

CHAPTER 101  
FALCONRY REGULATIONS  
[Prior to 12/31/86, Conservation Commission[290] Ch 18]

**571—101.1(481A) Falconry regulations.** No person may take, transport, or possess any raptor without having first obtained a valid state/federal falconer's permit. Only raptors from the family Accipitridae (excluding the bald eagle), the family Falconidae, and the great horned owl of the family Strigidae may be taken, transported, or possessed, except any species listed as endangered or threatened.

**101.1(1)** Said permit allows the purchase, possession and use of designated legal raptors in hunting subject to state regulations.

**101.1(2)** A falconry license may be issued to any person 14 or more years of age who has successfully passed a written examination provided or approved by the U.S. Department of the Interior covering basic biology, care and handling of raptors, laws, regulations or other appropriate subject matter, with a minimum score of 80 percent, and who has satisfied the minimum requirements for keeping raptors as determined by inspection of the applicant's facilities. In the event an individual fails the examination, this individual may reapply.

**101.1(3)** There shall be three classes of falconer's permits as follows:

*a. Apprentice falconer.* Applicant shall be at least 14 years old. A sponsor who is a holder of a general or master falconry license is required for the first two years in which an apprentice permit is held, regardless of the age of the permittee. A sponsor may have no more than two apprentices at any one time. Apprentice permit holders shall not possess more than one raptor and may not obtain more than one raptor for replacement during any 12-month period. Apprentice permit holders shall possess only a red-tailed hawk (*Buteo jamaicensis*). Apprentice permit holders shall be restricted from taking nestling or fledgling birds. A sponsor has the right to withdraw sponsorship at any time. If an apprenticeship falconer fails to successfully complete the required two-year apprenticeship, the red-tailed hawk will be transferred to the sponsor of record. The sponsor will be required to properly care for the bird until it is transferred to another falconer or hatched back into the wild.

*b. General falconer.* Applicant shall be at least 18 years old. Applicant shall have at least two years' experience in the practice of falconry at the apprentice level or its equivalent; this shall be field experience and the mere keeping of raptors shall not count and will be strongly discouraged. General license holders shall not possess more than two raptors and may not take more than one raptor for a replacement bird from the wild during any 12-month period. Licensed general class falconers may purchase properly marked raptors only from a federally licensed raptor propagator.

*c. Master falconer.* Applicant shall have at least five years' experience in the practice of falconry at the general level or its equivalent. A master falconer shall possess no more than three raptors at any one time and be permitted to take no more than two replacement birds from the wild in any 12-month period. Licensed master class falconers may purchase properly marked raptors only from a federally licensed raptor propagator.

**101.1(4)** All falconry permits are nontransferable and shall expire June 30 of the third year after issuance. Permits may be renewed without examination following submission of an annual report of birds possessed during the previous year and provided the department of natural resources is satisfied as to the competency of the applicant whose permit has expired.

**101.1(5)** A federal raptor propagation permit is required before any person may take, possess, transport, sell, purchase, barter, or transfer any raptor, raptor egg, or raptor semen for propagation or sale purposes.

This rule is intended to implement Iowa Code section 481A.48 and conforms to the federal regulations promulgated under the "Migratory Bird Treaty Act."

**571—101.2(481A) Facilities and equipment.** Before any individual shall be issued a falconry permit, the applicant's raptor housing facilities and falconry equipment shall be inspected and certified by a representative of the department of natural resources as meeting the following standards:

**101.2(1) Facilities.** The primary consideration for raptor housing facilities, whether indoors (mews) or outdoors (weathering area), is protection from the environment, predators or undue disturbance. Depending upon climatic conditions, the applicant shall have either or both of the following facilities:

*a. Indoor facilities.* Indoor facilities (mews) shall be a minimum of 6 feet high, with a floor area at least 6 feet square for each bird. If more than one raptor is to be kept in the mews, the raptors shall be tethered or separated by partitions. There shall be at least one window, protected on the inside by vertical bars spaced narrower than the width of the bird's body and a door that can be easily closed and secured. The floor of the mews shall permit easy cleaning. Falcons are to be kept on perches with a flat perching surface while accipiters, buteos and eagles are to be kept on perches that have a perching surface round in cross section and all perches should provide a good grasping surface satisfactory to the bird in possession.

