

NEW MEXICO DEPARTMENT OF GAME AND FISH



**POLICY STATEMENT REGARDING
TAKING OF RAPTORS FROM THE WILD FOR USE IN FALCONRY**

This policy allows for the taking from the wild certain species of raptors for falconry with the appropriate New Mexico state falconry permit pursuant to regulation 19.35.8 NMAC and the appropriate federal falconry permit pursuant to 50 CFR 21.29. The categories to be taken may include eyas and passage birds. Eyases may be taken during the period from May 15 through July 15 and passage birds may be taken during the period from September 15 through January 10. No more than 2 eyases may be taken by the same permittee during the raptor-taking season. No apprentice falconer shall be permitted to take more than one replacement raptor during any 12-month period. No general or master falconer shall be permitted to take more than two replacement raptors during any 12 month period. Designated species of raptors may be taken by resident falconers who hold valid falconry permits. Specific species may be taken by a draw permit available to permitted falconers. Designated species may be taken by nonresidents who hold valid falconry permits from those states that allow a reciprocal take. Nonresidents must apply for a nonresident raptor take permit. Nonresidents will be allowed to apply for the Harris’s hawk draw but will only be drawn if there are permits left over from the resident draw. The total number of Harris’s hawks available to nonresidents will not exceed 2 birds. Raptor takes shall not be construed to allow any falconer to exceed the number of birds or acquire a species other than indicated by the falconry permit held by that person.

I. Raptor Take - For Permitted Residents

Species to be Taken	Open Areas	Categories to be Taken
Ferruginous Hawk	Statewide	Passage Birds
Merlin	Statewide	Passage Birds
American Kestrel	Statewide	Eyas and Passage birds
Cooper’s Hawk	Statewide	Eyas and Passage birds
Great Horned Owl	Statewide	Eyas and Passage birds
Prairie Falcon	Statewide	Eyas and Passage birds
Red-tailed Hawk	Statewide	Eyas and Passage birds
Sharp Shinned Hawk	Statewide	Eyas and Passage birds

II. Raptor Take - For Nonresidents by Permit Only

Species to be Taken	Open Areas	Categories to be Taken
American Kestrel	Statewide	Eyas and Passage Birds
Red-tailed Hawk	Statewide	Eyas and Passage Birds
Prairie Falcon	Statewide	Eyas and Passage Birds
Harris’s hawk	East of US 285	Eyas or Passage Birds only if permits are left over from resident draw not to exceed 2 in total

Raptor-taking permits may be issued only to persons who hold a valid nonresident falconry permit and who can provide proof that nonresident take, by New Mexico residents, is allowed in the falconer’s home state.

Nonresident take permit applications and annual raptor draw applications may be obtained by calling the Special Uses Permit Manager at 505-476-8064 or by visiting our website at www.wildlife.state.nm.us/apps_permits.

III. Raptor Take - Species Specific Draw for Permitted Residents

Species to be Taken	Open Areas	Total #/Categories	Conditions
Harris's Hawk	East of US 285	Passage or Eyas birds—up to 2 total	A single passage bird or a single eyas. Eyas shall be taken only from nests with at least 3 eyases.
Harris's Hawk	East of US 285	Eyas birds—up to 4 total	A single eyas shall be taken only from nests with at least 3 eyases.
Northern Goshawk	North and East of US 180-I-10	Eyas birds—up to 3; Passage birds up to 3	A single eyas may be taken only from nests with at least 3 eyases.

The draw is held annually. Applications must be submitted to the Law Enforcement Division of the New Mexico Department of Game and Fish by the end of the business day on the 2nd Friday in March. The draw will be conducted within 10 days from submittal deadline and results will be available within 5 days of the draw.

The limit of 2 eyas peregrine falcons, 2 eyas or passage Harris's hawks, 4 eyas Harris's hawks and 3 eyas and 3 passage northern goshawks are statewide limits, not individual limits for individual falconers. The draw will be held at the Santa Fe office in the order of: Peregrine, Harris's hawk (passage/eyas), Harris's hawk (eyas) then Northern Goshawk.

- Applications for raptor take permits shall be submitted on the appropriate "Raptor Take" application form.
- No person shall submit more than one application per species per year except as allowed herein. Those submitting more than one application per species will result in the rejection of all previous applications.
- An application fee as prescribed by 19.30.9.9 shall be required from each applicant per application submitted, no refund of application fee is allowed.
- For species which allow for both eyas and passage take, applicants may apply for a first choice of "eyas or passage" and a second choice of "eyas, passage or none." A maximum of one permit per species will be awarded to a successful applicant unless otherwise specifically allowed by rule.
- Master and general falconers may submit more than one application per draw, but will only be awarded one permit.
- All applications must be mailed to the Santa Fe office, NMDGF, Attn. Special Uses Permits, PO Box 25112, Santa Fe, NM 87504. Applications that have been mailed and postmarked but not delivered by the deadline date will be accepted by the Santa Fe office up to 5 working days after that deadline.
- Applications for permits may be returned to the sender if such applications are not on the proper form or do not supply adequate information.
- If applications for permits exceed the number of available permits, as herein established, the available permits shall be allotted by means of a random public drawing in the Santa Fe office of the department of game and fish.
- If any permits remain after the original deadline, the director may authorize a new deadline. A person who was not awarded a permit for the first draw may submit a new application for a permit if such permits remain available.
- No one may transfer, barter, sell or trade a raptor take permit; the permit shall only be valid for the person in whose name it is issued.
- All raptor take permits expire at the end of the respective season regardless of success.
- No raptor may be taken on tribal land, private land without permission or on any public land where take is prohibited.

IV. Raptor Take - Draw for Take of Peregrine for Permitted Residents

Species	Open Area	Categories	Conditions
Peregrine Falcon	West of I-25, north of I-10.	Eyas birds—up to 2 total	A single eyas may be taken only from nest with at least 2 eyases.

Additional Requirements for Peregrine take:

- Must be a resident master falconer
- Permit holder will provide to the department approximate GPS locations of all peregrine nests identified when scouting for birds.
- Photographic images must be submitted for each capture location and nest site visited. Photographs shall include a panoramic view of the nest site itself as well as the surrounding geographic features. All photographic images must be clearly taken and discernible.
- At least one eyas bird must remain in the nest.
- Permit holder is required to contact the Law Enforcement Division (505) 476-8166 at least 48 hours prior to entering the field if a capture operation is planned, and within 24 hours after capture with the exact GPS location of actual capture, and other capture details (outside of office hours, permit holder shall call 505-827-9376).
- A department employee may accompany the permit holder during the capture operation, if time and availability allow.
- Photographic images shall be taken immediately of the nest both prior to and after an eyas is taken. Such images shall depict the exact number of eyas that are in the nest both prior to and after a removal.
- Successful applicant will be required to work with the department’s professional staff to ensure follow-up examination is conducted on any eyrie(s) visited and the eyrie from which the eyas is taken to determine reproductive outcome in the year of the take and in the following nesting season. Required cooperation by the permittee will include submission of the Peregrine Take Reporting Form to the law enforcement division, to report information on sites visited (e.g., locations, occupancy of eyries, whether an eyas was taken).

The take by permitted falconers as described may be withheld or modified for any species whose wild populations in New Mexico may be adversely affected by such harvest; additionally, this policy may be modified at any time by the director. Any take must be reported to the New Mexico Department of Game and Fish, using the form on the bottom of the take permit and the 3-186A, and to the United States Fish and Wildlife service on form 3-186A, within 5 days.

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Tod W. Stevenson
 Tod W. Stevenson, Director

02-12-2010
 Date