



Board of Health TOWN OF BLANDFORD

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Threats from Beaver & Muskrat Related Activity-GML c131 s.80A

Any person may apply to the Board of Health for an emergency permit to immediately alleviate a threat to human health and safety from beaver or muskrat related activity out of season.

Beaver out of season is from April 16, 2023 until October 31, 2023

Muskrat (raccoon, opossum, skunk) out of season is from March 1, 2023 until October 31, 2023

The board of health has the authority to determine whether a complaint is caused by a beaver or muskrat and whether it constitutes as a threat to public's health and or safety.

The board of health's responsibility is to act on an application by a Blandford resident seeking a permit. The breach of dams or alter water flow will also require the approval of the Conservation Commission.

In determining whether to issue such a permit from the board of health, the applicant must prove that the conditions caused by the dam meet the emergency criteria.

A threat to human health and or safety may include, but shall not be limited to:

- (a) beaver or muskrat occupancy of a public water supply.
- (b) beaver or muskrat-caused flooding of drinking water wells, well fields or water pumping stations.
- (c) beaver or muskrat-caused flooding of sewage beds, septic systems or sewage pumping stations.
- (d) beaver or muskrat-caused flooding of a public or private way, driveway, railway or airport runway or taxiway.
- (e) beaver or muskrat-caused flooding of electrical or gas generation plants or transmission or distribution structures or facilities, telephone or other communications facilities or other public utilities.
- (f) beaver or muskrat-caused flooding affecting the public use of hospitals, emergency clinics, nursing homes, homes for the elderly or fire stations.

(g) beaver or muskrat-caused flooding affecting hazardous waste sites or facilities, incineration or resource recovery plants or other structures or facilities whereby flooding may result in the release or escape of hazardous or noxious materials or substances.

(h) the gnawing, chewing, entering, or damage to electrical or gas generation, transmission or distribution equipment, cables, alarm systems or facilities by any beaver or muskrat.

(i) beaver or muskrat-caused flooding or structural instability on property owned by the applicant if such animal problem poses an imminent threat of substantial property damage or income loss, which shall be limited to: (1) flooding of residential, commercial, industrial or commercial buildings or facilities; (2) flooding of or access to commercial agricultural lands which prevents normal agricultural practices from being conducted on such lands; (3) reduction in the production of an agricultural crop caused by flooding or compromised structural stability of commercial agricultural lands; (4) flooding of residential lands in which the municipal board of health, its chair or agent or the state or federal department of health has determined a threat to human health and safety exists. The department of environmental protection shall make any determination of a threat to a public water supply.

If the board of health determines that such a threat exists, the board will immediately issue an emergency permit to alleviate the threat. This permit is valid for 10 days. The cost of the permit is 50.00.

If a permit is denied as the board of health determines that the problem does not constitute a threat, we will immediately in writing specify the reasons for the denial. The applicant may appeal our decision by contacting the department of Public Health within 10 days of the denial.

Permits are valid for 10 days and may be renewed if the threat to human health and safety has not been alleviated within the first 10 days. The applicant may seek an additional 2/10-day permit for a total of 30 days. During the second two periods, the applicant must contact the Massachusetts Division of Fisheries and Wildlife for a permanent plan of action.

If a permit is denied as the board of health determines that the problem does not constitute a threat, we will immediately in writing specify the reasons for the denial. The applicant may appeal our decision by contacting the department of Public Health within 10 days of the denial.

The Board of health does not hire workers to perform the work and does not seek permission of the owner of the property on which the dam sits.

**Please note: Permits issued by the BOH do not allow permittee(s) or their authorized agent to trespass on private property. If beavers are not located on your property, you must obtain the property owner's permission to access their land. **



**APPLICATION
FOR 10-DAY EMERGENCY BEAVER OR MUSKRAT PERMIT**
Under M.G.L. c. 131, s. 80A

TO BE FILLED OUT BY APPLICANT

Fee: \$50.00 Check #: _____
Permit #: _____

Name: _____ Date: _____

Address: _____

Daytime Tel. # _____ Evening Tel. # _____

Complaint Location: _____

Type of Complaint: Provide a detailed description of the perceived threat to public health and safety _____

The Board of Health has conducted an inspection of the above referenced property and found that a beaver dam(s) has caused the water to rise to a level that will impact the subsurface sewage disposal system and the private water supply well and may cause imminent threat to public health and safety. This permit gives the applicant permission to trap beaver within the boundaries of the above referenced property.

PLEASE NOTE THAT TRAPPERS MUST BE LICENSED BY THE STATE DIVISION OF FISHERIES AND WILDLIFE, AND ANY BEAVER TRAPPING OUTSIDE THE REGULAR TRAPPING SEASON REQUIRES SPECIAL PERMITS FROM DFW. ALL LAWS AND REGULATIONS REGARDING TRAPPING APPLY.

The applicant may also choose to construct water flow devices or breach the beaver dam. This ten-day permit is subject to approval of the local Conservation Commission and only allowed if said work is done within the boundaries of the property. PLEASE NOTE THAT UNAUTHORIZED BREACHES CAN BE PUNISHABLE UNDER THE STATE WETLANDS PROTECTION ACT.

This permit to trap expires on _____

Signature of Applicant: _____ Date: _____

Signature of BOH Agent: _____ Date: _____

Cc: Conservation Commission