

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2349

62nd Legislature
2012 Regular Session

Passed by the House March 6, 2012
Yeas 96 Nays 1

Speaker of the House of Representatives

Passed by the Senate February 29, 2012
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2349** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2349

AS AMENDED BY THE SENATE

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By House Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Blake, Billig, Short, Hinkle, Upthegrove, Fitzgibbon, and McCune)

READ FIRST TIME 01/31/12.

1 AN ACT Relating to the management of beavers; adding a new section
2 to chapter 77.32 RCW; adding a new section to chapter 77.36 RCW;
3 creating new sections; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that beavers have
6 historically played a significant role in maintaining the health of
7 watersheds in the Pacific Northwest and act as key agents in riparian
8 ecology. The live trapping and relocating of beavers has long been
9 recognized as a beneficial wildlife management practice, and has been
10 successfully utilized to restore and maintain stream ecosystems for
11 over fifty years. The benefits of active beaver populations include
12 reduced stream sedimentation, stream temperature moderation, higher
13 dissolved oxygen levels, overall improved water quality, increased
14 natural water storage capabilities within watersheds, and reduced
15 stream velocities. These benefits improve and create habitat for many
16 other species, including endangered salmon, river otters, sandhill
17 cranes, trumpeter swans, and other riparian and aquatic species.
18 Relocating beavers into their historic habitat provides a natural

1 mechanism for improving the environmental conditions in Washington's
2 riparian ecosystems without having to resort to governmental regulation
3 or expensive publicly funded engineering projects.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.32 RCW
5 to read as follows:

6 (1) The department shall permit the release of wild beavers on
7 public and private lands with agreement from the property owner.

8 (2) The department may limit the release of wild beavers to areas
9 of the state where:

10 (a) There is a low probability of released beavers becoming a
11 nuisance or causing damage;

12 (b) Conditions exist for released beavers to improve, maintain, or
13 manage stream or riparian ecosystem functions; and

14 (c) There is evidence of historic endemic beaver populations.

15 (3) The department may condition the release of beaver to maximize
16 the relocation's success and minimize risk. Factors that the
17 department may condition include:

18 (a) Stream gradient;

19 (b) Sufficiency of the water supply;

20 (c) Stream geomorphology;

21 (d) Adequacy of a food source;

22 (e) Proper site elevation and valley width;

23 (f) Age of the beavers relocated;

24 (g) Times of year for capture and relocation;

25 (h) Requirements for the capture, handling, and transport of the
26 live beavers;

27 (i) Minimum and maximum numbers of beavers that can be relocated in
28 one area; and

29 (j) Requirements for the permit holder to initially provide
30 supplemental food and lodge building materials.

31 (4) The department may require specific training for those involved
32 with capture, handling, and release of beavers.

33 (5) Nothing in this section creates any liability against the state
34 or those releasing beavers nor authorizes any private right of action
35 for any damages subsequently caused by beavers released pursuant to
36 this section.

1 (6) For the purposes of this section, "beaver" means the American
2 beaver (*Castor canadensis*).

3 (7) For the purposes of this section, beavers may only be released
4 to carry out relocation: (a) Between two areas east of the crest of
5 the Cascade mountains; or (b) from an area west of the crest of the
6 Cascade mountains to an area east of the crest of the Cascade
7 mountains.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.36 RCW
9 to read as follows:

10 (1) Whenever the department receives a request for relocating
11 beaver, the department must inform the requesting party of locations,
12 if available, of surplus beaver available for capture and relocation.
13 The department may identify nuisance beaver or areas with thriving
14 beaver populations as a source population for capturing and relocating
15 beaver.

16 (2) The department shall post on the agency's web site quarterly
17 reports of nuisance beaver activity, beaver trapping, and beaver
18 relocations reported to the department.

19 NEW SECTION. **Sec. 4.** (1) The department of fish and wildlife must
20 initiate a beaver management stakeholder's forum by January 1, 2013,
21 and report the outcomes of the forum to the legislature consistent with
22 RCW 43.01.036.

23 (2) This section expires July 31, 2014.

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