

Requested by Senator NASH

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3932**

On page 1 of the printed A-engrossed bill, delete lines 12 through 23 and delete pages 2 and 3 and insert:

“SECTION 2. (1) As used in this section:

“(a) ‘Human-constructed water conveyance infrastructure’:

“(A) Means infrastructure built by a human to move water from a source to a place of use.

“(B) Does not mean a section of a river or stream that is used to convey water between an upstream ditch or pipeline to a downstream ditch or pipeline inlet.

“(b) ‘Public land’:

“(A) Means land that is managed by this state or the federal government and is open to the public.

“(B) Does not mean land owned by a federally recognized Indian tribe.

“(2) The State Fish and Wildlife Commission shall adopt rules that provide that a person may not take a beaver for recreational or commercial purposes from:

“(a) A stream, river or watershed that is:

“(A) Classified by the Department of Environmental Quality as belonging in category 4 or category 5 in a biennial report made pursuant to the federal Clean Water Act of 1977 (33 U.S.C. 1251 to 1389) and ap-

1 proved by the United States Environmental Protection Agency; and

2 “(B) On or that adjoins public land.

3 “(b) Public land that is within 200 feet of the ordinary high water
4 mark of a river or stream described in paragraph (a) of this sub-
5 section.

6 “(3) The State Department of Fish and Wildlife shall:

7 “(a) Publish, by rule, a map of streams, rivers and watersheds that
8 meet the criteria set forth in subsection (2)(a)(A) of this section; and

9 “(b) Update the map every two years, in consultation with the De-
10 partment of Environmental Quality.

11 “(4) Rules adopted under this section may not:

12 “(a) Apply to private lands.

13 “(b) Apply below the ordinary high water line of a navigable
14 waterway when the adjoining land is private land.

15 “(c) Apply on public lands that are otherwise closed to the hunting
16 and trapping of beaver.

17 “(d) Prohibit an employee of a federal or state land management
18 agency from taking a beaver, or arranging for the taking of a beaver,
19 by lethal removal, relocation or other means, when authorized by the
20 State Department of Fish and Wildlife to address damage or an im-
21 minent threat, to:

22 “(A) Built infrastructure, including a road or a culvert or other
23 human-constructed water conveyance infrastructure, on public land.

24 “(B) Built infrastructure, or agricultural crops, on private land that
25 is adjacent to public land.

26 “(e) Supersede the treaty, statutory, regulatory or aboriginal rights
27 or interests of a federally recognized Indian tribe.

28 “(f) Supersede the ability to undertake tribal harvest activities or
29 cooperative management under a cooperative management agreement
30 between a tribe and the State Department of Fish and Wildlife.

1 **“SECTION 3.** The State Fish and Wildlife Commission shall adopt
2 the rules described in section 2 of this 2025 Act as soon as practicable
3 after the effective date of this 2025 Act.

4 **“SECTION 4.** On January 2, 2036, the State Fish and Wildlife Com-
5 mission shall repeal any rules adopted under section 2 of this 2025 Act
6 that pertain to a stream, river or watershed described in section 2
7 (2)(a)(A) of this 2025 Act unless the commission receives a petition, on
8 or before September 15, 2035, demonstrating that water quality has
9 improved in the river, stream or watershed since the rules were
10 adopted.

11 **“SECTION 5.** Sections 2 and 4 of this 2025 Act are repealed on Jan-
12 uary 2, 2046.”.
