

## Federal Falconry Regulations

- Federal falconry regulation changes were presented in 2005 and were adopted in November 2008
- January 1, 2014 cutoff for adoption of new regulations by States; falconry is not authorized after that date in non-conforming states
- A State's conforming "packet" (regulations, exam and 3-186A data) must be submitted by September 1<sup>st</sup> to be considered for the following year
- USFWS puts those States into the Federal Register in January
- Every Nevada falconer was surveyed in June 2010 with a 65% response rate, and 100% of respondents were in favor of adopting the Federal regulations "as is" with two USFWS recommendations.
- Nevada falconers with 546 years of combined experience, all feel that the Federal regulations represent the best interests of falconers, wildlife and wildlife managers
- We have provided impact statements on every NAC relating to falconry
- Nevada falconers are willing to assist in creating new exam or the Department may contact NAFA's President Larry Dickerson [NAFAPresident@n-a-f-a.com](mailto:NAFAPresident@n-a-f-a.com) They have over 150 USFWS approved questions, which means Nevada would only need to write 15 questions about our State laws
- George Allen of USFWS offered to assist the Department in getting the current 3-186A data into a usable format to import into the Federal database whenever Nevada is ready
- Our recommendation today is that the Commission direct the Department to move forward with correcting or creating NACs that will correspond to, but be no more restrictive than, the new Federal regulations with the following two additions suggested by the USFWS
  - States should provide a grace period to allow a non-resident falconer to establish residency since there is no longer a Federal permit to keep you legal when you relocate. Otherwise a new falconer coming into Nevada would have to surrender all birds.
  - States should eliminate the requirement for an import/export permit for transport of raptors in and out of their borders. That requirement creates two sets of records of activities and the information may not match up within a very short period of time. The Federal 3-186A database is the record that will be referenced for legal action; any import/export permit will not be used. The elimination of this permit will save the Nevada time and money and eliminate any errors from duplicate data sources.

# Federal Falconry Regulations History

## April 16, 2011

### February 2005

The US Fish and Wildlife Service published (70 FR 6978-6992) “Migratory Bird Permits; Changes in the Regulations Governing Falconry” and sent the information to every state and other government entities. USFWS received 967 comments from individuals and organizations, 30 from States and 3 from other government entities.

### May 2005

NDOW responded with a list of 10 concerns:

1. When will Nevada be contacted to determine whether we meet the standards?
  - a. Nevada must submit a regulation packet for approval and will be notified when it is approved.
2. Preface the regulation with the statement that the state or tribe may be more restrictive. This is understood but not clearly stated anywhere.
  - a. This is stated in the proposed ruling
3. Will electronic reporting when implemented have the ability to “cc:” the state?
  - a. Yes
4. In reference to 21.29(b)(3)(i) *What are the requirements and possession options for an apprentice falconer?* Clarification is needed regarding the possession in (E). It is clear that an apprentice can possess wild caught harris hawks, but can the other species authorized for possession; red-shouldered hawk, red-tailed hawk, or American Kestrel also be wild caught or not.
  - a. This has been changed and clarified in the proposed rule
5. In reference to 21.29(b)(3)(ii) *What are the requirements and possession options for a general falconer?* Regarding (B) how is the state going to determine that a raptor was maintained, flown and hunted for at least 6 months of the 2 year apprentice period?
  - a. The 3-186A will help to at least show possession, but the activities of the apprentice will be left up to the truthfulness stated in the letter of recommendation written by the sponsor.
6. In reference to 21.29(b)(3)(iv) *What are the additional requirements for obtaining permission to keep a golden eagle for falconry?* Regarding (B) place the burden of providing the documentation on the applicant not the state agency. The applicant should provide the documentation that meets the permit requirements in this section. The state agency then can maintain the documentation.
  - a. The applicant will provide the required paperwork as stated in the proposed rule.
7. In reference to 21.29(b)(7) *Do I need to band a raptor used in falconry?* Regarding (i) Nevada requires that all birds in falconry taken from the wild be banded with a “NV” band (including goshawks). Will the NV band suffice or will NV be required to provide the federal band in addition to the state band or only the federal band?

This is an example where Nevada is more restrictive than USFWS where we band all birds taken from the wild and item #2 would support our ability to be more restrictive.

- a. Banding will only be required of wild trapped Goshawks, Harris Hawks, Gyr Falcons and Peregrine Falcons

8. In reference to 21.29(d)(2) *How and when may I take raptors from the wild for use in falconry?* Regarding (viii) if a state permit only authorized the capture of 1 bird, what is the purpose of being able to temporarily possess? Is this allowing the high-grading of nestlings?
  - a. There is no measurable impact.
9. In reference to 21.29(d)(3) *What are the restrictions on taking raptors from the wild for falconry?* Regarding (ii) clarification needed. It is clear that an apprentice can take a first-year red-shouldered hawk, but does the first-year pertain to the other species listed, red-tailed hawk or American kestrel? Also, in this section harris hawks are omitted here, why? Can the apprentice possess but not capture harris hawks?
  - a. This has been changed and clarified to clearly state all usable species by apprentices.
10. In reference to 21.29(e)(8) *May I use my bird for conservation programs?* Regarding (iv)(A), why let a falconer charge a fee but prohibit use in commercials, etc? does this include the military and military mascots?
  - a. The use of birds for commercial use and fees has been clarified in the proposed ruling.

Every request made by the State was addressed in one way or another and placed in the proposed final ruling in November 2008.

### **November 2008**

The proposed changes went into law with a January 1<sup>st</sup> 2014 mandatory completion date by other agencies. After January 2014, falconry will be shut down until States develop regulations that are at least at Federal levels of standards.

### **January 2009**

Local area falconers in Nevada began to talk amongst themselves about the new Federal changes. Falconers read the regulations and fundamentally agreed that adopting the Federal laws as is would be a great improvement to how falconry is managed.

### **March 2009**

Requests began to be made via email and phone calls to be part of the regulation reform. Falconers offered up their expertise to the State to assist any way they could and we were told that we would be part of the development process. Falconers were told that workshops would be held in the summer to allow the process to begin to move forward.

A liaison team was designated to communicate with NDOW on behalf of the falconry community to reduce the volume of information sent to NDOW staff. The central point of contact for falconry regulation discussions was established.

### **July 2009**

An email was sent to NDOW requesting an update on the promised workshops. The response was that there was no update on the regulations or on the workshops. They hoped to have an update in the coming weeks.

## **August 2009**

A formal letter was sent to NDOW requesting to be a part of the regulation discussions

## **September 2009**

A letter was drafted and signed by numerous falconers in southern Nevada and sent to the Valley Rd. office. No response or acknowledgement of receipt was ever heard from NDOW by the falconry community.

## **November 2009**

An email was sent to NDOW again asking for an update on the regulations and the workshops in response to the August information that an update would be available in the coming weeks. NDOW responded that workshops would hopefully begin in the spring of 2010.

## **May 2010**

Another email request for an update was sent to NDOW staff as we were instructed to do about the workshops. NDOW indicated that they were making some sort of progress but there were no details and that workshops will be scheduled in the summer of 2010.

In a phone conversation with NDOW staff, the liaison team offered to draft a letter and send it to every falconer in the State of Nevada to take input from all of the stakeholders. NDOW thought that this was a great idea to assist in the process and see what everyone would like to have happen in the regulations.

The letter was sent to every falconer, approximately 65, requesting them to respond in writing or email to the liaison team or on their own to NDOW by June 15<sup>th</sup>.

## **June 2010**

Forty two falconers responded back to the liaison team and the decision was unanimous to adopt the federal laws as is. There was a list of 18 items that a few falconers would like to discuss, but the fundamental decision was unanimous for adopting as is. The main points that every falconer wanted to make to NDOW was that adopting the Federal laws would save the State money, save staff time, eliminate confusion and streamline the future of falconry in Nevada. The letter was drafted and sent to NDOW and they acknowledged that they did receive it.

So, to summarize the letter, 65% of registered falconers in Nevada responded and 100% of the respondents had the same recommendations.

## **August 2010**

An email was sent to NDOW to get an update on the regulations and the workshops that were once again promised.

NDOW did not respond.

## **September 2010**

A follow up email was sent to NDOW asking for an update and to see what happened to the promised summer workshops.

NDOW responded that there was no update on the regulations and the workshops would probably be held in the spring of 2011.

## **December 2010**

NDOW staff stood before the Commission during the monthly meeting to speak. Agenda item 12 was supposed to be a meeting to set the seasons and quotas for raptors for the 2011 and 2012 meeting. Half way into the agenda item, wildlife diversity biologist, Larry Neel switched topics to speak about an item that was NOT published on the agenda about the Federal regulations. He mentioned that NDOW had started a regulation framework in June 2010, yet the falconers were told repeatedly that there was no update. The second item that was mentioned was that the department had failed in a program objective to reach out to the falconry community.

Falconers did not attend the meeting with regards to the quotas and seasons of wild trapped birds because the vast majority of the falconers in the State fly captive bred or out of State birds.

## **February 2011**

A phone call was made to NDOW staff for an update on the promised workshops and to get an update on the Federal regulations. NDOW stated that a framework was in the works to be brought forward in May 2011 for discussion. NDOW mentioned that another internal meeting would be held at the end of the month of March to finalize the May timeframe for the framework. No mention of a new workshop future day was indicated.

