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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To direct the Secretary of the Interior to establish a grant program to assist projects that use nonlethal coexistence measures to reduce property damage caused by beavers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. DELBENE introduced the following bill; which was referred to the
Committee on _____

A BILL

To direct the Secretary of the Interior to establish a grant program to assist projects that use nonlethal coexistence measures to reduce property damage caused by beavers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Developing Alternative
5 Mitigation Systems for Beavers Act” or the “DAMS for
6 Beavers Act”.

1 **SEC. 2. BEAVER DAMAGE MITIGATION GRANT PROGRAM.**

2 (a) ESTABLISHMENT.—Not later than 180 days after
3 the date of the enactment of this Act, the Secretary shall
4 establish a grant program under which the Secretary may
5 award grants on a competitive basis to assist projects that
6 use nonlethal coexistence measures to—

7 (1) reduce property damage caused by beavers;

8 and

9 (2) maintain or enhance habitat for beavers and
10 other wildlife.

11 (b) ELIGIBILITY.—To be eligible for a grant under
12 the Program, an applicant shall submit to the Secretary
13 an application at such time, in such manner, and con-
14 taining such information as the Secretary may require,
15 which shall include the following:

16 (1) A description of the experience, qualifica-
17 tions, and training (including planned training) of
18 the applicant with respect to the use of nonlethal co-
19 existence measures.

20 (2) In the case of an application submitted by
21 an applicant other than a State or Tribal wildlife or
22 natural resources management agency (or equiva-
23 lent), a certification that the applicant has consulted
24 with such an agency (or equivalent).

25 (3) In the case of an application submitted by
26 an applicant other than the owner of the property on

1 which a relevant proposed project will be located, a
2 certification from such owner that such owner—

3 (A) approves the project; and

4 (B) for the duration of the project, will
5 only allow the use of nonlethal coexistence
6 measures on the property for purposes of reduc-
7 ing property damage caused by beavers (except
8 in the case of a circumstance subject to an ex-
9 clusion under subsection (d)(2)(A)(i)).

10 (c) PRIORITY.—In awarding grants under the Pro-
11 gram, the Secretary may give priority to a project that—

12 (1) includes monitoring and research that facili-
13 tates evaluation of the project and identification of
14 best practices;

15 (2) includes educational and outreach activities;

16 (3) is located in an area that ensures grant re-
17 cipients under the Program represent diverse geo-
18 graphic areas; and

19 (4) satisfies any other criteria the Secretary de-
20 termines relevant to effectively reducing damage to
21 property and maintaining or enhancing habitat for
22 beavers and other wildlife.

23 (d) CONDITIONS.—

24 (1) IN GENERAL.—As a condition of receiving a
25 grant under the Program, for the duration of the

1 project facilitated with grant funds a grant recipient
2 may only use nonlethal coexistence measures for
3 purposes of reducing property damage caused by
4 beavers on the property on which the project will be
5 carried out.

6 (2) EXCLUSION.—

7 (A) IN GENERAL.—Paragraph (1) shall not
8 apply if the Secretary determines that—

9 (i) an activity other than a nonlethal
10 coexistence measure is necessary to protect
11 human health or safety; or

12 (ii) the project assisted with grant
13 funds has been implemented for not less
14 than 1 year and such project has not suffi-
15 ciently reduced the damage caused by bea-
16 vers.

17 (B) DOCUMENTATION.—The Secretary
18 shall maintain a record of each determination
19 made under subparagraph (A).

20 (e) FEDERAL SHARE.—The Federal share of the cost
21 of a project for which a grant is awarded under the Pro-
22 gram may not exceed 75 percent.

23 (f) ANNUAL REPORT TO CONGRESS.—Not later than
24 90 days after the end of each fiscal year for which grants
25 are awarded under the Program, the Secretary shall sub-

1 mit to Congress, and make publicly available, a report that
2 includes—

3 (1) a detailed description of the projects funded
4 by grants under the Program;

5 (2) an evaluation of the effectiveness of the
6 Program in selecting projects according to the prior-
7 ities described in subsection (c); and

8 (3) recommendations to improve the effective-
9 ness of the Program.

10 (g) DEFINITIONS.—In this section, the following defi-
11 nitions apply:

12 (1) NONLETHAL COEXISTENCE MEASURE.—

13 (A) IN GENERAL.—The term “nonlethal
14 coexistence measure” means a measure that
15 does not incorporate—

16 (i) the gripping, trapping, injuring, or
17 killing of a beaver;

18 (ii) the destruction or removal of a
19 beaver dam or lodge;

20 (iii) the relocation of a beaver; or

21 (iv) the installation of beaver dam
22 analogues.

23 (B) INCLUSIONS.—The term “nonlethal
24 coexistence measure” may include fencing used
25 to protect culverts, fencing and paint-sand mix-

1 tures used to protect trees, and flow manage-
2 ment devices used to control water levels in bea-
3 ver ponds.

4 (2) PROGRAM.—The term “Program” means
5 the grant program established under subsection (a).

6 (3) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior, acting through the Di-
8 rector of the United States Fish and Wildlife Serv-
9 ice.

10 (h) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) IN GENERAL.—There is authorized to be
12 appropriated to carry out this section \$1,000,000 for
13 each of fiscal years 2023 through 2027.

14 (2) LIMITATION.—Not more than 10 percent of
15 the funds made available each fiscal year under
16 paragraph (1) may be used for administrative ex-
17 penses of the Program.