

Digest for Adopted Regulation R_047-11

Existing law prohibits a person from hunting, trapping, possessing or selling any native or nonnative species of owl, hawk or other bird of prey, including any raptor or part thereof, without first obtaining a permit from the Department of Wildlife. Existing law also confers authority upon the Board of Wildlife Commissioners to adopt regulations governing the hunting, trapping, possession or sale of any of those species and authorizing a person to hunt, trap, possess or sell those species without a permit. (NRS 503.582) Existing law requires any person who practices falconry--the sport of taking, or attempting to take, quarry by means of a trained raptor--or trains birds of prey for falconry to first obtain a license from the Department, unless otherwise authorized pursuant to regulations adopted by the Commission. (NRS 503.583; NAC 503.205, 503.300) The Commission has adopted regulations covering the practice of falconry. (NAC 503.200-503.345) This regulation proposes numerous amendments to those regulations.

Sections 2-24 of this regulation set forth new provisions governing the care and use of a raptor for the practice of falconry. **Section 2** authorizes a falconry licensee who is not the owner of a raptor to provide care for the raptor for not more than 120 days. **Section 3** authorizes a person who is not a falconry licensee and who is not the owner of a raptor to provide care for the raptor for not more than 45 days. **Section 4** authorizes an owner of a raptor to loan the raptor to the holder of a permit for the captive propagation of raptors. **Section 5** authorizes a general or master falconry licensee to assist a raptor rehabilitator in preparing a raptor for release to the wild if the general or master falconry licensee complies with certain requirements. **Section 6** sets forth the circumstances under which a falconry licensee may hack a raptor by temporarily releasing and subsequently taking the raptor. **Section 7** authorizes a general or master falconry licensee to use a raptor in a conservation education program and sets forth the requirements for a

conservation education program. **Section 8** specifies the circumstances under which a falconry licensee may allow a raptor in his or her lawful possession to be filmed, photographed or recorded in a movie or other source of information concerning the practice of falconry. **Section 9** specifies the permits required for a master falconry licensee to conduct abatement activities using a raptor in his or her lawful possession. **Section 9** also authorizes the master falconry licensee to receive payment for conducting abatement activities in certain circumstances and prohibits the receipt of payment for certain depredation control activities. **Section 10** sets forth the manner in which an owner of a raptor that dies may keep or donate the feathers and body of the raptor. **Sections 11-13** impose various requirements upon the owner of a raptor concerning the attaching of a leg band to the raptor and the implantation of a microchip in the raptor. **Section 14** requires a falconry licensee to submit a report to the United States Fish and Wildlife Service concerning the acquisition, transfer, release, loss, rebanding, microchip information, death or theft of a raptor in the possession of the falconry licensee, and to provide a copy of the Form 3-186A to the Department. **Section 15** sets forth the circumstances under which an owner of a raptor may transfer a raptor which was originally taken from the wild. **Section 16** authorizes the surviving spouse of an owner of a raptor or the executor, administrator or other legal representative of the estate of the owner to possess the raptor for not more than 90 days after the death of the owner. **Section 17** prohibits an owner of a hybrid raptor from allowing the raptor to fly free unless at least two radio transmitters are attached to the raptor which can be used to locate the raptor. **Sections 18-22** set forth the requirements for housing raptors in humane and healthful conditions.

Sections 25-37 of this regulation propose to amend numerous provisions of existing regulations governing raptors and the practice of falconry. **Section 25** sets forth the definitions of

certain new terms. **Section 26** prohibits the Department from issuing a license or permit authorizing a person to possess a raptor unless the facility used to house the raptor complies with certain requirements. **Section 27** imposes additional requirements upon a falconry licensee when practicing falconry on any game species or any species which is classified as protected and further classified as threatened or endangered by the Commission. **Section 28** prohibits the altering, counterfeiting or defacing of a leg band attached to a raptor. **Section 29** imposes certain requirements upon: (1) a falconry licensee when he or she moves from this State to another state; and (2) a person who moves to this State and brings a raptor into this State. **Sections 30 and 31** set forth the requirements for transferring a raptor and releasing a raptor into the wild. **Section 32** requires certain additional information to be included in an application for a falconry license. **Sections 33-35** revise the circumstances under which the Department may issue apprentice, general and master falconry licenses. Finally, **sections 36 and 37** revise certain provisions governing inspections, banding and permits to capture raptors.