

Commission Meeting 12/09/2010

Agenda Briefing No. 09

Falconry Rule Update

(19.35.8 NMAC)

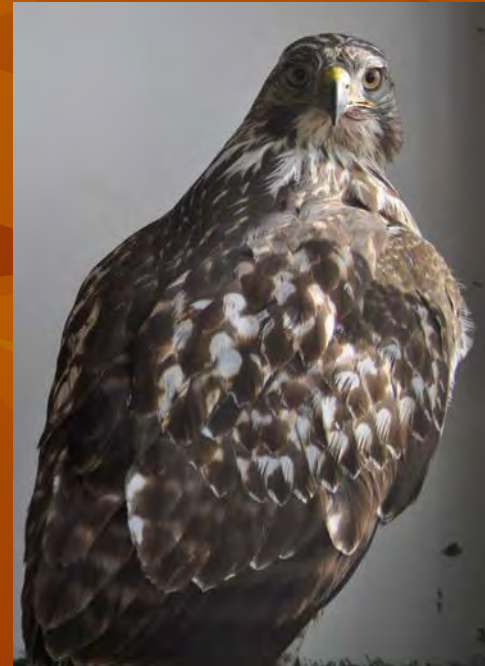
Falconry Rule Background

- Feds change falconry rules 11/2008
- Deadline for State's to comply 01/2014

Falconry Amendments

Definitions

- Falconry
- Raptors
- Marker
- Hacking
- Hybrid
- Livestock Depredation area
- Temporary foreign visitor



Female Red tail Hawk

Falconry Amendments

Single NMDGF permitting system

- **Creating a New Mexico temporary foreign visitor and non-resident foreign visitor permit.**
- **Temporary acceptance/permit a non-resident falconer permanently moving to New Mexico for the period required to establish residency and meet all other requirements to qualify for a New Mexico resident falconer permit.**
- **Extending the reporting period from 5 to 10 days for any raptor taken from the wild.**
- **Implementation of an electronic 3-186A reporting database.**
- **Season take changes**
 - **Eyass take: April 1 – January 15**
 - **Passage take: April 1- January 15**

Falconer Age & Possession

- Apprentice – may possess one wild-caught kestrel or red-tailed hawk.
 - Minimum age lowered from 14 to **12 years**.
- General – may possess three wild-caught or captive-bred raptors of any Falconiform or Strigiform except those restricted (Golden, White-tailed and Stellar's Sea Eagles).
 - May take no more than one wild raptor that is listed as federal threatened species from the wild each year.
 - Minimum age lowered from 18 to **16 years**.
- Master – may possess not more than five wild-caught raptors and unlimited captive-bred raptors including hybrids
 - May take no more than one wild raptor that is listed as federal threatened species from the wild each year.
- May possess one Golden, White-tailed or Stellar's Sea Eagle with restrictions

Holding & Disposal

- Amend holding facilities and equipment requirements to be consistent with the new federal falconry rule.
- Require hybrid raptors to have two attached radio transmitters when flown for the purpose of falconry.
 - Prohibit the intentional release of hybrids.
- Strengthen requirements relating to release & disposition of raptors
 - 10 day notification in advance of intended release of raptor into the wild
 - Establish release parameters
 - Consider a required timeframe of hacking prior to full release relating time of year and appropriate location.
 - Detail transfer requirements of wild-caught raptors to a propagation permit after the bird has been used in falconry for at least 1 or 2 year timeframe depending on species

Public Comment

- Consulted with NM Falconer's Assoc.
- Consulted with Dr. George Allen of the USFWS, Division of Migratory Bird Management
- Consulted with AZ & TX on falconry process and testing
- Received & reviewed 56 public comments (all supportive of proposed draft)

2011

- 2011 Commission **repeal** existing rule and **replace** new rule (cleaner –seamless process)
- Submitt to USFWS – by NMDGF Director -
By Sept 1
- Fed Review & Approval
- Fed Publishing (fed. reg.)
- Official Implementation Date Jan 2012
(on or before Sep submittal)

Summary

*This is an informational item only,
no motion is suggested unless
Commission discretion indicates a
different course of action is
warranted.*