## **March 2011**

Concerned that the Department would not meet the various deadlines the liaison team attended the Commission meeting to bring their issues and concerns to the table.

## Current Nevada State Regulations and Proposed Impacts

### NAC 503.200 Definitions

1. “Captive-bred” or “bred in captivity” means raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.
2. “Captivity” means a live raptor that is held in a controlled environment which is intensively manipulated by man for the purpose of producing raptors of selected species, and which has boundaries designed to prevent raptors, eggs or gametes of the selected species from entering or leaving the controlled environment.
3. “Eyas” means a nestling bird not yet capable of flight.
4. “Falconry” means the sport of taking, or attempting to take, quarry by means of a trained raptor.
5. “Passage” means a bird that has fledged and is less than 1 year of age.
6. “Raptor” means a live migratory bird of the orders *Falconiformes* and *Strigiformes*, other than the bald eagle (*Haliaeetus leucocephalus*) or the golden eagle (*Aquila chrysaetos*).
7. “Take” means to trap or capture, or attempt to trap or capture, a raptor for the purpose of falconry.

[Bd. of Fish & Game Comm’rs, No. 15 § 25.3, eff. 6-1-72; A 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm’rs, 4-27-84, eff. 5-25-84; 7-1-97)

NAC 503.200 Changes to definitions in 2008 Federal regulations are as follows

**Falconry:** *is caring for and training raptors for pursuit of wild game, and hunting wild game with raptors. Falconry includes the taking of raptors from the wild to use in the sport; and caring for, training and transporting raptors held for falconry.*

**Raptor:** *means a live migratory bird of the orders Falconiformes and Strigiformes, including the bald eagle (Haliaeetus leucocephalus) and the golden eagle (Aquila chrysaetos).*

*None of these changes should affect 503.200 in any negative way.*

### NAC 503.205 License or permit required to hunt, trap, possess or sell raptors; possession of eggs and feathers. ([NRS 501.105](#), [501.181](#), [503.582](#))

1. It is unlawful for any person to hunt, trap, possess or sell any species of owl, hawk or other bird of prey, including any raptor or its parts, without first obtaining a license or permit from the headquarters of the Department.

2. Raptor eggs may not be taken or possessed, except that raptor eggs laid by a bird in the possession of a person who holds a permit to propagate raptors may be possessed if the holder of the permit notifies the headquarters of the Department in writing within 5 calendar days after the first egg has been laid. Eggs laid by a raptor held under the authority of a falconry license must be reported by the licensee to the Department within 5 calendar days after the first egg has been laid. The licensee will dispose of the egg as directed by the Department.

3. Raptor feathers that are molted or are from raptors held in captivity that die, may be retained and exchanged by licensees for imping purposes only.

[Bd. of Fish & Game Comm’rs, No. 15 § 25.10, eff. 6-1-72; A 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm’rs, 7-1-97; R168-99, 1-19-2000)

*NAC 503.205 There are no proposed changes in the Federal regulations of requiring a permit to hunt, trap, possess or sell raptors; possession of eggs and feathers.*

**NAC 503.210 Practice of falconry: General requirements.** ([NRS 501.105](#), [501.181](#)) When practicing falconry on game species, a licensee shall comply with the provisions of title 45 of NRS and all regulations of the Commission. A species of wildlife which is classified as protected by the Department, or as threatened or endangered by the United States Fish and Wildlife Service, that is taken incidentally by a raptor may not be retained or possessed by a licensee. A species of wildlife which is classified as a game species by the Department that is taken incidentally by a raptor during the closed season may not be retained or possessed by the licensee. A licensee shall not intentionally release a raptor after any wildlife which is in a refuge or in a state or national park or is on privately owned property where the licensee does not have permission to hunt.

[Bd. of Fish & Game Comm'rs, No. 15 § 25.11, eff. 12-15-76; A 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97; R093-05, 10-31-2005)

*There are no proposed changes in the Federal regulations to any of the information in 503.210*

**NAC 503.215 Acquisition and banding of raptors.** ([NRS 501.105](#), [501.181](#), [503.582](#))

1. No person may acquire a raptor unless he first obtains from the Department a numbered, non-reusable marker supplied by:

(a) The United States Fish and Wildlife Service for those raptors required to be identified by such a marker pursuant to 50 C.F.R. Part 21.29; or

(b) The Department for all other raptors, and attaches it to the raptor immediately upon acquisition.

2. The altering, counterfeiting or defacing of a marker is prohibited except that a permittee may remove the rear tab from a marker and make smooth any imperfect surface if the integrity of the marker and its numbering are not affected.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.12, eff. 12-15-76; A 12-30-77; 8-1-80]—(NAC A by Bd. of Wildlife Comm'rs, 10-13-95)

*503.215 Part 2 remains intact in the cases of the raptors that are required by Federal law to be banded.*

*The USFWS has implemented an electronic national database system for tracking all raptors possessed by falconers, every banded captive-bred raptor and all wild raptors taken. The only raptors taken from the wild that will require banding is the Gyr Falcon, Harris Hawk, Peregrine Falcon and the Northern Goshawk. These species may also be implanted with a ISO microchip (134.2kHz) All other raptors trapped in the wild for falconry will be tracked using the Federal database. There is no reason for a band on other birds since all of the information on what birds a falconer should have in possession are all in the database and violation or fraud of the database is a federal crime and many raptor species are too small for banding.*

***The USFWS had this to say in the adopted regulations:***

*“We have implemented electronic reporting that will allow assessment of the take of all raptor species taken from the wild for use in falconry. We will be able to assess take at the regional or State level. With this system, we will track the number of permits issued and the number of species taken, and will evaluate the effects of take for falconry on raptor populations. We expect that electronic reporting will facilitate summarizing and analyzing the effects of take of raptors for use in falconry.”*

**NAC 503.220 Introduction into or removal from State of raptors. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))**

1. It is unlawful, except by the written consent and approval of the Department, for any person at any time to receive, bring, or have brought or shipped into the State of Nevada, or to remove from one portion of this State to any other portion or to any other state, any raptor or any eggs or young of any raptor.

2. Any person who holds a valid falconry license which is issued by the Department and lists the raptors in his possession may bring into this State or remove to any other state any raptor listed on the license without having a permit for importation or exportation if a numbered marker which is supplied by the United States Fish and Wildlife Service or the Department, as appropriate, and which is not reusable, is attached to the raptor.

3. A person who is a resident of another state and who holds a valid falconry license issued by the appropriate agency of that state may bring into or remove from this State a raptor in his possession under the authority of that falconry license without having a permit for the importation or exportation of a raptor issued by the Department if a numbered marker which is supplied by the United States Fish and Wildlife Service or the appropriate agency of the state which issued the license if required, as appropriate, and which is not reusable, is attached to the raptor.

4. A raptor taken from the wild in Nevada by a resident of this State may not be permanently removed from this State unless the:

(a) Resident holds a valid license issued by the Department pursuant to [NRS 503.583](#) and leaves this State to establish his domicile in another state; or

(b) Raptor has been held for at least 1 year.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 & 25.13, eff. 6-1-72; A 9-20-75; 12-15-76; 12-30-77; 8-1-80]—(NAC A by Bd. of Wildlife Comm'rs, 4-27-84, eff. 5-25-84; 10-13-95; 7-1-97)

*NAC 503.220 Part 1 needs to be removed per the recommendations of the USFWS to eliminate duplicate information and to eliminate the issue of data that could become mismatched. The Federal electronic reporting system will be the sole location of information on bird possessions and transfers. NDOW staff will have full access to the database to run any reports on anyone at any time in any state.*

*NAC 503.220 Part 2 needs to be revised to address that only birds required by Federal regulation must have a band to enter or leave the State, since only gyr falcons, peregrine falcons, harris hawks, northern goshawks and captive-bred raptors will be banded.*

*NAC 503.220 Part 3 needs to be revised to address that only birds required by Federal regulation must have a band to enter or leave the State, since only gyr falcons, peregrine falcons, harris hawks, northern goshawks and captive-bred raptors will be banded. Also, since there is no longer a Federal falconry permit, the State must allow a grace period of non-resident falconers having birds in possession moving into Nevada to keep their bird(s) in order to establish residency and obtain a Nevada falconry license.*

*NAC 503.220 Part 4 remains in effect in its entirety.*

*The USFWS has made recommendations that States eliminate the requirement of import and export permits for raptors since, all of the records of transfers and transports will be in the Federal database. Maintaining two separate sets of records will cause problems because the information can easily be mismatched. The USFWS will use their database as the ultimate record of possession and transfer in any legal dispute, therefore the States will no longer need to require a permit as long as there is legal possession and legal transfer on record in the Federal database. This will save the State time and money and eliminate any inconsistencies.*

**NAC 503.225 Purchase, sale or transfer of raptors. (NRS 501.105, 501.181, 503.582)**

1. A person who holds a valid falconry license issued by the Department may receive by transfer legally acquired raptors from other persons possessing a valid falconry license or a propagation permit. Any person who receives a raptor by transfer, purchase, trade or barter must be authorized to receive such a raptor pursuant to the provisions of [NAC 503.235](#) and [503.250](#).

2. A licensed falconer may purchase, sell, trade or barter any captive-bred raptor which is banded with a numbered seamless marker authorized by the United States Fish and Wildlife Service.

