**Section 1590.70 Inspection of Facilities, Facility Requirements, Care of Raptors and Equipment**

a) All applicants and falconry permit holders must provide suitable facilities (mews and/or weathering area) for all raptors they possess.

1) All applicant facilities must be inspected and certified by a Department representative prior to issuance of a falconry permit. Permittees who move to a new residence or change the location of their facilities within the State of Illinois prior to the permit's expiration must notify the Department in writing within 5 days and request inspection of any new facilities by a representative of the Department.

2) All falconry permit holders are subject to inspection of raptors, eggs, or parts of raptors, facilities, records and equipment at any reasonable time.

3) Housing facilities for falconry raptors may be located on property not owned by the permittee as long as the facilities meet the requirements in Section 1590.80(b,)(c) and (d), and the permittee and landowner sign a dated statement agreeing that the raptors and facilities may be inspected by the Department at any reasonable time of the day in the presence of the landowner, except that Department representatives may not enter the facilities or disturb the raptors unless the permittee is present.

4) A falconer holding an Illinois falconry permit and residing part-time in another state or territory or on tribal lands must contact that jurisdiction to determine if a permit is needed. If a falconer resides for more than 120 consecutive days in a state or territory or on tribal lands other than where his or her primary residence is located, then the falconer's facilities at the second location must meet the federal standards (50 CFR 21.29(d)) and the second facilities must be listed on the falconer's permit.

b) Facilities for housing raptors indoors (mews) and outdoors (weathering area) shall protect the raptors in them from the environment, predators and domestic animals and shall meet the following standards:

1) The facility shall have a suitable perch for each raptor and at least one opening for sunlight, and shall provide a healthy environment for raptors inside.

2) Untethered raptors may be housed together if they are compatible with each other.

3) Each raptor must have an area large enough to allow it to fly if it is untethered or, if tethered, to fully extend its wings or bate (attempt to fly while tethered) without damaging its feathers or contacting other raptors.

4) Each falconry bird shall have access to a pan of clean water unless weather conditions, the perch type used or some other factor makes access to a water pan unsafe for the raptor.

c) A mews must meet the following additional standards:

1) The mews must be large enough to allow easy access for the care and feeding of raptors kept there.

2) Any non-solid walls in a mews must be protected on the inside if untethered raptors are to be housed there. Suitable materials include vertical bars spaced narrower that the width of the body of the smallest raptor housed in the enclosure. Heavy-duty netting or other such materials may be used to cover the walls or roof of the enclosure.

3) Acceptable indoor facilities include shelf perch enclosures where raptors are tethered side by side out of reach of each other or separated by a partition. Other innovative housing systems are acceptable if they provide the enclosed raptors with protection and maintain healthy feathers.

4) The floor shall be well drained and permit easy cleaning.

5) Falconry raptors may be kept inside a falconer's residence if a suitable perch is provided for each raptor. If raptors are housed inside a residence, windows or other openings do not need to be modified. Raptors kept inside a residence must be tethered unless they are being moved into or out of the residence.

d) A weathering area shall meet the following additional standards:

1) The weathering area shall be totally enclosed and may be made of heavy-gauge wire, heavy duty plastic mesh, slats, pipe, wood or other suitable material.

2) The weathering area must be covered and have at least a covered perch to protect a raptor held in it from predators and weather.

3) The weathering area shall be large enough to ensure that the birds cannot strike the enclosure when flying from the perch.

4) New types of housing facilities and/or husbandry practices may be used if they satisfy the requirements in this subsection (d) and are approved by the Department.

e) Falconry raptors may be kept outside in the open, if they are under watch, such as by the permittee or a family member, at any location or, for example, by a designated individual in a weathering yard at a falconry meet.

f) Facilities for transporting a raptor, using the raptor for hunting, and when otherwise away from the raptor's permanent facilities shall have a suitable perch and be protected from extreme temperatures, wind and excessive disturbance. A hawk box (giant hood) or similar container is acceptable for transporting or housing a raptor when away from its permanent housing facility.

g) A falconry permittee must have and maintain the following equipment:

1) Jesses – at least one pair of Alymeri jesses or similar type construction of pliable leather or suitable synthetic material for use when any raptor is flown free or the materials and equipment to make them;

2) Leashes and swivels – at least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design;

3) Bath container – a suitable container for each raptor 2 to 6 inches deep and wider than the length of the raptor;

4) Outdoor/portable perches – a weathering area perch of acceptable design for each raptor; and

5) Weighing device – a reliable scale or balance suitable for weighing the raptors held and graduated to increments of not more than ½ ounce or 15 grams.

h) All facilities and equipment shall be kept at or above the standards created in this Section at all times.

i) Falconry raptors may be cared for by another falconry permittee under the following conditions:

1) The raptors may be cared for at the facilities of the permittee owning the raptors or the facilities of another falconry permittee for up to 120 consecutive calendar days. This care of raptors may be extended indefinitely in extenuating circumstances such as illness, military service or a family emergency. All requests for care of raptors by another falconer in excess of 120 days must have prior approval by the Department.

2) The falconry permittee providing care for the raptors must have a signed and dated statement from the falconry permittee who owns the raptors authorizing temporary possession. The statement must include information about the time period for which the raptors will be kept and what the falconer providing care to the raptors is allowed to do with them. The falconer providing care also must have a copy of FWS form 3-186A indicating ownership of the raptors.

3) Raptors in the care of another falconer will remain on the permit of the falconer who owns the raptors and not count against the possession limit of the falconer providing care.

4) If the falconer providing care to the raptors holds the appropriate level of falconry permit, he or she may fly the raptors in whatever way is authorized, including hunting, by the falconer who owns the raptors.

j) Falconry raptors may be cared for by a person who does not have a falconry permit under the following conditions:

1) The raptors may be cared for at the permittee's facilities by a person without a falconry permit for up to 45 consecutive calendar days. This care of raptors may be extended indefinitely in extenuating circumstances such as illness, military service or a family emergency. All requests for care of raptors by another person in excess of 45 days must have prior approval by the Department.

2) The raptors will remain on the falconry permittee's permit and must remain in the falconry permittee's facilities.

3) The person caring for the raptors may not fly them for any reason.

k) Raptors may be held in temporary housing outside of the falconry permittee's permanent facilities, when not being transported or used for hunting for up to 120 consecutive calendar days, if the facilities have a suitable perch and are protected from predators, domestic animals, extreme temperatures, wind and excessive disturbance.

(Source: Amended at 38 Ill. Reg. 895, effective January 1, 2014)