

Beaver Management Plan
Holliston Conservation Commission
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Introduction

In the 18th and 19th centuries, beaver were trapped to extinction in Massachusetts. It is only in recent years that this animal has begun to return. Because of the density of human development in lowlands and the propensity of beaver to flood these areas, it is inevitable that there will be conflicts between us. The Holliston Conservation Commission, working with the Board of Health, has already issued several emergency permits for beaver management due to threats to public health or safety. It is the purpose of this management plan to reduce or eliminate the need to deal with beaver conflicts on an emergency basis.

Background

Under current law, responsibility for beaver management is shared by the Massachusetts Division of Fisheries and Wildlife (DFW), town conservation commissions, and town boards of health. DFW issues trapping licenses and establishes regulations governing public trapping, including length of the public trapping season (typically November 1 – April 15). At the local level, town conservation commissions enforce the Wetlands Protection Act (WPA), as well as local bylaws that support the WPA (Article XXX in Holliston). Consequently, conservation commissions have jurisdiction over activities that affect stream flow, including the breaching of beaver dams or the placement of flow control devices. State law assigns to the Board of Health (BoH) the specific duty of determining whether beaver activities threaten public health or safety, and authorizes the BOH to issue emergency permits for actions to alleviate such threats.

Current DFW Guidelines for beaver management mainly deal with emergency situations. Any property owner may apply to the BOH for an emergency permit to alleviate an immediate threat to public health or safety on his or her property. This emergency permit can allow for trapping outside the regular trapping season, or use of leghold or body-gripping traps that are otherwise prohibited by state law. (Written consent is also required from other landowners whose property must be accessed to carry out the permitted management action.) If the work to be carried out under the emergency permit involves activities under Conservation Commission jurisdiction, such as dam breaching or the installation of flow control devices, an emergency certification must also be obtained from the Conservation Commission. While the Conservation Commission is not authorized to overturn the BOH finding of a threat to public health or safety, it is the Commission's responsibility to determine the exact nature of the threat and determine the best solution to alleviate the threat while protecting the wetland resource area as much as possible. An emergency permit issued by the BOH is valid for 10 days with the option to extend for two (2) further 10-day periods.

Trapping using box or cage-type traps during the trapping season requires only a trapping license issued by DFW, and is outside the jurisdiction of the Conservation Commission. Trapping and relocating beaver is prohibited under Massachusetts law.

Any alterations to stream flow beyond those necessary to alleviate the immediate threat require the filing of a Notice of Intent (NOI) with the Conservation Commission. Any non-emergency or long-term management proposals are subject to the approval of the Division of Fish and Wildlife (DFW) and the Conservation Commission (if work alters a wetland resource area).

Policy

Under the Massachusetts Wetlands Protection Act, the Conservation Commission is responsible for the protection of wetlands. Because beaver are an integral part of freshwater wetlands ecosystems, promote flood control and the recharging of ground water, and create habitat that contributes to biodiversity, the Holliston Conservation Commission strongly encourages residents to tolerate the presence of beaver wherever they do not pose a threat to public health or safety. Consequently, as a matter of policy the Commission requires the use of non-lethal methods of beaver control except where such methods are proven to be ineffective. It is also the policy of the Conservation Commission to promote management actions that will prevent or mitigate conflicts with beaver before such conflicts threaten public health or safety or town infrastructure.

To assist the town in proactively managing conflicts with beaver and preventing situations that might require emergency actions, the Conservation Commission will keep a database showing areas of known beaver conflicts and the methods of control proven effective in those areas. As this database grows, the Conservation Commission will create a three-tiered management overlay for wetlands and adjacent terrain: zones where no action is required (Category 1), zones where non-lethal mitigation methods are expected to be effective (Category 2), and no-tolerance zones where lethal management will be permitted (Category 3).

Areas where the topography and development are such that a beaver dam would not be expected to threaten public health or safety or town infrastructure should be assigned to Category 1. Examples of such areas would be large expanses of conservation land and town forest, and the beaver dam north of Fiske St on Bogastow Brook. In a case where there is no potential threat to public safety, but there is a threat or potential threat to a rare or endangered species listed under the Massachusetts Endangered Species Act, the Conservation Commission will consult with DFW to determine whether a Category 2 designation would be appropriate.

Areas where the topography is such that there is or could be a threat to public health and safety or town infrastructure, but where a pond leveler or similar water flow control device should be effective would be assigned to Category 2. The dam just south of Fisher St on Hopping Brook would qualify as a Category 2.

Areas where the topography is such that there is or could be a threat to public health but where non-lethal control methods are insufficient to alleviate the threat or where the presence of beavers poses a threat to public health regardless of water level, such as in a public water supply, would be considered Category 3. Two examples of this would be the area near the Avery Dennison facility on Chicken Brook where the hydrologic head at the dam was too small for a pond leveler to be effective, and the area between Fisk and Central Streets on Bogastow Brook where the impoundment reached within 200 feet of a Town Well in violation of DEP regulations, creating the potential for contamination by *Cryptosporidium* or *Giardia*.

In the case of a Category 3 location, the Commission will authorize the trapping of beavers and the permanent breaching of a dam on a non-emergency basis so long as certain conditions are met. Any dam breaching must be done incrementally to avoid downstream flooding and excessive erosion. Trappers must use non-lethal box or cage-type traps, and beaver must be killed humanely following the most current (2007) Euthanasia Guidelines of the American Veterinary Medical Association (http://www.avma.org/issues/animal_welfare/euthanasia.pdf), for example by gunshot to the head at point-blank range.. The Conservation Commission may also require habitat management as a long term solution in a Category 3 area. Habitat management includes, but is not limited to: fencing trees, planting vegetation that is not a preferred species, and removing vegetation that is highly desirable to beavers. It is considered the property owner's responsibility to maintain such management practices except in situations where the Town has specifically accepted responsibility for beaver management in that location.

This management plan does not supersede GL c. 131, s. 80A. All determinations and actions by the Town must comply with the requirements set out in the above law. Several guidance documents are available online at: <http://www.mass.gov/dep/water/laws/policies.htm> under the Wetlands Guidance section.

Procedures

Property owners or town departments who wish to report a beaver emergency should be referred to the Town Board of Health. Upon receiving such a referral, the BOH should immediately notify the Conservation Commission. Notification of the CC should consist of a phone call, e-mail, or written notice to the Conservation Agent, Commission Chairperson, or other commissioner who may be designated by the Chair. The BOH should immediately notify the CC of the scheduling of any hearing on an application for an emergency permit. Likewise, the CC should immediately notify the BOH when it schedules a hearing on an emergency certification in response to an emergency permit issued by the BOH. The Conservation Agent and/or designated commissioner should make every effort to conduct a field evaluation of the site before any hearings are held, and to report the results of the evaluation to the Commission chair. To facilitate communication between the two town entities, it would be highly desirable for the CC to send a representative to attend any BOH hearing regarding a beaver permit, and for the BOH to be represented at any CC hearing at which an emergency certification

has been requested. In coordination with the BOH, the Conservation Agent should also monitor the implementation and impact of any action taken under a BOH emergency permit.

The Conservation Commission encourages any person or town department concerned about a potential or emerging beaver conflict to consult informally with the Conservation Agent or designated commissioner in order to facilitate timely planning and implementation of mitigation measures. Formal consideration by the CC of non-emergency actions will be triggered by the filing of a Notice of Intent.