3. A captive-bred raptor may not be transferred, purchased, sold, traded or bartered until it is 2 weeks old and only after it is properly marked with a numbered seamless marker provided or authorized by the United States Fish and Wildlife Service.

4. Each time a person acquires a raptor, he shall notify the Department within 5 calendar days after the acquisition. To comply with the provisions of this subsection, a person who acquires a raptor may submit to the Department a copy of Form 3-186A, which must be submitted to the United States Fish and Wildlife Service.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.14, eff. 6-1-72; A 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 4-27-84, eff. 5-25-84; 7-1-97)

*NAC 503.225 Parts 1-3 are not affected.*

*NAC 503.225 Part 4 needs to be changed to allow the new 10 day Federal regulation for reporting. The 10 day change was made in consideration of long travel that can occur for trapping and taking into consideration weekends and holidays when offices are closed. The NAC also needs to be changed to address the electronic filing of a 3-186A.*

**NAC 503.230 Intentional release of raptor. (NRS 501.105, 501.181, 503.582, 503.583)** A falconry licensee must obtain written authorization from the Department before a raptor of any species not indigenous to Nevada is intentionally released to the wild. The marker from the released bird must be removed and surrendered to the Department within 5 calendar days after the date on which the bird is released. The marker from an intentionally released bird which is indigenous to Nevada must also be removed and surrendered to the Department within 5 calendar days after the date on which the bird is released.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.15, eff. 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 4-27-84, eff. 5-25-84; 7-1-97)

*NAC 503.230 is unchanged.*

**NAC 503.235 Falconry license: Requirement; application; examination; conditions; exceptions. (NRS 501.105, 501.181, 503.583)**

1. Except as otherwise provided in subsection 7, a person who resides in the State of Nevada and who practices falconry or trains birds of prey must obtain a falconry license of the proper class from the Department. An applicant for a falconry license must include on his application:

- (a) The name of the applicant;
- (b) The physical and mailing address of the applicant's residence;
- (c) The telephone number of the applicant's residence;
- (d) The date of birth of the applicant;
- (e) The driver's license number of the applicant, if he has been issued a driver's license;
- (f) The number of raptors the applicant possesses and the species of each;
- (g) The age of each raptor, if known;
- (h) The sex of each raptor, if known;
- (i) The source and date of acquisition of each raptor;

- (j) The band number of each raptor; and
- (k) The applicant's signature and the date on which he signed the application.

2. If the applicant has moved to this State with the intention of making this State his permanent residence and he holds a falconry license issued by the state from which he is moving, the applicant may attach a copy of his falconry license to his application in lieu of taking the examination required by subsection 3. If the applicant fails to attach a copy of his falconry license issued by his previous state of residence, he will be required to take the examination required by subsection 3.

3. Except as otherwise provided in subsection 2, before the Department issues a falconry license, the applicant must correctly answer at least 80 percent of the questions on a supervised examination supplied or approved by the United States Fish and Wildlife Service and administered by the Department. The examination will test the applicant's knowledge of basic biology, the care and handling of raptors, and the literature, laws, and regulations, and other subjects relating to falconry. Failure of the examination will result in a 30-day waiting period after the date of the written examination before reexamination.

4. A person must possess a valid falconer's license when practicing falconry. In addition, a person who releases a raptor at game birds or game mammals during the open season must possess a valid hunting license issued by the Department.

5. The Department may deny issuance or renewal of any class of falconry license or permit if the applicant has been convicted of a violation of any provision of [NAC 503.200](#) to [503.345](#), inclusive. An applicant whose license has been denied may appeal the denial to the Commission.

6. A person who does not reside in the State of Nevada does not have to obtain a falconry license of the proper class from the Department to practice falconry while visiting this State if he possesses a valid falconry license issued by the state of which he is a resident.

7. A person who possesses a raptor solely for commercial displays or exhibitions is not required to obtain a falconry license if:

(a) The species of raptor used or to be used in the commercial display or exhibition is not listed as a protected species by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq.; and

(b) The raptor is not used for the sport of falconry.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.20 & Part § 25.50, eff. 6-1-72; A 9-20-75; 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 4-27-84, eff. 5-25-84; 7-1-97)

*NAC 503.235 Part 2 needs to have wording added to allow falconers to keep their birds under their current permit until they can establish residency to become a Nevada resident falconer since there is no longer a Federal permit.*

**NAC 503.240 Falconry license: Classifications; issuance.** ([NRS 501.105](#), [501.181](#), [503.583](#))

1. The Department may issue apprentice, general and master falconry licenses.

2. The Department may issue an apprentice license to an applicant who:

(a) Is at least 14 years of age; and

(b) Obtains a sponsor for the first 2 years during which he is an apprentice licensee.

3. The Department may issue a general license to an applicant who:

(a) Is at least 18 years of age;

(b) Has at least 2 years' experience in the practice of falconry as an apprentice licensee or the equivalent classification of an apprentice licensee;

(c) Has possessed a raptor during each year that he was licensed as an apprentice or the equivalent; and

(d) Submits a signed letter from his sponsor which recommends the issuance of a general license to the applicant.

4. The Department may issue a master license to an applicant who has at least 5 years' experience in the practice of falconry as a general licensee or the equivalent classification of a general licensee.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 Part § 25.21, eff. 12-15-76; A 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

**REVISER'S NOTE.**

The regulation filed with the Secretary of State on July 1, 1997, LCB File No. R149-96, by the Board of Wildlife Commissioners contained the following provision not included in NAC:

“A person who, on the effective date of this regulation, holds a current master falconry license issued by the Division [now the Department] pursuant to [NAC 503.240](#) does not need to comply with the amendatory provisions of section 15 of this regulation [[NAC 503.240](#)] to renew his master falconry license.”

*NAC 503.240 Part 2 (a) needs to be changed to the new Federal age minimum of 12 years old with a parent or guardian signature on the application.*

*NAC 503.240 Part 3(a) needs to be changed to the new minimum age of 16 years with a parent or guardian signature on the application.*

*NAC 503.240 Part 3(c) needs to be reworded to include that you only need to maintain, train, fly, and hunt a raptor(s) for at least 4 months in each of the 2 years per the Federal regulations.*

**NAC 503.245 Sponsorship of apprentice licensee. ([NRS 501.105](#), [501.181](#), [503.583](#))**

1. A person who is a general or master falconry licensee or the equivalent may sponsor an apprentice falconry licensee.

2. A person may not sponsor more than three apprentice licensees at one time.

3. If sponsorship is terminated, the holder of an apprentice license must obtain a new sponsor within 30 days of the date of termination of the sponsorship or his apprentice license will be revoked.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 Part § 25.21, eff. 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 4-27-84, eff. 5-25-84)

*NAC 503.245 Part 1 needs to be addressed to state that a sponsor of an apprentice needs to be 18, a general falconer for 2 years or a master falconer per Federal regulations. Current wording is actually less restrictive than the Federal law and is prohibited.*

**NAC 503.250 Possession and replacement of raptors by apprentice, general licensee or master licensee. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))**

1. An apprentice licensee:

(a) Shall not possess more than one raptor nor obtain more than one raptor for replacement during any 12-month period.

(b) May possess only an American kestrel (*Falco sparverius*), a red-tailed hawk (*Buteo jamaicensis*) or a red-shouldered hawk (*Buteo lineatus*).

2. A general licensee shall not possess more than two raptors nor obtain more than two raptors for replacement during any 12-month period.

3. A master licensee shall not possess more than three raptors nor obtain more than two raptors taken from the wild for replacement during any 12-month period.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 Part § 25.21, eff. 6-1-72; A 9-20-75; 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

*NAC 503.250 Part 1(b) needs to be changed to allow the proper raptors under the new Federal regulations to include any Falconiform or Strigiform species, including wild, captive-bred, and hybrids, EXCEPT a federally listed threatened or endangered species, a bald eagle(*Haliaeetus leucocephalus*), a white-tailed eagle(*Haliaeetus albicilla*), a Steller's sea-eagle(*Haliaeetus pelagicus*), or a golden eagle(*Aquila chrysaetos*).Apprentices do not need to capture a wild raptor themselves; it can be transferred to them by any other falconer.*

*NAC 503.250 Part 2 needs to be changed to allow a general falconer to possess 3 raptors with no more than two wild raptors being trapped within any 12 month period.*

*NAC 503.250 Part 3 needs to be changed to allow a master falconer to possess 5 wild raptors, including 3 golden eagles, no more than two wild trapped raptors within any 12 month period and they may possess any number of captive-bred or hybrids for use in falconry. A master falconer may possess, or transport a golden Eagle(s) (*Aquila chrysaetos*) with a valid Eagle Falconry Permit issued by the USFWS*

#### **Current NRS 503.610**

##### **NRS 503.610 Protection of bald eagle and golden eagle.**

**1. Except as otherwise provided in subsection 2, it is unlawful for any person, firm, company, corporation or association to kill, destroy, wound, trap, injure, possess dead or alive, or in any other manner to catch or capture, or to pursue with such intent the birds known as the bald eagle and the golden eagle, or to take, injure, possess or destroy the nests or eggs of such birds.**

**2. The Department may issue permits to take bald eagles or golden eagles whenever it determines that they have become seriously injurious to wildlife or agricultural or other interests in any particular area of the State and the injury complained of is substantial and can only be abated by taking some or all of the offending birds. The issuance of such permits must be consistent with federal law.**

**[66:101:1947; 1943 NCL § 3035.66] + [1911 C&P § 546; RL § 6811; NCL § 10492]—(NRS A 1963, 1277; 1969, 1366; 1993, 1676; 2003, 1552)**

#### **FEDERAL REGULATIONS**

**(ii) The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250) provides for the taking of golden eagles from the wild to use in falconry. It specifies that the only golden eagles that may be used for falconry are those that would be taken because of depredations on livestock or wildlife (16 U.S.C. 668a).**

***As you can see, it is not against the law to use golden eagles in falconry as long as the raptor was obtained from a Federal depredation area and the falconer has the proper permit.***

**NAC 503.255 Equipment required for license. ([NRS 501.105](#), [501.181](#), [503.583](#))** Before obtaining a license, an applicant must allow an inspection by a representative of the Department to ensure that the applicant possesses:

1. At least one pair of Alymeri or similar jesses constructed of pliable, high-quality leather or suitable synthetic material to be used when any raptor is flown free. Traditional one-piece jesses may be used when a raptor is not being flown.

