

.....
(Original Signature of Member)

118TH 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 native beavers, a keystone species, 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 native beavers, a keystone species, 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 1 year after
3 the date of the enactment of this section, the Secretary
4 shall establish and implement a grant program under
5 which the Secretary may award grants on a competitive
6 basis to eligible entities to carry out projects that use non-
7 lethal coexistence measures to—

8 (1) reduce property damage caused by beavers;

9 and

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

12 (b) ADMINISTRATION.—The Secretary may enter into
13 an agreement with the National Fish and Wildlife Foun-
14 dation to administer the Program in consultation with the
15 United States Fish and Wildlife Service.

16 (c) ELIGIBILITY.—An eligible entity that applies for
17 a grant under the Program shall submit to the Secretary
18 an application at such time, in such manner, and con-
19 taining such information as the Secretary may require,
20 which shall include the following:

21 (1) A description of the experience, qualifica-
22 tions, and training (including planned training) of
23 the eligible entity with respect to the use of non-
24 lethal coexistence measures.

25 (2) In the case of an application submitted by
26 an eligible entity that is not a State or Tribal wild-

1 life or natural resources management agency (or
2 equivalent), a certification that the eligible entity
3 has consulted with such an agency (or equivalent).

4 (3) In the case of an application submitted by
5 an eligible entity that is not an owner of the prop-
6 erty on which a relevant proposed project will be lo-
7 cated, a certification that—

8 (A) each owner of the property consents to
9 the project; and

10 (B) for the duration of the project, only
11 nonlethal coexistence measures will be used on
12 the property for purposes of reducing property
13 damage caused by beavers (except in the case
14 of a circumstance subject to an exclusion under
15 subsection (d)(3)(A)).

16 (d) PRIORITY.—In awarding grants under the Pro-
17 gram, the Secretary may give priority to projects that—

18 (1) include monitoring and research that facili-
19 tates—

20 (A) evaluating the impact of the project;

21 (B) gathering data for use in future
22 projects; and

23 (C) identifying best practices;

24 (2) include maintenance and adaptive manage-
25 ment of nonlethal coexistence measures;

1 (3) include educational and outreach activities;

2 (4) have received Federal funding through any
3 program established under title 23, United States
4 Code, or section 6703 of title 49, United States
5 Code, as determined in coordination with the Sec-
6 retary of Transportation; or

7 (5) satisfy any other criteria the Secretary de-
8 termines relevant to effectively reducing damage to
9 property by, and maintaining or enhancing habitat
10 for, beavers and other wildlife.

11 (e) CONDITIONS AND TERMINATION.—

12 (1) CONDITIONS.—As a condition of receiving a
13 grant under the Program, for the duration of a
14 project carried out with grant funds awarded under
15 this section, an eligible entity may use only nonlethal
16 coexistence measures for purposes of reducing prop-
17 erty damage caused by beavers on the property on
18 which the project is carried out.

19 (2) TERMINATION.—The Secretary shall termi-
20 nate a grant made to an eligible entity under the
21 Program if a measure other than a nonlethal coex-
22 istence measure is used on the property on which
23 the relevant project is carried out for purposes of re-
24 ducing property damage caused by beavers on such
25 property.

1 (3) EXCLUSION.—

2 (A) IN GENERAL.—Paragraphs (1) and (2)
3 shall not apply if the Secretary determines—

4 (i) that a measure other than a non-
5 lethal coexistence measure is necessary to
6 protect human health or safety;

7 (ii) in consultation with relevant Fed-
8 eral and State agencies, that a measure
9 other than a nonlethal coexistence measure
10 is necessary to protect a Federal or State
11 flood control or water rights mandate; or

12 (iii) that a project carried out with
13 grant funds awarded under this section
14 has been implemented for more than 1
15 year and such project has not sufficiently
16 reduced property damage caused by bea-
17 vers on the property on which the project
18 is carried out.

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

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

1 (g) FEDERAL AGENCY PARTNERSHIPS.—An eligible
2 entity may enter into a partnership with a Federal agency
3 for assistance in—

4 (1) applying for a grant under the Program; or
5 (2) carrying out a project with a grant awarded
6 the Program.

7 (h) ANNUAL REPORT TO CONGRESS.—Not later than
8 90 days after the end of each fiscal year for which grants
9 are awarded under the Program, the Secretary shall sub-
10 mit to Congress, and make publicly available, a report that
11 includes—

12 (1) a detailed description of the projects funded
13 by grants under the Program, including the extent
14 to which such projects represent diverse geographic
15 areas;

16 (2) an evaluation of the effectiveness of the
17 Program in selecting projects according to the prior-
18 ities described in subsection (c); and

19 (3) recommendations to improve the effective-
20 ness of the Program.

21 (i) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) IN GENERAL.—There is authorized to be
23 appropriated to carry out this section \$3,000,000 for
24 each of fiscal years 2025 through 2029.

1 (2) LIMITATION.—Not more than 10 percent of
2 the amounts made available each fiscal year under
3 paragraph (1) may be used for administrative ex-
4 penses of the Program.

5 (j) DEFINITIONS.—In this section:

6 (1) ELIGIBLE ENTITY.—The term “eligible enti-
7 ty” means—

8 (A) an Indian Tribe (as such term is de-
9 fined in section 4 of the Indian Self-Determina-
10 tion and Education Assistance Act (25 U.S.C.
11 5304));

12 (B) a State or Tribal agency;

13 (C) a unit of local government;

14 (D) a foundation, nonprofit organization,
15 or institution of higher education; and

16 (E) a partnership between—

17 (i) 1 or more entities described in any
18 of subparagraphs (A) through (D); and

19 (ii) an owner of property that has sus-
20 tained or is at risk of sustaining property
21 damage due to beaver activity.

22 (2) NONLETHAL COEXISTENCE MEASURE.—

23 (A) IN GENERAL.—The term “nonlethal
24 coexistence measure” means a measure de-

1 signed to mitigate property damage caused by
2 beavers that does not incorporate—

3 (i) the gripping, trapping, injuring, or
4 killing of a beaver;

5 (ii) the destruction or removal of a
6 beaver dam or lodge, unless such destruc-
7 tion or removal is necessary to install flow
8 management devices; or

9 (iii) the relocation of a beaver.

10 (B) INCLUSIONS.—The term “nonlethal
11 coexistence measure” includes—

12 (i) fencing used to protect culverts;

13 (ii) fencing and paint-sand mixtures
14 used to protect trees;

15 (iii) fencing used to protect earthen
16 dams from beaver burrowing; and

17 (iv) flow management devices used to
18 control water levels in beaver ponds.

19 (3) PROGRAM.—The term “Program” means
20 the grant program established under subsection (a).

21 (4) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior, acting through the Di-
23 rector of the United States Fish and Wildlife Serv-
24 ice.