*b. Indoor facilities—exception.* An exception may be allowed from the standard size requirements listed in 101.2(1) "a" to General and Master Class permittees only for housing the smaller species of raptors; however, the facilities shall be large enough to allow the bird to fully extend its wings without touching the walls of the mew.

*c. Outdoor facilities.* Outdoor facilities (weathering area) shall be fenced and covered with netting or wire, or roofed to protect the birds from disturbance and attack by predators except that perches more than 6½ feet high need not be covered or roofed. The enclosed area shall be large enough to ensure the birds cannot strike the fence when flying from the perch. Protection from excessive sun, wind, and inclement weather shall be provided for each bird. Adequate perches shall be provided.

**101.2(2) Equipment.** The following items shall be in the possession of the applicant before the applicant can obtain a permit or license.

*a. Jesses.* At least one pair of Alymeri jesses or similar type 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 on raptors when not being flown.)

*b. Leashes and swivels.* At least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design.

*c. Bath container.* At least one suitable container, 2 to 6 inches deep and wider than the length of the raptor, for drinking and bathing for each raptor.

*d. Outdoor perches.* At least one weathering area perch of an acceptable design shall be provided for each raptor.

*e. Weighing device.* A reliable scale or balance suitable for weighing the raptor(s) held and graduated to increments of not more than one-half ounce (15 gram) shall be provided.

*f. Maintenance and inspection.* All facilities and equipment shall be kept at or above the preceding standards at all times and shall be available for inspection by representatives of the department of natural resources at all reasonable hours.

*g. Transportation—temporary holding.* A raptor may be transported or held in temporary facilities which shall be provided with an adequate perch and protected from extreme temperatures and excessive disturbance for a period not to exceed 30 days.

**571—101.3(481A) Taking and possession provision.** The taking of raptors from the wild in Iowa shall be limited to the following conditions:

**101.3(1)** Nestling birds may be taken only by general or master permit holders. All wild raptors legally trapped or taken by a resident falconer must be marked with a black federal marker band provided by the department.

**101.3(2)** Young birds not yet capable of flight may be taken at any time following hatch, provided, however, that an individual may take no more than two nestlings and that at least one nestling shall be left in any nest from which a nestling is taken. The taking of nestlings is permitted only between May 21 and June 30. Removal of eggs from nests is prohibited.

**101.3(3)** First year (passage) birds shall be taken only from September 15 through January 31.

**101.3(4)** Only American kestrels (*Falco sparverius*) and great horned owls (*Bubo virginianus*) may be taken when over one year old; however, the permissible period for taking shall be no different than that prescribed for passage birds of all other species.

**101.3(5)** No permittee shall employ any method of taking raptors which is injurious to the bird.

**101.3(6)** Any species except endangered or threatened species or exotic birds, the import of which has been banned by the international convention, federal regulation or the natural resource commission, may be possessed and used for falconry provided the license holder can provide evidence that the bird was legally acquired, and provided that no one may import a raptor into Iowa or export a raptor out of Iowa, for a period greater than 30 days, without having first obtained written permission of the department of natural resources.

**101.3(7)** Recapture. Banded raptors that are lost to the wild through accident may be retrapped provided that the department of natural resources has been advised of the loss and is notified of the attempt to recapture. Should the banded raptor be recaptured, the department of natural resources shall be notified of the recovery within 48 hours.

**101.3(8)** Nonresident raptor trapping. A permit may be issued upon application by a nonresident for the purpose of taking a raptor in Iowa, provided that the applicant's resident state is listed in Paragraph (K), Subpart C, Part 21-29, Chapter 1, of Title 50, Code of Federal Regulations, as a participating state, and the applicant's resident state issues nonresident raptor trapping permits or licenses, or otherwise provides for the taking of raptors by nonresidents. Nonresidents shall submit a photocopy of a valid import permit from their resident state and a photocopy of a current, valid, state/federal falconry permit. Nonresident permits shall be issued only in the General or Master Class.

*a. Trapping provisions.* Trapping of raptors in Iowa by nonresidents shall be limited to the following species: red-tailed hawk, American kestrel, and great horned owl.

*b. Marking requirements.* Raptors legally trapped by nonresidents must be marked with a black federal marker band provided by the department. No raptor shall be transported from Iowa without first having had the black marker band attached.

Permittees may, with written permission from the department, provide their own black marker band issued by their state of residency. Permittees who provide their own black marker band shall place the band on the raptor immediately upon capture, and must notify the department within five days of the capture and of the corresponding black marker band number.