2. At least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design.

3. At least one suitable container for each raptor for drinking and bathing. The container must be 2 to 6 inches deep and wider than the length of the raptor.

4. At least one weathering area and a perch of an acceptable design for each raptor.

5. A reliable scale or balance suitable for weighing a raptor. The device must be graduated in increments of not more than 1/2 ounce or 15 grams.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.215, eff. 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

*NAC 503.255 needs to be changed to allow an applicant to obtain a falconry license without any equipment or facilities inspection per Federal regulations. The equipment and facilities inspection is*

*required for obtaining a raptor or trapping permit. This provision was put in place to allow former and current falconers without any equipment or facilities the ability to be a sponsor for an apprentice.*

**NAC 503.260 Inspections.** ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

1. Any person holding a falconry license must allow the Department's employees to enter his premises at any reasonable hour to inspect equipment, mews or other raptor housing facilities and raptors possessed by the licensee or to inspect, audit or copy any permit, book or record required to be kept by the provisions of [NAC 503.200](#) to [503.345](#), inclusive, or federal regulations relating to falconry.

2. Refusal to allow inspection of raptors, facilities and equipment during reasonable hours will result in the denial of issuance or revocation of the raptor license or permit and seizure of any raptor in the licensee's possession.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.22, eff. 6-1-72; A 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 4-27-84, eff. 5-25-84)

*NAC 503.260 Part 1 needs to be changed to allow Department employees to only enter the areas where falconry records are kept and falconry activities are performed. Facilities and raptors on property not owned by the falconer are also subject to inspection, but the official may only visually inspect the facilities and may not enter the raptor facilities without the falconer present per Federal regulation.*

**NAC 503.265 Application for license must include information on raptors in applicant's possession.**

([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#)) A person who is applying to renew a falconry license, and a person who is applying for a new falconry license, must include on his application for the license each species of raptor and the band number of each raptor he possesses on the date of the application. A falconry license or permit to take a raptor will not be issued or renewed unless the applicant has provided the Department with the information required by this section.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.23, eff. 12-15-76; A 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

*NAC 503.265 needs to be changed to address that only federally required species will be banded and the 3-186A digital database should be checked against the falconry application for validity.*

**NAC 503.300 Permit to capture raptors: Quota for raptors; falconry license required.** ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

Each year, the Commission may establish a resident and nonresident quota for raptors that may be taken from the wild under a permit. A holder of a permit may obtain from the wild only the number of raptors permitted but in no event, more than two raptors per year. Before obtaining a permit to capture raptors, a permittee must possess a valid falconry license issued by this State or, if he is not a resident of this State and does not possess a falconry license issued by this State, a valid falconry license issued by the state of which he is a resident.

[Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.30, eff. 6-1-72; A 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs 4-27-84, eff. 5-25-84; 7-1-97)

*The falconers wish to formally and respectfully request the Wildlife Commission to place an Agenda item in the June or July 2011 meeting to re-visit the seasons and quotas for goshawk and ferruginous hawk takes in Nevada. The US Fish and Wildlife Service found that falconers have no impact on raptor populations.*

*The Federal database can be used to run reports of raptors taken from the wild. If the State finds a wildlife management problem with takes, then the Commission can make an adjustment, but it is virtually impossible to find some species of passage hawks during the designated season with our current established dates.*

*NAC 503.300 needs to be addressed to possibly accommodate the elimination of the 180 day trapping limit. Trapping seasons need to be left open to allow the trapping of species while they are at the proper stages in their adolescence. Different species have different breeding seasons. The trapping stipulation should simply be that you may only trap eyes and passage birds unless otherwise stated and that possession of eggs is not permitted. Not all species of raptors are at the same stages of life at the same time. Utilizing a single trapping season for every species is not productive to trapping.*

**NAC 503.305 Permit to capture raptors: Conditions.** ([NRS 501.105](#), [501.181](#), [503.582](#)) A holder of a permit to capture raptors is subject to the following conditions:

1. Eyasses may be taken only by a general or master falconer during the period specified by the Commission. No more than two eyasses may be taken by a permittee during that period.
  2. Passage birds may be taken only during the period specified by the Commission.
  3. Not more than 180 days during any calendar year will be specified for the taking of eyasses or passage birds, but a marked raptor may be retrapped at any time.
  4. The only raptors over 1 year of age which may be taken are the American kestrel (*Falco sparverius*) and the great horned owl (*Bubo virginianus*), except that under a depredation (special purpose) permit which was jointly authorized by the United States Fish and Wildlife Service and the Department, any raptor other than raptors of threatened or endangered species may be taken for falconry purposes by a general or master falconer.
  5. Peregrine falcons may not be taken in Nevada. Such falcons legally obtained may be imported and possessed under the terms and conditions of a falconry license issued by the Department.
  6. Birds of the following species may not be captured, transported, possessed or used in the practice of falconry:
    - (a) Bald eagle;
    - (b) Osprey;
    - (c) White-tailed kite; and
    - (d) Any owl except the great horned owl.
  7. Permits to take raptors are not transferable.
- [Bd. of Fish & Game Comm'rs Gen. Reg. No. 15 § 25.301 & Part § 25.35, eff. 6-1-72; A 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

*NAC 503.305 Part 1 needs to be changed to address that a falconer may only take two wild birds (passage or eyas inclusive) within a 12 month period. The season is defined as January 1<sup>st</sup> to December 31<sup>st</sup>.*

*NAC 503.305 Part 3 needs to have the 180 day restriction removed.*

**NAC 503.310 Use of traps or bird nets to take raptors.** ([NRS 501.105](#), [501.181](#), [503.582](#))

1. A raptor may be taken by a trap or bird net which is humane in its operation and use. Snare type traps must be attended at all times. All other traps must be identified with the name and address of the licensee and checked at least once every 24 hours. Raptors may not be captured by means of a steel-jawed trap or jump-trap. Apprentice licensees may use only bal-chatri, harness or bow net traps in acquiring raptors.
2. As used in subsection 1:
  - (a) "Bal-chatri" means a hemispherical cage on which many nooses are tied baited with a bird or mammal and placed in view of a wild raptor to serve as a trap in which neither raptor nor bait is injured.
  - (b) "Harness" means a light leather or cloth saddle covered with nooses which is placed on tethered bait.
  - (c) "Bow net" means a circular hoop hinged in the middle and covered with netting. It is usually attached to the ground so one side can swing freely.

*NAC 503.310 is unchanged*

**NAC 503.315 Permit to rehabilitate raptors; permit for captive breeding and propagation of raptors.** ([NRS 501.105](#), [501.181](#), [503.582](#))

1. The Department may issue a permit to rehabilitate raptors for the possession and temporary care of raptors. Such a permit may authorize a person to hold an injured raptor for rehabilitation and later release the raptor into the wild upon recovery or when directed by the Department. An applicant for a permit to rehabilitate raptors must hold a valid permit to rehabilitate raptors issued by the United States Fish and Wildlife Service, or provide evidence satisfactory to the Department that approval for such a permit is pending. A permit to rehabilitate raptors issued by the Department is not valid until the Department receives a copy of a permit to rehabilitate raptors issued by the United States Fish and Wildlife Service to the applicant.

2. A project for the captive breeding and propagation of raptors may be approved by the Department if the applicant holds a permit for the propagation of raptors issued by the United States Fish and Wildlife Service pursuant to 50 C.F.R. § 21.30, or provides evidence satisfactory to the Department that approval for such a permit is pending. A permit for the captive breeding and propagation of raptors issued by the Department is not valid until the Department receives a copy of a permit for the propagation of raptors issued by the United States Fish and Wildlife Service to the applicant. The applicant must first provide a statement showing the objectives and justification for the project. An applicant's failure to comply with the terms, conditions and restrictions of the federal permit for the propagation of raptors is cause for the Department to cancel its approval of the project.

