§ 11-0505. Interference with fish and wildlife.

1. a. Except as permitted by the department, no person shall obstruct the passage of fish in any stream or river by a screen or otherwise. The department may order such obstruction removed by the person erecting the same or by the owner of the land on which it is located. A copy of the order shall be served on such person or owner and failure to comply with its terms within ten days after service thereof shall be deemed a violation of this subdivision. This subdivision shall not apply to dams heretofore or hereafter erected.

b. Flumes or raceways in streams stocked with fish by the state shall be screened as the department may direct.

2. No person shall:

a. hold back or divert water in any stream which supplies a state hatchery so as to prevent the flow of sufficient water for hatchery purposes, or

b. take fish from the waters of any state hatchery operated by the department, except under the authority of the department.

* 3. No deer or bear traps shall be made, set or used upon land inhabited by deer or bear. No salt lick shall be made, set or used upon land inhabited by deer or bear, except that:

a. the department may do so on state wildlife refuges and wildlife management areas; and

b. a nuisance wildlife specialist with a permit issued pursuant to section 11-0522 of this title may do so provided that such activities are in furtherance of the site-specific deer management plan.

c. a nuisance wildlife specialist with a permit issued pursuant to section 11-0522-a of this title may do so provided that such activities are in furtherance of the site-specific deer management plan.

* NB Effective until January 1, 2030

* 3. No deer or bear traps shall be made, set or used upon land inhabited by deer or bear. No salt lick shall be made, set or used upon land inhabited by deer or bear, except that the department may do so on state wildlife refuges and wildlife management areas.

* NB Effective January 1, 2030

4. No person shall use any device which prevents frogs from having free access to and egress from water.

5. No person shall rob or wilfully destroy a nest of any protected birds unless a permit shall first be obtained from the department.

6. Except as permitted by the department, no person shall at any time disturb a beaver dam, house or den or a muskrat house or den or any structure constructed by a muskrat in which it can take shelter.

7. No person shall at any time disturb a nest box or any structure constructed for the purpose of harboring wild birds whether or not such structure is inhabited by wild birds, except for annual maintenance of such structure or when deemed necessary by the owner of the property whereupon such structure is located.

8. No person shall place, give, expose, deposit, distribute or scatter any substance with the intent to attract or entice deer to feed within three hundred feet of a public highway. Normal agricultural practice of planting, cultivating or harvesting and the feeding of deer held captive for agricultural purposes or the feeding of deer held captive in zoos and wildlife parks shall not be considered attracting or enticing deer to feed for the purposes of this section.

* 9. A nuisance wildlife specialist with a permit issued pursuant to section 11-0522 of this title may, in accordance with the parameters of such permit and the consultation of local law enforcement, entice deer in the manner prohibited in subdivision eight of this section provided that such activities are in furtherance of the site-specific deer management plan.

* NB Repealed January 1, 2030

* 10. A nuisance wildlife specialist with a permit issued pursuant to

section 11-0522-a of this title may, in accordance with the parameters of such permit and the consultation of local law enforcement, entice deer in the manner prohibited in subdivision eight of this section provided that such activities are in furtherance of the site-specific deer management plan.

* NB Repealed January 1, 2030