committee is interested in including such a clarification to the statute, we would welcome the opportunity to work with the Committee on an appropriate amendment to HB 281.

Thank you for this opportunity to comment on HB 281. Should you have questions, or need additional information, please feel free to contact Collis Adams, Wetlands Bureau Administrator, at 271-4054, or via email at collis.adams@des.nh.gov.

Sincerely,

Robert R. Scott
Commissioner

cc: Representative Myler
Representative Wallner