[Bd. of Fish & Game Comm'rs, No. 15 § 25.40, eff. 6-1-72; A 12-15-76; 12-30-77]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

*NAC 503.315 Part 1 changes*

***Assisting in rehabilitation of raptors to prepare them for release.*** *If your State, tribe, or territory allows you to do so, and if you are a General or Master Falconer, you may assist a permitted migratory bird rehabilitator to condition raptors in preparation for their release to the wild. You may keep a bird you are helping to rehabilitate in your facilities.*

***(i)*** *The rehabilitator must provide you with a letter or form that identifies the bird and explains that you are assisting in its rehabilitation.*

***(ii)*** *You do not need to meet the rehabilitator facility standards. You need only meet the facility standards in this section; your facilities are not subject to inspection for compliance with the standards in §21.31.*

***(iii)*** *You do not have to add any raptor you possess for this purpose to your falconry permit; it will remain under the permit of the rehabilitator.*

***(iv)*** *You must return any such bird that cannot be permanently released to the wild to the rehabilitator for placement within the 180-day timeframe in which the rehabilitator is authorized to possess the bird, unless the issuing office authorizes you to retain the bird for longer than 180 days.*

**NAC 503.320 Taking of raptors for falconry: Attachment of raptor band; validation of permit; transportation of raptor from State.** ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))

A holder of a permit who is successful in taking a raptor shall immediately attach the raptor band provided by the Department to a leg of the raptor and personally present the raptor to a representative of the Department for validation of the permit no later than 72 hours after the raptor is taken. No raptor may be transported from this State until the band is attached and the person transporting it has had the permit validated by the Department.

[Bd. of Fish & Game Comm'rs, No. 78-2 § 1 subsec. 3, eff. 6-29-78; A 10-1-78; 4-8-80]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

NAC 503.320 changes

***Banding or tagging raptors used in falconry.***

*If you take a goshawk, Harris's hawk (*Parabuteo unicinctus*), peregrine falcon (*Falco peregrinus*), or gyrfalcon (*Falco rusticolus*) from the wild or acquire one from another falconer or a rehabilitator, and if the raptor is not already banded, you must band it with a permanent, nonreusable, numbered U.S. Fish and Wildlife Service leg band that your State, tribal, or territorial agency will supply. If you wish, you may purchase and implant an ISO (International Organization for Standardization)-compliant (134.2 kHz) microchip in addition to the band. You must report the band number when you report your acquisition of the bird. Contact your State, tribal, or territorial agency for information on obtaining and disposing of bands. Within 10 days from the day on which you take the raptor from the wild, you must report take of the bird by entering the required information (including the band number) in the electronic database at <http://permits.fws.gov/186A> or, if required by your permitting agency, by submitting a paper form 3-186A to your State, tribal, or territorial agency that governs falconry.*

***Transporting a falconry raptor or raptors to other States or territories.*** *If you have a valid falconry permit, you may possess and transport for falconry purposes a lawfully possessed raptor through other States or territories. However, any State, tribe, or territory may further regulate transportation.*

**NAC 503.325 Taking of raptors for falconry: Return of unused permit and raptor band.** ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#)) A holder of a permit who has not taken a raptor for each permit shall return the unused permit and band to the Department for cancellation within 5 days after the close of the season.

[Bd. of Fish & Game Comm'rs, No. 78-2 § 1 subsec. 4, eff. 6-29-78; A 10-1-79; 4-8-80]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

*NAC 503.325 is unchanged*

**NAC 503.330 Taking of raptors for falconry: Grounds for denial of permit; reinstatement of privilege; administrative fine. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))**

1. If a holder of a permit has submitted any false statement on his application for the permit or fails to return the permit and raptor band for cancellation or validation within the period specified, the Department will deny him a raptor permit for the following year.

2. Any person who has been denied a raptor permit pursuant to the provisions of this section may have the privilege reinstated if he pays to the Department an administrative fine of \$50.

[Bd. of Fish & Game Comm'rs, No. 78-2 § 1 subsec. 5, eff. 6-29-78; A 10-1-79; 4-8-80]—(NAC A by Bd. of Wildlife Comm'rs, 7-1-97)

*NAC 503.330 is unchanged*

**NAC 503.335 Taking of raptors for falconry: Application for permit; falconry license required. ([NRS 501.105](#), [501.181](#), [503.582](#), [503.583](#))**

1. An application for taking raptors for falconry must be submitted to the Department at an address specified on the application by the deadline for the submission of such applications as established by the Commission.

2. The applicant must include on the application:

(a) The name of the applicant;

(b) The physical and mailing address of the applicant's residence;

(c) The date of birth of the applicant;

(d) The telephone number of the applicant's residence;

(e) The driver's license number of the applicant, if he has been issued a driver's license;

(f) The number of the applicant's falconry license, the class of the license and the name of the state which issued the license;

(g) A description of each raptor, by species:

(1) In the applicant's possession as of the date of the application, specifying those raptors which the applicant acquired during the 12 months immediately preceding the date of the application; and

(2) Which the applicant acquired during the 12 months immediately preceding the date of the application but which is no longer in the applicant's possession;

(h) The age, sex and band number of each such raptor;

(i) The date that each raptor was acquired;

(j) If applicable, the date on which each raptor acquired by the applicant during the 12 months immediately preceding the date of the application was transferred, released, lost or died;

(k) Whether each raptor in the possession of the applicant was caught in the wild or bred in captivity; and

(l) The applicant's signature and the date on which the application was signed.

An incomplete application will be returned without action.

3. An applicant must possess a valid falconry license from this State or another state at the time that he applies for a permit to take raptors pursuant to this section. If the applicant does not possess such a license, the applicant must apply for a falconry license at the same time that he applies for the permit to take raptors for falconry pursuant to this section.

[Bd. of Fish & Game Comm'rs, No. 78-2 § 2 subsecs. 1-6, eff. 6-29-78; A 10-1-79; 4-8-80]—(NAC A by Bd. of Wildlife Comm'rs, 4-27-84, eff. 5-25-84; 7-1-97; R138-03, 1-20-2004)

*NAC 503.335 Part 2(h) needs to be changed to state band number of raptors that require being banded under Federal regulations*

**NAC 503.340 Taking of raptors for falconry: Fees. ([NRS 501.105](#), [501.181](#), [503.582](#), [504.295](#))**

Each application must be accompanied by the following fee:

1. For each permit to take a raptor issued to a resident, \$15.
2. For each permit to take a raptor issued to a nonresident, \$120.
3. For acting upon each application, a nonrefundable fee of \$5.

[Bd. of Fish & Game Comm'rs, No. 78-2 § 2 subsec. 7, eff. 6-29-78; A 10-1-79; 4-8-80]—(NAC A by Bd. of Wildlife Comm'rs, 11-5-81; 3-5-86; R138-03, 1-20-2004)

*NAC 503.340 has no changes.*

**NAC 503.345 Taking of raptors for falconry: Filling of quotas for permits.** ([NRS 501.105](#), [501.181](#), [503.582](#))

1. If a quota is not filled from applications received on or before the latest date for acceptance, the Department will accept applications received after that date and award permits in the order of receipt of the applications until the quota is filled.

2. An applicant who does not draw a permit may reapply for any species of raptor whose quota is not filled after the drawing. The Department will award permits for the unfilled quota in the order of receipt of the applications.

[Bd. of Fish & Game Comm'rs, No. 78-2 § 2 subsecs. 9 & 10, eff. 6-29-78; A 10-1-79; 4-8-80]

*NAC 503.345 is unchanged*

## Summary

The State provided input on the Federal regulations in May 2005 and had a list of 10 items of concern and questions. These items were addressed and no further input or communication was received by USFWS from the Department and the Federal regulations were published in November of 2008.

Within the first 3 months of the Federal regulations being released, Nevada falconers began to hold their own meetings and workshops. The falconers reached out to NDOW to assist in the process, providing 542 years of combined falconry and breeding experience to aid the Department.

The falconers continued to work on and discuss the changes for the last 2 years and finally came to the conclusion that the Federal regulations were acceptable as is. After talking to George Allen of the USFWS, there were only 2 recommendations that were made about the Federal regulations.

The recommended best course of action for the State would be to adopt the regulations as is. This will save the State money, save staff time and eliminate confusion.

Recommendations by the USFWS:

- The State should provide a grace period to allow a non-resident falconer to establish residency since there is no longer a Federal permit to keep you legal when you relocate. Otherwise a new falconer coming into Nevada would have to surrender all birds.
- States should eliminate the requirement of an import/export permit for transport of raptors in and out of the State. This creates two sets of records of activities and the information may not match within a very short period of time. The Federal database is the record that will be referenced for legal action, the import/export permit will not be used. The elimination of the permit will save the State time and money and eliminate any errors from duplicate data sources.

Code of Federal Regulations  
Title 50: Wildlife and Fisheries  
PART 21—MIGRATORY BIRD PERMITS  
Subpart C—Specific Permit Provisions  
Regulations as of 1 January 2011

5 April 2011

**§ 21.29 Falconry standards and falconry permitting.**

**(a) *Background.***

**(1) *The legal basis for regulating falconry.*** The Migratory Bird Treaty Act prohibits any person from taking, possessing, purchasing, bartering, selling, or offering to purchase, barter, or sell, among other things, raptors (birds of prey) listed in §10.13 of this subchapter unless the activities are allowed by Federal permit issued under this part and part 13 of this chapter, or as permitted by regulations in this part.

**(i)** This section covers all Falconiformes (vultures, kites, eagles, hawks, caracaras, and falcons) and all Strigiformes (owls) listed in §10.13 of this subchapter (“native” raptors), and applies to any person who possesses one or more wild-caught, captive-bred, or hybrid raptors protected under the MBTA to use in falconry.

**(ii)** The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250) provides for the taking of golden eagles from the wild to use in falconry. It specifies that the only golden eagles that may be used for falconry are those that would be taken because of depredations on livestock or wildlife (16 U.S.C. 668a).

