



CURRENT LAWS, POLICIES, AND PRACTICES

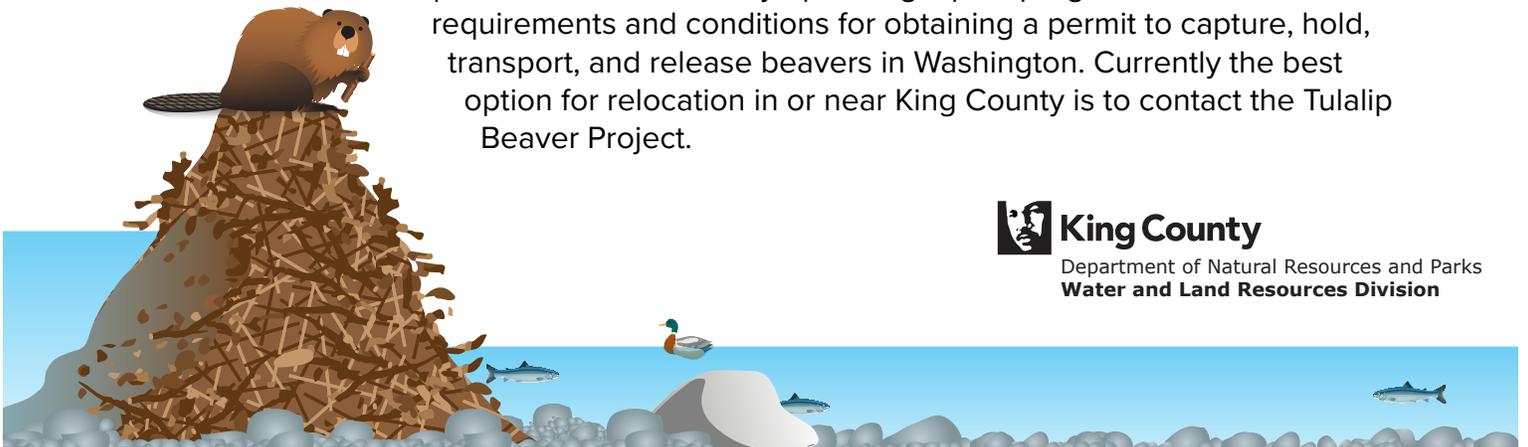
STATE LAWS

Washington Department of Fish and Wildlife (WDFW) sets and enforces the laws related to trapping and relocation of wildlife, including beavers. They also require permits for in-water work, including removal or manipulation of beaver dams.

TRAPPING LAWS AND REGULATIONS:

- The beaver is classified by Washington State as a furbearer (WAC 220-400-020). A trapping license and open season are required to recreationally trap a beaver. The recreational trapping season is set from November 1 to March 31. At any time of year, if an immediate threat to personal property exists, the property owner may kill or trap the beaver(s) on that property. In such cases, no special permits are necessary for the use of live traps.
- Body-gripping traps, defined as any trap that grips an animal's body or body part (RCW 77.15.192, 77.15.194; WAC 220-417-040, and WAC 220-440-070), always require a Special Trapping Permit, issued by WDFW and available by written application only. It is unlawful in Washington (RCW 77.15.194) to use a body-gripping trap to capture any mammal for recreation or commerce in fur; they are intended to be used on animals causing property damage or threatening human health or safety.
- The only body-gripping traps that may be authorized with a Special Trapping Permit include Conibear-type traps submerged in water, padded leg-hold traps, and non-strangling-type foot snares (WAC 220-417-040).
- Illegal traps with no exceptions are neck snares and unpadded, steel-jawed leg-hold traps.
- Legal traps are cage or box traps and suitcase-type live traps, including Bailey and Comstock traps. These are legal for use during recreational trapping season or to resolve a property damage issue.
- All live traps must be checked within 24 hours of setting (WAC 220-417-030). All body-gripping traps (lethal or not) permitted under a STP must be checked every 24 hours, without exception (RCW 77.15.194). A killing trap set, which is a trap set underwater to kill the animal, must be checked within 72 hours (WAC 220-417-030).
- Professional trappers operating in Washington State are typically licensed Wildlife Control Operators.

For property owners who prefer live trapping and relocation over lethal trapping, relocation may be an option. WDFW is currently operating a pilot program to evaluate requirements and conditions for obtaining a permit to capture, hold, transport, and release beavers in Washington. Currently the best option for relocation in or near King County is to contact the Tulalip Beaver Project.



King County

Department of Natural Resources and Parks
Water and Land Resources Division

More information may be found on WDFW's website:

- wdfw.wa.gov/licenses/hunting/trapping
- wdfw.wa.gov/species-habitats/living/nuisance-wildlife/wildlife-control-operators#
- wdfw.wa.gov/species-habitats/living/nuisance-wildlife/beaver-relocation#FAQ

TYPES OF TRAPPING

Recreational Trapping

- Allowed Nov. 1 to March 31.
- Trapping license required.
- Must use box or suitcase-style traps.
- Can do it yourself or hire a trapper.
- Most traps capture beavers alive, then animals are euthanized. Drowning kill traps may be set underwater.

