**Section 1590.120 Additional Provisions**

a) Molted and salvaged feathers from falconry raptors held in captivity may be retained and received from other falconry permittees and licensed wildlife rehabilitators for imping purposes only. Feathers from raptors other than golden eagles may also be left where they fell, destroyed or donated as provided for in this subsection (a). Buying, selling or bartering the feathers is prohibited.

1) Feathers from a falconry bird, except golden eagle feathers, may be donated to a person or institution that is authorized by the U.S. Department of Agriculture, FWS or DNR to possess them.

2) Molted primary and secondary flight feathers and retrices from a golden eagle that are not kept for imping must be sent to the National Golden Eagle Repository, Rocky Mountain Arsenal, Bldg. 128, Commerce City, CO 80022; phone number 303-287-2110. All other feathers from a golden eagle, including body feathers, should also be sent to the National Eagle Depository.

3) Persons whose falconry permit is expired or revoked must donate the feathers of any species of falconry raptor, except a golden eagle, to any person who is authorized by the U.S. Department of Agriculture, FWS or DNR to possess them or burn, bury or otherwise destroy them.

b) Any person convicted of illegal possession of raptors shall have his or her permit revoked and his or her raptors confiscated by the Department. The Department shall dispose of any confiscated raptors by transferring them to another permittee or permittees, releasing them to the wild, or destroying them if they are unsuitable to be transferred or released.

c) Convictions of violating any Section of this Part shall result in a period of suspension or revocation by the Department of the permittee's falconry privileges for up to 5 years, pursuant to 17 Ill. Adm. Code 2530.

d) A permittee who possesses a lawfully acquired raptor on which a marker is attached and is listed as endangered by the Illinois Endangered Species Protection Board (17 Ill. Adm. Code 1010) and not by the Fish and Wildlife Service (50 CFR 17), and if the raptor was acquired prior to the enactment of these regulations or prior to listing of the bird in the Endangered Species List of Illinois or the United States, legally acquired out of State (see Section 1590.90(c)), or is the progeny of 2 legally held birds (see Section 1590.85(a) and Section 1590.100 (d)), shall be allowed to possess the raptor as part of the permittee's falconry permit class.

e) Nothing in this Part shall prohibit public educational presentations and other educational uses of raptors held on a falconry permit in accordance with Federal regulations (50 CFR 21.29).

f) Falconers may use other acceptable falconry practices, such as, but not limited to, the use of creance (tethered) flying, lures, balloons or kites in training or conditioning falconry raptors. Permittees in possession of an Illinois game breeders permit may train raptors by using or killing pen reared game at any time.

g) Hacking of falconry raptors is an allowed method of conditioning raptors, but only by general or master class falconers under the following conditions:

1) any raptor that is being hacked counts against the falconer's possession limit and must be a species that is authorized to be possessed;

2) any hybrid that is hacked must have 2 attached functioning radio transmitters during hacking; and

3) a falconry raptor may not be hacked near a nesting area of a State or federally endangered or threatened species that might be disturbed or taken by the falconry raptor. Falconers should contact the Department for information to ensure that this does not occur.

h) A general or master falconer may assist a permitted migratory bird rehabilitator to condition raptors in preparation for their release to the wild in accordance with federal regulations (50 CFR 21.29). A raptor held for rehabilitation may be held in the falconer's facilities.

i) A master falconer may use an authorized raptor species to scare away protected species that are causing property damage or a risk to human health or safety in accordance with 17 Ill. Adm. Code 525 and federal regulations (50 CFR 21). A master falconer may use an authorized raptor species to kill protected species that are causing property damage or a risk to human health or safety on the land of another for a fee, only if he or she has the appropriate class of nuisance wildlife control permit from the Department (17 Ill. Adm. Code 525) and the appropriate Fish and Wildlife Service permit (50 CFR 21).

j) Falconry birds that die must be disposed of under the following conditions:

1) The entire body of a golden eagle held for falconry, including all feathers, talons and other parts, must be donated to the National Eagle Depository.

2) The entire body or feathers of any other species of falconry raptor may be donated to any person or educational institution authorized by the U.S. Department of Agriculture, FWS or DNR to possess the raptor or feathers.

3) The entire body of a raptor, except a golden eagle, that was banded or microchipped prior to death may be kept so that the feathers are available for imping. The body of captive-bred raptors may be mounted by a taxidermist. Taxidermy mounts may be used in giving conservation education programs. The bird band and microchip must be left in place.

4) The flight feathers from dead raptors not donated or mounted by a taxidermist may be kept for as long as the falconer possessing them has a valid falconry permit. The flight feathers may not be bought, sold or bartered. All paperwork documenting the acquisition of the raptor must be retained.

5) Falconry raptors not otherwise disposed of as provided in this subsection (j) shall be burned, buried or otherwise destroyed as approved by the Department within 10 days after the death of the raptor or after final examination by a veterinarian to determine cause of death. Euthanized falconry raptors could pose a risk of secondary poisoning to other animals. Appropriate precautions must be taken to avoid such poisonings.

k) An unintentional prey item taken by a falconry raptor may be fed upon by the raptor but not be possessed by the falconer.

l) Falconers must ensure that State and federally listed endangered and threatened species are not taken by falconry raptors. Take, for the purposes of this Section, includes to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture or collect, or to attempt to engage in this conduct. Falconers must report unintentional take of State listed species to the Department's endangered species program manager in addition to reporting the take of federally listed species to the Ecological Services Field Office for the location where the take occurred.

m) When flown free, a hybrid raptor must have attached at least 2 functioning radio transmitters to assist in locating the raptor.

(Source: Amended at 40 Ill. Reg. 3743, effective February 24, 2016)