**(2) *“Possession” and short-term handling of a falconry raptor.*** We do not consider short-term handling, such as letting any other person hold or practice flying a raptor you possess under your permit, to be possession for the purposes of this section if you are present and the person is under your supervision.

**(3) *Regulatory year for governing falconry.*** For determining possession and take of raptors for falconry, a year is any 12-month period for take defined by the State, tribe, or territory.

**(b) Federal approval of State, tribal, and territorial falconry programs.**

**(1) General.**

(i) A State (including the District of Columbia), tribe, or territory under the jurisdiction of the United States that wishes to allow falconry must establish laws and regulations (hereafter referred to as laws) that meet the standards established in this section. To allow the practice of falconry on tribal lands by tribal members or residents, a tribe may either certify that it has adopted Service-approved State laws if those laws are fully enforceable on tribal lands, or issue its own laws and request our approval.

(ii) The U.S. Fish and Wildlife Service (Service) Director must determine that a State, tribal, or territorial falconry permitting program meets the requirements and standards of this section. The Director must certify no later than January 1, 2014, that a State, tribe, and territory willing to allow falconry meets the federal standards. At that time, all Federal falconry permits and the Federal permitting program will end. Falconry will not be permitted in a State or territory or by a tribe after this date until that State, tribe, or territory develops a permitting program the Director certifies to be in compliance with these regulations. Also see paragraph (b)(12) of this section.

(iii) State, tribal, or territorial laws may be more restrictive than these Federal standards but may not be less restrictive. For instance, a State, tribe, or territory may choose not to allow possession of some species of raptors otherwise allowed in this section. State, tribal, and territorial laws must be consistent with the terms contained in any convention between the United States and any foreign country for the protection of raptors and the Migratory Bird Treaty Act.

**(2) State, tribal, or territorial submission for approval.** A State, tribe, or territory that wishes to allow falconry must submit to the Director:

(i) The data required by paragraph (b)(1) of this section;

(ii) A copy of the State's, tribe's, or territory's Apprentice Falconer examination, which must at a minimum cover laws and regulations, raptor biology and raptor identification, trapping methods, facilities requirements, care of raptors held for falconry, and diseases and health problems of raptors, and training methods; and

(iii) Copies of the laws and regulations governing falconry of the State, tribe, or territory, and certification that the laws and regulations meet the requirements of this section.

**(3) Electronic reporting.** The State, tribe, or territory must work with us to ensure that the electronic 3-186A reporting system (<http://permits.fws.gov/186A>) for reporting take, transfers, and loss of falconry birds is fully operational for residents of that jurisdiction.

**(4) Federal approval and terms.** If we concur that the regulations and the examination meet the requirements of this section, we will publish a rule in the Federal Register adding the State, tribe, or territory to the list of those approved for allowing the practice of falconry. We will terminate Federal falconry permitting in any State certified under these regulations on January 1st of the calendar year following publication of the rule.

(i) An approved State, tribe, or territory must notify the Service Director of any substantive revisions of their laws governing falconry and certify that they meet the requirements of this section.

(ii) We must approve the falconry examination any time it is revised.

**(5) Review of a State, tribal, or territorial falconry program.** We may review the administration of an approved State's, tribe's, or territory's falconry program if complaints from the public or law enforcement investigations that indicate the need for a review, or revisions to the State's, tribe's, or territory's laws or falconry examination. The review may involve, but is not limited to:

(i) Inspecting falconers' facilities to ensure that facilities standards in this section are met;

(ii) Processing time of applications;

(iii) Reviewing approved applications for completeness;

(iv) Determining that permits issued are appropriate for the experience of the applicants;

(v) Determining the adequacy of the State's, tribe's, or territory's recordkeeping for the needs of State, tribal, or territorial and Federal law enforcement;

(vi) Reviewing laws to determine if they meet the requirements of this section; and

(vii) Reviewing a revised falconry examination to determine if it meets the requirements of this section.

**(6) *Suspension of a State's, tribe's, or territory's certification.***

(i) We may propose to suspend, and may suspend the approval of a State, tribal, or territorial falconry program in accordance with the procedures in paragraph (b)(6)(ii) of this section if we determine that the State, tribe, or territory has deficiencies in one or more items in paragraph (b)(5) of this section.

(ii) When we propose to suspend approval of a State, tribal, or territorial falconry program, we will first provide written notice to the State, tribe, or territory. Any such notice will include the basis for our determination that suspension is warranted. We will identify the actions that would, if implemented by the State, tribe, or territory, allow us to cancel the proposed suspension of approval.

(iii) The State, tribe, or territory will have 2 years from the date of our notification to correct the deficiencies. The State, tribe, or territory must respond in writing within that time to the proposed suspension, specifying the reasons why the certification should not be suspended. We will give due consideration to any objections and evidence raised by the State, tribe, or territory.

(iv) If we continue to believe that suspension is warranted, we will provide written notice of suspension, including the rationale for suspension, and respond to any objections to the suspension.

(A) The suspension of approval of the State's, tribe's, or territory's falconry program will be effective 180 days from the date of the Service's final notification of suspension.

(B) The State, tribe, or territory must then inform all falconry applicants and permittees of the impending cancellation of permitting.

(v) We will honor all falconry permits in that jurisdiction for 2 years from the date of our final notification of suspension of certification. At the end of the 2 years, you must transfer all raptors (including captive-bred raptors) held under permits from the State, tribal, or territorial falconry program to other falconry permittees in other States or territories, or to Federal raptor propagation or education permittees, institutions exempt from the Federal permit requirements, or permanently released to the wild (if it is allowed by the State, tribe, or territory and by this section), or euthanized. However, you may not permanently release hybrid raptors to the wild.

**(7) *Appeal of a decision to suspend State, tribal, or territorial certification.*** The State, tribe, or territory may appeal a decision to suspend certification to the Director within 180 days of the date of the Director's decision. The Director will then respond to the State, tribe, or territory within 180 days of receipt of the appeal. The State, tribe, or

territory certification will remain effective until the Director makes a final decision on the appeal.

**(8) Recertification of compliance with this section if a State’s, tribe’s, or territory’s falconry permitting authority has been suspended.** If a State, tribe, or territory has had its falconry permitting authority suspended but has corrected its problems, it must submit a request for approval of its permitting activities. We will then either recertify the program, or report in writing why we do not believe that earlier permitting problems have been rectified.

**(9) Authority to suspend or revoke a falconry permit issued by a State, tribe, or territory.** Suspension or revocation of a falconry permit is the responsibility of the State, tribe, or territory. However, compliance with all provisions of these regulations remains under the purview of the Fish and Wildlife Service.

**(10) Standards in effect in your place of residence.**

| If your legal residence is in   | you may   |
|---|---|
| <b>(i)</b> Arkansas, Colorado, Idaho, Maine, Michigan, Mississippi, Missouri, Montana, Oklahoma, Pennsylvania, South Dakota, Texas, Utah, or Washington   | practice falconry as permitted in these regulations if you have a permit from your State, tribe, or territory.  |
| <b>(ii)</b> Alabama, Alaska, Arizona, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, or Wyoming. | practice falconry under the Federal regulations in effect on November 7, 2008 (if falconry was allowed in your State at that time) until your State has certified that it meets the requirements in these regulations or until January 1, 2014. |

**(11) Compliance date for the regulations in this section.** A State with existing Federally-approved falconry regulations wishing to continue to allow falconry after January 1, 2014 must certify to the Director of the Fish and Wildlife Service that it is in compliance with this section. This section will be applicable for a State upon publication in the Federal Register of our notice of approval of the State’s certification. Any State certified to allow falconry under the Federal falconry regulations contained in §§21.28 and §21.29 in effect prior to November 7, 2008 may continue to allow falconry under those provisions until:

**(i)** We publish a notice of our approval of the State’s certification in the Federal Register; or

**(ii)** January 1, 2014.

(12) What will happen if a State with falconry regulations certified under earlier regulations does not come into compliance with this section by January 1, 2014? If a State does not come into compliance with this section by the compliance date, we will require that all raptors held for falconry in that State or (including captive-bred raptors) be transferred to falconers in other jurisdictions, transferred to captive propagation programs, permanently released to the wild (if that is allowed by the State and by this section), or euthanized. However, you may not permanently release hybrid raptors to the wild.

## Letter to NDOW

TO: Chief, Wildlife Diversity Division, Nevada Department of Wildlife (NDOW)  
CC: Nevada State Board of Wildlife Commissioners  
FROM: Assembled Falconers, Sunday, March, 13, 2011  
SUBJECT: Request to include adoption of Federal Falconry Regulations in Nevada as a Board of Wildlife Commissioners April meeting agenda item.  
REFERENCE: Attached earlier correspondence to you from Nevada falconer Mr. Corey Dalton which consolidated the concerns of 42 Nevada falconers who responded to a questionnaire mailed out by Mr. Dalton in May of 2010

We the undersigned licensed Nevada falconers would like to make it known to NDOW and the Nevada State Board of Wildlife Commissioners that we concur with Mr. Dalton's statement in the referenced letter that "...Every falconer that responded to the letter was in favor of adopting the federal laws "as is." and we would like to formally make the following recommendation at the April 2011 meeting of the Board of Wildlife Commissioners:

**In regards to the upcoming changes to the laws governing falconry in Nevada, we are in favor of the Nevada State Board of Wildlife Commissioners and the Nevada Department of Wildlife adopting the proposed revisions set forth by the USFWS in its entirety, with two additional items to be addressed based on the recommendations of the United States Fish and Wildlife Service:**

- 1. Allow a grace period permitting relocating, non-resident falconers to retain their birds while they establish residency.**
- 2. Eliminate the import/export permit for transport of raptors in and out of Nevada.**

The current U.S. Fish and Wildlife Service (USFWS) revision to the regulations governing falconry is the result of years of scientific study by the Service reaffirming previous Finding(s) of No Significant Impact on the environment for the take of raptors for falconry. Additionally, we would like to point out that in announcing the revision in a news release dated October of 2008, the USFWS went out of its way to state that "...Falconers care deeply about wild raptors, hunting and the legacy of their sport."