*c. Fees.* Fees for nonresident raptor trapping applications shall be reciprocal to the fee charged by the applicant's resident state. If the applicant's resident state does not provide for a nonresident raptor trapping fee, then the Iowa nonresident raptor trapping application fee shall be \$50.

*d. Restrictions.* Nonresident falconers may apply for one raptor trapping permit per trapping season. All nonresident raptor trapping permits shall be valid for a period not to exceed 60 consecutive days, beginning on the date of issuance. No nestlings or raptor eggs may be taken. First year (passage) birds may be taken only from September 15 through January 31. The nonresident trapping permit shall be valid for only one raptor of the species designated on the permit. The trapping permit shall be carried by the permittee while in the act of trapping and the transportation of any subsequently trapped raptor.

**571—101.4(481A) Annual reports.** Each holder of a falconer's permit shall submit an annual report to the department of natural resources by July 31 of each year. This report shall list all raptors in possession on the preceding thirtieth day of June and any raptor held during the year—by species, sex (if known), age (if known), date and where or from whom acquired, whether escaped, died, recaptured, or released and when the event occurred.

**571—101.5(481A) Other provisions.**

**101.5(1)** No permittee shall purchase, offer for sale, sell, trade or barter any native raptors acquired from the wild in Iowa. A holder of a federal raptor propagation permit may not sell, trade, barter, purchase, or offer for sale any captive-reared, properly marked raptor of a native species nesting in Iowa, except captive-reared peregrine falcons (*Falco peregrinus*), hybrids of peregrine falcons, and nonnesting species.

**101.5(2)** No permittee may take, purchase, receive or otherwise acquire, sell, barter, transfer, or otherwise dispose of any raptor unless such permittee submits federal Form 3-186A (Migratory Bird Acquisition/Disposition Report), completed in accordance with the instructions on the form, to the issuing regional fish and wildlife service office within five days of such transaction. Falconry permit holders shall notify the department of natural resources in writing of the death, replacement, loss, release or temporary transfer or other such change in the status of their raptors within five days of such occurrence; provided, however, that written authorization shall be obtained from the department of natural resources before a replacement raptor may be secured; and further provided that each dead bird shall be surrendered to the department of natural resources. Primary, secondary, and tail feathers may be retained and exchanged from these birds for imping purposes only.

**101.5(3)** Raptor exportation and importation permits may be issued to resident and nonresident falconers licensed to practice falconry in other states. Such permits shall be issued only when the export or import term will exceed 30 days. In the case of exportation or importation terms of less than 30 days, the permittee shall have in possession a photocopy of raptor possession documentation (3-186A) and a photocopy of a valid federal falconry permit. Persons wishing to participate in hunting will be required to possess appropriate licenses or permits.

**101.5(4)** A falconry permit holder shall obtain written authorization from the department of natural resources before any raptor not indigenous to the state is intentionally released to the wild, at which time the marker from the released bird shall be removed and surrendered to the department of natural resources. The marker from an intentionally released bird which is indigenous to the state shall also be removed and surrendered to the department of natural resources. A standard federal bird band shall be attached to such birds by the state or a service-authorized federal bird bander whenever possible.

**101.5(5)** A raptor possessed under a state/federal falconry permit may be temporarily held by a person other than the permittee only if that person is otherwise authorized to possess raptors, and only if the raptor is accompanied at all times by the properly completed Form 3-186A (Migratory Bird Acquisition/Disposition Report) designating the permittee as the possessor of record and by a signed, dated statement from the permittee authorizing the temporary possession.

**571—101.6(481A) Compliance.** Permits will be revoked for any individual failing to comply with the provisions of these rules.

These rules are intended to implement Iowa Code sections 481A.39 and 481A.42.

[Filed 11/18/76, Notice 9/22/76—published 12/15/76, effective 1/19/77]

[Filed emergency 4/6/77—published 5/4/77, effective 4/6/77]

[Filed 11/13/79, Notice 10/3/79—published 11/28/79, effective 1/2/80]

[Filed 2/8/85, Notice 9/26/84—published 2/27/85, effective 4/3/85]

[Filed without Notice 12/12/86—published 12/31/86, effective 2/4/87]

[Filed 6/7/91, Notice 4/3/91—published 6/26/91, effective 7/31/91]