

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: October 9, 1998

Title 163 - Nebraska Game and Parks Commission

Chapter 4 - Wildlife Regulations

016 Captive Propagation of Raptors

The following regulations are prescribed by the Game and Parks Commission, State of Nebraska in accordance with Neb. Rev. Stat. §§ 37-301, 37-314, 37-477, 37-497 through 37-4,103, 37-801 through 37-810, R.R.S. 1998, 37-314, 37-477, R.R.S. 1999. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 202 through 247 of the Game Law, are used. These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.

016.01 DEFINITIONS

016.01A Captive-bred - refers to raptors that are hatched in captivity from parents that mated or otherwise transferred gametes in captivity.

016.01B Captivity, captive propagation, or propagation - means to hold live raptors in a controlled environment that is intensively manipulated by humans for the purpose of producing raptors of selected species and that has boundaries designed to prevent raptors, eggs, or gametes of the selected species from entering or leaving the controlled environment.

016.01C Wild-produced - refers to raptors that hatched in the wild from parents that mated in the wild.

016.02 APPLICATION: A permit to propagate raptors in captivity shall not be issued until written application for a permit on forms specified by the Commission is received along with the required fee. Information collected through completion of the application will be used to make decisions on the issuance or denial of such permits.

Renewal of permits will depend on the conditions that all reports and records required to be completed by the permittee have been submitted in accord with Commission regulations and State Law, sections 37-497 through 37-4,103.

016.03 GENERAL REGULATIONS: It shall be unlawful:

016.03A for any permittee to take raptors or raptor eggs from the wild for propagation purposes without written authorization from the Commission. Should authorization to take raptors from the wild be granted, only nestlings may be taken for propagation purposes. The Commission shall grant approval or denial of a request to take raptors or raptor eggs from the wild for propagation purposes based on whether granting approval would have a significant effect on any wild population of raptors; whether suitable captive stock is available; and whether wild stock is needed to enhance the genetic variability of captive stock.

016.03B for any permittee to possess any more than four (4) wild-produced raptors at any one time under a propagation permit, without written authorization from the Commission. Replacement of a wild-produced raptor with a wild-produced raptor cannot be made until two (2) years from the date of the death, loss, escape or transfer of possession of any wild-produced raptor.

016.03C to use a raptor possessed for propagation purposes in the sport of falconry, unless such a raptor is transferred to and declared on a falconry permit.

016.03D to use a raptor held under a falconry permit for propagation purposes without written authorization from the Commission.

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016.03E for any permittee to intentionally release any raptor, held for propagation purposes or that are captive-bred, to the wild without written authorization from the Commission.

016.03F to sell, barter, purchase, or offer to sell, barter or purchase any raptor or raptor semen except by a person who holds a valid captive propagation permit or a falconry permit. A holder of a falconry permit may sell, barter or purchase only raptors that are captive-bred. A holder of a captive propagation permit may not sell, barter or purchase any raptor taken from the wild, any raptor semen collected from the wild, or any raptors hatched from eggs taken from the wild.

016.04 Other Permit Restrictions:

016.04A All reports and records that must be submitted by the permittee to the U.S. Fish and Wildlife Service under a Federal captive propagation permit must be submitted to the Commission in the same format and on the same schedule as required by the Federal permit.