The content and spirit of the federal regulation and Mr. Hall's words resonate with a published Nevada assessment of falconry by NDOW and the Nevada State Board of Wildlife Commissioners decades ago when the 1985 study *Nevada Raptors: Their Biology and Management* noted that "...Falconry is a closely regulated sport with extensive study, training and testing required before a license is issued..." The study went on to laud falconers for their captive handling and breeding expertise and efforts in support of the reestablishment of endangered raptors in the wild including the peregrine falcon.

We the undersigned, licensed Nevada falconers with a cumulative total of 546 years of study and experience in the care, handling and promulgation of raptors, exist as an invaluable resource to those charged with the preservation and management of raptor populations within the state, as well as with the education of the public about the importance and role of raptors in the wildlife community. Your support of our efforts to maintain and enhance the practice of our sport in compliance with the revised federal regulation will insure the continued availability of that resource.

## **Falconer Statements of Experience**

### **Frank Ely:**

My name is Frank Ely; I have lived in Smith Valley for 11 years and grew up on Joe Eldridge ranch out of Baker. In 1955 on that ranch my falconry career begin and it is now 56 years that I have been practicing this sport. I have flown most birds used in falconry; however I have specialized in the North American Goshawk. My wife and I have spent years studying this bird, additionally we spend each summer going to old nest and trying to find new ones.

Most Nevada falconers are members of the North American Falconry Club (NAFA) or the California Falconry Club (CHC). Nevada has so few Falconers spread out over this large State to get news you have to belong to one. I have been a member of NAFA over 40 years and I'm a Life time Honorary Member of CHC.

Sincerely,  
Frank Ely

### **George Tarr:**

I've been a falconer for 13 years. I've flown wild-taken Red Tails, Kestrels, Merlins and Coopers Hawks as well as both wild-taken and captive-bred Harris Hawks. I attended the meeting held today, March 13, at Dr Gary Weddle's house to discuss the required change to the NV state falconry regulations. On that subject I believe we should adopt the federal regulations without modification as many other states have already done. I have read the federal regulations in their entirety and as an experienced falconer I see no reason for the state to expend any more time and money especially in these difficult economic times trying to make changes to regulations that are already more than acceptable.

### **Corey Dalton:**

I've been a falconer for 4 years and have flown red-tails, Harris hawks and prairie falcons. I have been involved in hunting in Nevada for over 20 years. I have been a part of the Federal regulation discussions with NDOW for over 2 years and I have read the new regulations numerous times. I feel that there is nothing in the Federal regulations that would be detrimental to activities in Nevada related to birds of prey. I fully support adopting the Federal regulations "as is" with the two recommendations by the USFWS. This adoption will save the State money, save safe time, reduce or eliminate confusion and make the future of falconry easier to manage for everyone.

### **Mark Moglich:**

I have been a licensed falconer for 38 years and I have been a breeder for 21 years. I have been a part of the federal falconry law discussions and I am in favor of adopting the federal laws as is.

### **Alfonso Uceda:**

I have been a falconer for over 30 years and have flown most North American species of hawks and falcons; both wild taken and captive bred. I also hold a propagation permit for a pair of peregrine falcons. A meeting was held on March 13 at Dr. Weddle's house in order to discuss the new falconry regulations and it was unanimous by those in attendance, that the new

regulations should be adopted as is. Other states have already done so. The studies and the research have been done already by the U.S.F.W. Any further delay would waste precious time since we must meet a deadline or loose falconry in the state of Nevada and also it would help with the tight budget.

**Lew Souder:**

I am a licensed Nevada falconer. I have been practicing the sport of falconry for almost 7 years and have experience with many various birds. I currently hunt with goshawks and I am currently attempting to breed them as well. In regards to the upcoming changes to the laws governing falconry in Nevada, I am in favor of NDOW adopting the proposed revisions set forth by the USFWS in its entirety, with two additional items to be addressed:

1. Allow a grace period permitting relocating, non-resident falconers to establish residency.
2. Eliminate the import/export permit for transport of raptors in and out of Nevada.

**Mike Yates:**

Active falconer for 45 years, flying red-tails, goshawks, ferruginous hawks, prairie falcons, peregrine falcons, and hybrid gyr/peregrines. I am currently flying a gyr/peregrine for the last ten seasons and another gyr/peregrine (15 years old) for the past two. I have caught cottontails, jackrabbits, squirrels, pheasants, ducks and sage-grouse. Research biologist employed by the Raptor Research Center at Boise State University for the past 15 years. Have done studies in Nevada and elsewhere on raptors, sage-grouse, and various waterfowl. Conducted migration and nesting studies on peregrines beginning in 1977 and continuing today, including work in the U.S., Greenland and Russia. Captured and banded some 4,000 peregrines and many hundreds of other raptors. Hold a Nevada Scientific Collection Permit and a USGS Master Banding Permit (since 1971). I am in favor of adopting the federal regulations as is with the recommendations provided by the USFWS with regards to non-resident and import/export permits.

**Karen Yates**

I was licensed as a falconer in Nevada in early 1985. My apprentice years, I had the requisite red-tail, then a kestrel. Following that, in no particular order, I've flown three Harris' hawks, another red-tail, a prairie, a Coopers, a Barbary, and a peregrine.

**Dick Benoit:**

My name is Dick Benoit. I am a 27-year resident of Nevada and a licensed falconer since 2006. I currently possess a tiercel Red-tailed Hawk which I captured, trained and have hunted with for two years. Prior to that I possessed a female Red-tailed Hawk which I hunted with for one season before releasing it back into the wild where I captured it. Additionally, in 2008, I was certified by the Public Lands Institute, as a Nevada Environmental Educational and Interpretation Specialist. As such, during the last three years I have facilitated workshops for youth and adults on raptors in Nevada and on the sport of falconry in cooperation with the Public Lands Institute and with NDOW's Division of Conservation Education.

I am now 63-years-old and have been intrigued with the sport since I was a teen-ager. However, did not feel I had the personal time I felt was required to meet the strict standards and

expectations of those I've met who practice the sport until I retired from full-time work. The individuals I have met during the past five years of learning the sport and craft of falconry in Nevada are some of most disciplined, focused and dedicated I have encountered in my entire life. Additionally, the past five years of learning from these individuals and developing an acute awareness and appreciation of the biology, behavior and awesome beauty and place of raptors in the environment has been the most rewarding and fulfilling pastime in which I have ever participated.

I support the position of adoption of the Federal Regulations governing falconry as outlined and supported by nearly all of Nevada Falconers and being presented by Corey Dalton to the Commission.

Respectfully yours,  
Dick Benoit, Lt. Col. Ret, USAF  
4155 E. Philadelphia  
Las Vegas, NV 89104

**Gary Weddle:**

My name is Gary Weddle DVM and I am a long time resident of this great state since 1978 and a falconer since 1966. When I started the sport it was legal to shoot hawks and there were NO regulations governing falconry other than if you wanted a hawk-you went out and got one. I came under (and support to this day) the regulations set in place to standardize the sport. I witnessed, supported and watched the successful salvaging of the peregrine. I also was one of the first falconers to trap a passage Tundra Peregrine 2 years ago after a limited number of trapping permits were issued.

I support the position of adoption of the Federal Regulations governing falconry as outlined and supported by nearly all of Nevada Falconers and being presented by Corey Dalton to the Commission. I will let Corey speak to the reasoning behind this simple method to come into compliance with the new Federal mandate due to take place in 2014. Below are some of my credentials and experience pertaining to falconry, wildlife and background:

- Started flying hawks in 1966-and have done so every year since-nearly 55 years.
- Received BS in Forestry with Wildlife emphasis Un. Of Mo. Columbia-1972, earning a Doctor of Veterinary Medicine in 1978.
- Started and co-directed the Raptor Rehabilitation Center at the University of Mo. College of Veterinary Medicine
- Co-authored a section of "Zoo & Wild Animal Medicine" by Fowler in the first 2 editions on Raptor Hematology and several papers dealing with Raptor rehabilitation and medical issues
- Been a Board Member of Wild Wing since 1982
- Was chosen as "Conservationist of the Year" by the Wildlife Society-Nevada Chapter 1985
- Assisted NDOW on many occasions relocating sheep and assisting in collection of biological data
- Assisted NDOW or actually did the tranquilization of several Mountain lions in the Las Vegas area.

Time is of the essence for those of us wanting to continue this highly demanding sport. I hope you make due consideration and action in an expeditious way.

Best Regards in the Sport,  
Gary D. Weddle DVM  
1074 San Andreas St.

