Section 1 Header

2026 SESSION

26-2740.1
08/06

HOUSE BILL ***[bill number]***

AN ACT requiring notification of abutters and public review prior to disturbing beaver dams in non-emergency situations.

SPONSORS: [sponsors]

COMMITTEE: [committee]

ANALYSIS

This bill allows the removal of beaver dams or the result of beaver activity without a permit under certain circumstances. This bill also requires notification and a public meeting before removal of beaver dams for shared water bodies.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

26-2740.1
08/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT requiring notification of abutters and public review prior to disturbing beaver dams in non-emergency situations.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Protection of Beaver; Shared Water Bodies. Amend RSA 210:9 to read as follows:

210:9 Protection of Beaver.

I. No person shall destroy or disturb or interfere in any manner with the dams or houses of beaver, without first obtaining a special permit from the executive director.

II. Notwithstanding paragraph I or any other provision of law or rule, a landowner, the landowner's agent, or any town or municipal or state official or employee, may destroy beaver, remove beaver dams, ***clear culverts blocked by beaver activity, cause any significant lowering of the water level in a beaver impoundment,*** or install one or more flow devices on property under their control to protect property, public highways, ***public trails,*** or bridges from damage or submersion. The landowner***,*** [~~or~~] property owner***, or landowner's agent*** shall be responsible for maintaining the flow device. Complete or partial dam removal or the installation or removal of a flow device shall be allowed without a permit under RSA 482-A if machinery does not enter the water and filling or dredging in or adjacent to surface water, wetlands, or their banks does not occur and shall be done in a gradual manner that does not allow a sudden release of impounded water so as to cause erosion, siltation, or a safety hazard downstream. ***For the purposes of this section, "beaver impoundment" means a pond or wetland created or built by beavers.***

II-a.***(a) Except in the case of an immediate threat to life or property, no landowner shall remove any beaver dam or cause any significant lowering of the water level in a shared beaver impoundment without first notifying the local governing body and conservation commission, if any, in the cities or towns where such dam or beaver impoundment is located, all abutters whose property interests will be directly affected by the removal or lowering of the water level at least 30 days prior to any action specified above.***

(b) The landowner intending to remove a beaver dam or significantly lower the water level in cooperation with the local governing body of each of the cities or towns, shall hold a public informational meeting at least 15 days prior to any action. The municipality shall publish a notice of the public informational meeting in a newspaper of general circulation in the county in which the action shall occur, or on the municipality's website, at least 7 days before the time set for the meeting.

(c) Such notice and public informational meeting are not required when installing a flow device.

II-b. For purposes of [~~paragraph II~~] ***paragraphs II and II-a***, the term "flow device" means one or more fence structures or other combination of fencing and piping used to discourage beaver damming, maintain water flow through an existing beaver dam, or minimize the risk of flooding by preventing the further impoundment of water behind a beaver dam. ***The term "shared" means the beaver impoundment covers or directly abuts land owned by another individual or a publicly owned beaver impoundment.***

III. The executive director may require the reporting of beaver taken pursuant to paragraph II by rules made in accordance with RSA 541-A.

IV. Skins or unskinned carcasses taken under this section shall be sealed pursuant to RSA 210:8 before such skins or unskinned carcasses are sold or given away.

V. The executive director or his ***or her*** agents shall provide advice relative to beaver control techniques when requested***, including, when reasonably possible for a public informational meeting as described in subparagraph II-a(b)***.

2 Effective Date. This act shall take effect 60 days after its passage.