

## **BOARD OF HEALTH CRITERIA FOR ISSUANCE OF PERMIT**

**Under this emergency permit, the following list constitutes a threat to human health and safety.**

- (a) beaver or muskrat occupancy of a public water supply**
- (b) beaver or muskrat caused flooding of drinking water wells, well field or water pumping stations**
- (c) beaver or muskrat caused flooding or sewage beds, septic systems or sewage pumping stations**
- (d) beaver or muskrat caused flooding of 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 communication 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 agricultural lands which prevents normal agricultural practices from being conducted on such lands; (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.**

**APPLICATION FOR 10-DAY EMERGENCY BEAVER OR MUSKRAT PERMIT**

**TO BE FILLED OUT BY APPLICANT**

Fee (if applicable): \$ \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Town: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Daytime Tel. # \_\_\_\_\_ Evening Tel. # \_\_\_\_\_

Agent Name: \_\_\_\_\_ Tel. # \_\_\_\_\_  
(if applicable)

Complaint Location:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is the problem entirely on your property? Yes: \_\_\_\_\_ No: \_\_\_\_\_ Don't Know: \_\_\_\_\_

**Note:** If the problem does not occur entirely on the applicant's property, consent forms from all other property owners must be obtained.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Under M.G.L. c. 131, s. 80A, an emergency permit authorizes the applicant or his duly authorized agent to immediately remedy the threat to human health and safety by one or more of the following options: (a) the use of conibear or box or cage-type traps for the taking of beaver or muskrat, subject to regulations; (b) the breaching of dams, dikes, bogs or berms; and/or (c) employing any non-lethal management of water-flow devices. The emergency permit will be good for 10 days from the date of issue.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE:** Options (b) and/or (c) above require applicant to get conservation commission approval prior to such work in accordance with the wetlands protection act.

**BEAVER OR MUSKRAT CONSENT FORM**

**Consent Form**

I give permission for \_\_\_\_\_ to access my property for the purpose of alleviating a threat to public health and safety posed by beaver or muskrat, as determined by the Board of Health.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Daytime Tel. #

\_\_\_\_\_  
Evening Tel. #

**Consent Form**

I give permission for \_\_\_\_\_ to access my property for the purpose of alleviating a threat to public health and safety posed by beaver or muskrat, as determined by the Board of Health.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Daytime Tel. #

\_\_\_\_\_  
Evening Tel. #

**Consent Form**

I give permission for \_\_\_\_\_ to access my property for the purpose of alleviating a threat to public health and safety posed by beaver or muskrat, as determined by the Board of Health.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Daytime Tel. #

\_\_\_\_\_  
Evening Tel. #

## 10-DAY EMERGENCY BEAVER OR MUSKRAT PERMIT

Name: _____	Permit No. _____
Address: _____	
Authorized Agent Name (if applicable): _____	
Complaint Location: _____	

In accordance with and pursuant to provisions contained in chapter 131 of the Massachusetts General Laws section 40, 80A and 321 Code of Massachusetts Regulation 2.08 and 10.00 (Wetlands Protection Act), the permittee(s) above named may immediately remedy the threat to human health and safety by one or more of the following options:

- (a) the use of conibear or box or cage-type traps for the taking of beaver or muskrat, subject to the regulations promulgated by the Division of Fisheries and Wildlife (see back)
- (b) the breaching of dams, dikes, bogs or berms, so-called\*
- (c) employing any non-lethal management or water-flow devices\*

\*If the permittee chooses option(s) b and/or c, he/she must appear before the local conservation commission to obtain an emergency certification regarding specifications for breach size and/or water-flow device installation in accordance to M.G.L. c. 131, s. 40 (Wetlands Protection Act).

The Board of Health has determined that said beaver or muskrat problem poses a threat to public health and safety as stated in M.G.L. c.131, s.80A.

Specify: \_\_\_\_\_  
\_\_\_\_\_

Board of Health Official Name: _____	
Board of Health Official Signature: _____	Date: _____
<p><b>The above signature validates this permit for 10 consecutive days from the date shown for option (a) only.</b> If the permittee chooses options (b) and/or (c), he/she must return to the Board of Health for a final signature after obtaining an emergency certification from the conservation commission.</p>	

**Please attach the emergency certification to this permit and return to the Board of Health for final approval.**  
**(See Back)**

**This permit is valid for 10 consecutive days from the date of the final Board of Health signature.**

Board of Health Official Name: \_\_\_\_\_

Board of Health Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**This permit does not allow permittee(s) or their authorized agent to trespass on private property.**

This permit or a copy thereof shall be carried on the person of any individual exercising the authority thereof and shall be shown upon request if challenged by any local or state law enforcement officer empowered to enforce the provisions of M.G.L. c. 131.

#### Massachusetts Division of Fisheries and Wildlife trapping regulations

*Permittee(s) may destroy problem furbearing mammals (named above) by means of a body gripping trap or by means of a box or cage type trap including Hancock or Bailey traps for catching beaver. The pan of Hancock and Bailey traps must be submerged in water. Problem furbearing mammals that are captured alive shall be disposed of by destruction in a humane manner. Body gripping traps with a jaw spread not less than 4 inches and not greater than 7 inches or body gripping traps with a jaw spread not less than 6 inches and not exceeding 10 inches for the trapping of beaver only, may be used if such traps are completely submerged in water. The placement of traps in reference to the proximity of the beaver lodge or beaver dam is unrestricted, but the disturbance or destruction of the beaver lodge or beaver dam is strictly prohibited unless otherwise authorized.*

*Permittee(s) taking problem furbearing mammals, on the property of another, by means of a trap shall possess a valid Massachusetts trapping license and traps shall be registered according to M.G.L. c. 131, s. 80.*

*Said problem furbearing mammals (named above), their carcasses or parts thereof may be retained by the permittee, sold, bartered, or exchanged for consideration during the open regulated harvest season for that species. Sealing of beaver pelts is required. Disposition of all carcasses obtained from the incidental capture of furbearing mammals not authorized by this permit must be surrendered to the District Wildlife Manager of the Division of Fisheries and Wildlife having jurisdiction in the town where the furbearing mammal was taken.*

Permittee(s) taking problem furbearing mammals, on the property of another, by means of a trap shall possess a valid Massachusetts trapping license and traps shall be registered according to M.C.L. c. 131, s. 80.

Said problem furbearing mammals (named above), their carcasses or parts thereof may be retained by the permittee, sold, bartered or exchanged for consideration during the open regulated harvest season for that species. Sealing of beaver pelts is required. Disposition of all carcasses obtained from the incidental capture of furbearing mammals not authorized by this permit must be surrendered to the District Wildlife Manager of the Division of Fisheries and Wildlife having jurisdiction in the town where the furbearing mammal was taken.