Henderson, NV 89002

**James Flanders:**

I have been a falconer for 26 years and master falconer for 19years. I have been a raptor rehabilitator for 4 years; including golden eagles. I am a bow hunter, upland bird gun hunter, predator hunter. I agree with the falconers in Nevada to adopt the Federal regulations as is with the two recommendations of the USFWS.

**Anthony Brill:**

I have been a licensed falconer for the past 33 years. I started practicing falconry in Southern California. I trapped my first wild hawk at 16 years of age. Over the past 33 years I have either trapped, trained, hunted, or assisted in the rehabilitation of Cooper Hawks, Red tailed Hawks, Harris Hawks, Ferruginous Hawks, Red Shouldered Hawks, Prairie Falcons, Gyr Falcons, Merlin Falcons, American Kestrels, African Fishing eagles, Eurasian Eagle Owls, Screech owls, Barn Owls, and Great Horned Owls.

I also assisted in raptor trapping, banding and nest surveys for a graduate student working on her M.S in Biology at the California State Polytechnic University, Pomona. I graduated from the California State Polytechnic University, Pomona with a B.S. degree in Agricultural Biology. My area of interest is in vertebrate pest management. I moved to Nevada to retire and build my ranch. I have a vested interest in all Nevada field sports. I fully support legal access to ALL of Nevada's public resources. Falconry, when regulated properly, is a sustainable field sport and legal access to those resources used in the practice of falconry should be allowed, protected and encouraged.

I fully support the change to the USFW rules and regulations. I also advocate the use of golden eagles in falconry.

**Mike Bradford:**

My name is Mike Bradford and I am a licensed falconer and resident of the state of Nevada. My interest in falconry and raptors began over forty-seven years ago growing up in California. I started with a kestrel and had my first peregrine at age 16. I have had experience with practically every species of raptors native to North America and various foreign species as well. I've also had the pleasure of working with several eagles of different species in my younger days! I also held a raptor propagation permit in the early eighties. This letter is in support of the NDOW adopting the USFWS Federal Regulations as is, and also the two suggested added areas which Corey Dalton will submit to you at the commission meeting. I feel that the federal falconry regulations as written if adopted by the State will not only save time and money, but will be beneficial to both the state and the Nevada falconry community as well.

Thank You,  
Mike Bradford  
330 Violetta Ave.  
North Las Vegas, NV 89031

**Marie Gaspari-Crawford:**

My name is Marie Gaspari Crawford I live in Palomino Valley. I was raised on an 8000 acre ranch in Spanish Springs Valley that was started in 1911. My family raised hay and cattle and I was taught the value of wildlife and good management, as well as an appreciation for the job the fish and game does here in Nevada. I was the State ladies champion in both Trap and Skeet in 1988, and have been an avid hunter of both big game and upland game for 35 years. In 2007 I was fortunate enough to take the first place Nevada state trophy antelope with the score of 88 4/8

I have been a falconer since 2000 and currently possess a master license in falconry. My husband was also a falconer for 17 years and a member of NAFA. Having possessed both captive bred falcons and trapped raptors, I have had the pleasure of many different types of raptors to teach me my skills as well as working with other master falconers in the area. I have sponsored one apprentice and I currently give presentations on birds of prey in the off- hunting seasons to school children and for the National Forest Service and US Fish and Wildlife Service. I truly believe that public education on both the sport of falconry and a better understanding of raptors is well worth donating my time.

As a person who has a great passion for the sport of falconry I whole heartily support the USFWS Federal regulations and agree with the two suggested areas. Adopting these as laws for the State of Nevada would be in the publics' and falconers' best interest present and future. It is my hope that this can be done with a minimum of problems so it can be put into use as soon as possible.

Sincerely,

Marie Gaspari-Crawford

**Jessi Brown:**

I've been a falconer since apprenticing with Dave Jamison in 2003. But I've been working with raptors longer than that - with the Peregrine Fund's aplomado falcon project in 1998, and then again from 2002-2004. I also worked with California condors in 2004. And I interned with Simon Thomsett in 2001 in Kenya, helping with his lammergeyer reintroduction project, and helping to fly his Verreaux's eagle, lanner falcon, and African crowned-eagle. More recently I've been working on my Ph.D. dissertation on American kestrels in Florida, where I've banded over 500 birds. As a side project I've winter-trapped and banded about 100 kestrels in Nevada, Arizona, and New Mexico. I support adopting the USFWS Federal regulations for falconry "as is" with the two recommended changes.

Jessi Brown  
General Falconer, Reno, NV

**Jimmy Chavez:**

My name is Jimmy Chavez I started falconry when I was 16 since that time which is 10 years I have had at least one bird every year most years I had two. I have been very successful with all my birds. I would like Nevada to adopt the USFWS Federal regulations "as is" with the addition of the two suggestions by the USFWS. I think it would be a good move for all involved and make the process go as smooth as possible.

Thank you,  
Jimmy Chavez

**David Kanellis:**

To: Honorable Director Mayer, Wildlife Diversity Division, Nevada Department of Wildlife, and Nevada Board of Wildlife Commissioners,

My name is *David Kanellis*, and I have been practicing falconry for 28 years to date. I moved to Las Vegas, NV just about 19 years ago and have been closely involved in our sport and have worked with NDOW non game biologist over the years proving nesting Goshawk data. I'm also a Raptor Propagator and provide Raptor Education Programs to the public; basically my life revolves around falconry and working with these amazing animals.

I would like to state for the record that I'm in complete support of adopting the Federal Regulations governing falconry as written with a few minor state law additions to allowing non residence falconers to move into our great state a grace period to acquirer there Nevada falconry permit. I stand along side nearly all of Nevada Falconers as being presented by Corey Dalton to the Commission. I will let Corey speak on my behalf for the reasoning behind this simple, cost effective way to come into compliance with the new Federal requirement to turn falconry over to the states in 2014.

Sincerely,  
David Kanellis  
7641 Cowboy trail  
Las Vegas, NV 89131

**Brian Evans:**

Currently an active falconer, I have practiced falconry off and on for the past 15 years in NV. I have had experience with Red-Tailed hawks, Prairie Falcons, Cooper's Hawks, Harris Hawks, and Goshawks. All of my hawks and falcons have been active hunting birds and I have taken cottontails, jackrabbits, squirrels, and quail. All of the raptors I have possessed have been legally trapped from the wild from many different areas in Nevada. I have read and understand the proposed Federal regulations concerning falconry and I support the proposal to adopt them as is, with two small additions.

**Mark W. Moriarity:**

My name is Mark Moriarty and I have been involved with falconry for 12 years. During this time I have had several raptors in my possession. I currently fly an American Kestrel and a female Harris Hawk. I have been involved with education for the past 14 years and I currently teach at the elementary level. During this time, I have taught my students about raptor biology and conservation. For the past 4 years I have kept an American Kestrel in my classroom for educational purposes, and my students have the opportunity to observe her everyday. They are well versed in the language of falconry and have a passion for raptors and Nevada wildlife. I fully support adoption of the USFWS Federal regulations for falconry with the two recommended changes.

Mark Moriarty M.Ed  
Virgin Valley Elementary  
Mesquite, Nevada

**Oscar Ruiz:**

My name is Oscar Ruiz, I started practicing falconry and handling raptors in 1983. For the last 28 years I have accumulated knowledge and experience in this field by hunting with a variety of wild caught and captive bred raptors. On October 8, 2008 U.S. & Wildlife Service released the final rule governing the sport of falconry. It is my opinion that the latest revision of the regulations will allow the States a reasonable structure to regulate falconry at a State level. I encourage NDOW to adopt the Falconry Federal Regulations as outlined by U.S Fish & Wildlife Service with the addition of the two recommendations by the USFWS.

Yours truly;  
Oscar Ruiz  
983 San Carlos Creek Ln  
Henderson, NV 89002

**Mike Gourdeau:**

My name is Michael Gourdeau I am 68 years old and got my first BOP in 1956. At that time there were no regulations and life was good. Over the years I have practiced falconry for more than 25 years, as time, money, and the availability of game has permitted. I love upland bird hunting and big running dogs and the Northern Plains. I support the USFWS federal regulations as written and agree with the two suggested added areas

Michael Gourdeau  
15 Lewers Creek RD  
Washoe Valley, NV 89704

**Chloe Bowen:**

My name is Chloe Bowen and I am a general falconer in the state of Nevada. I started practicing falconry in 2007 I started handling raptors in 2005, under my aunts supervision who is a master falconer, and along with other master falconers. In those 5 years I have helped give many presentations to the public on how very special our birds of prey are to our world. I have traveled to five hawk and falcon centers on the west coast gaining insight which many apprentices never get a chance to enjoy. I am a senior at Spanish Springs High, and I believe the future of the 4000 year old sport that I have truly come to respect and enjoy will be preserved under the new Federal regulations. As an apprentice and now a general Falconer I have gained knowledge in handling and hunting both wild caught and captive bred hawks and falcons. It is my opinion that the latest revision allows the States a sensible way to regulate falconry in the state of Nevada. I support adopting the Falconry Federal Regulations as outlined by U.S Fish & Wildlife Service with the additions suggested by the USFWS. I believe that doing this is in the best interest for all birds of prey, the falconers that appreciate them, and you who establish regulations.

Yours truly;

Chloe Bowen

5405 Axe Handle Canyon Rd.

Reno , NV 89510