Emergency/Hazard Trapping on your Property

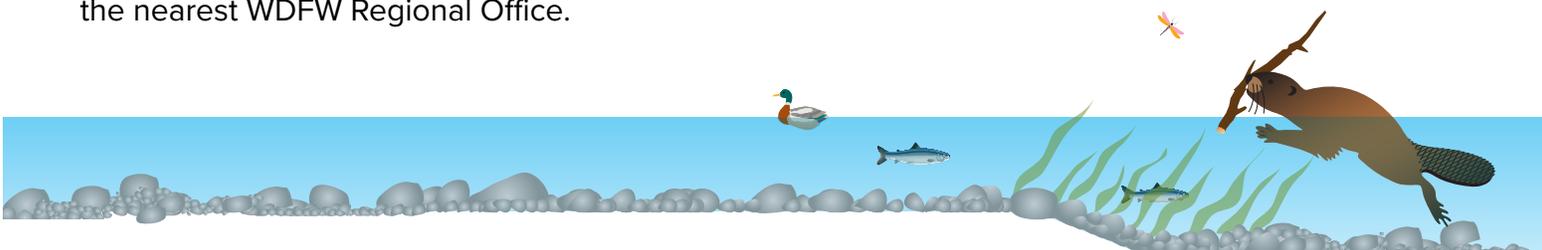
- Allowed anytime.
- No license required if using box or suitcase-style traps.
- Must get Special Trapping Permit to use body-gripping traps allowable under law. This type of trapping is usually conducted by a professional trapper/ licensed Wildlife Control Operator.

Trapping for Relocation

- Allowed with beaver relocation permit under current pilot project.
- In King County, contact the Tulalip Beaver Project.

HYDRAULIC PROJECT APPROVAL (HPA)

- A Hydraulic Project Approval (HPA; RCW 77.55) is required by the state for any instream work, including removing or notching beaver dams as well as installing flow devices and culvert fencing. WDFW administers the HPA program under the state Hydraulic Code, which was specifically designed to protect fish life.
- The state's Hydraulic Code Rules identify projects and activities that require an HPA. A section addressing beaver dam management (WAC 220-660-230) is included in the Hydraulic Code. Requirements for removal, breaching, and other modifications are specified in the HPA.
- Compensatory mitigation to offset habitat loss caused by dam removal may be required for removal of dams over one year old. Compensatory mitigation is not typically required on dams less than one year old; however, the Area Habitat Biologists may set specific conditions on the HPA on a case-by-case basis according to what they deem necessary to comply with the WACs and to protect fish life.
- Usually when applying for an HPA, the applicant must submit documentation showing that they have complied with the State Environmental Policy Act (SEPA). Check with your local government planning or permitting department to see if a SEPA review is required.
- In emergency situations (when an immediate threat to property or life exists), verbal approval from WDFW can be obtained for work on dams necessary to solve the problem. A 24-hour hotline (360) 902-2537 is available for emergency calls during nonworking hours. During normal hours, contact the nearest WDFW Regional Office.



KING COUNTY LAWS & POLICIES

King County establishes laws and policies within unincorporated King County related to land use, which may include beaver-related flooding, as well as protection of shorelands and shorelines of the state and its critical areas, including streams and wetlands.

BEAVER-RELATED FLOODING

There are two types of flooding that may occur related to beavers: backwater flooding, which occurs when a dam backs up water from a stream, and downstream flooding, which may occur if a dam breaks and releases the water stored behind it.

King County currently has no formal policy for responding to beaver-related backwater flooding. Until a standard policy exists, inquiries are handled on a case-by-case basis. For beaver-caused flooding, residents can call the Stormwater Services Section Drainage Complaint line at 206-477-4811 to initiate an investigation of the problem. The investigation will determine if there are any county programs that can address the problem. If King County has no program in place that addresses their beaver related problem, residents can receive technical assistance through Stormwater Services Section that can help them address the flooding problem themselves.

A hazard beaver dam is a dam that has the potential to create a debris flow and downstream flooding if the dam were to fail. To evaluate potential hazard beaver dams, Stormwater Services Section uses the Beaver Dam Response Protocols to determine if a beaver dam is a hazard and determine what level of response is appropriate.

BEAVER DAM MODIFICATIONS

Currently, with the exception of hazard dams, no King County Code or policies specifically address beavers, beaver dam removal, or beaver device-related activities. The nexus between beavers and King County Code typically occurs when the removal of their dams may impact the critical area, which is not allowed under the County's Critical Areas Ordinance (K.C.C. 21A.24.045). Critical areas typically impacted by beaver dam removal are wetlands.

Until specific code is written and adopted, Department of Local Services Permitting Division (DLS-PD) requests applicants seek an opinion on a case-by-case basis for whether a clearing and grading permit or an exemption from a shorelines substantial development permit is required on a given beaver-related activity (installing a pond leveler, notching or removing a dam, etc.). DLS-PD will make a determination as to whether in-water work on beaver dams would impact wetlands or other aquatic areas and therefore require a permit.

HAZARD TREES

Beavers occasionally cut a portion of a tree but don't fell the entire tree. When these standing beaver-cut trees put infrastructure or people at risk, they may constitute a hazard tree. Hazard trees (K.C.C. 21A.06.1331) have a high probability of imminently falling because of a debilitating disease or structural defect. Hazard trees may be prone to fall on trails, roads, homes, or other infrastructure, or could harm people. Hazard trees can be removed with an easy-to-get permit from DLS-PD.

