

CITIZEN PETITION FORM

Date: 02/24/2025

Issue:	Chapter 6 (Raptors) Educational Wording
<p>Which rule are you seeking to create or revise? Please include a copy of the rule you are proposing to create or change, preferably with the change made in redline format.</p>	
<p>Chapter 6, 616 Education, C, 1:</p> <p>I propose the existing rule be changed to:</p> <p>Any individual that holds a valid federal permit issued for the express purpose of conduction of conservation education with non-falconry raptors may also possess any non-Migratory Bird Treaty Act species of raptor and any non-Migratory Bird Treaty Act species of corvids that were legally acquired. All terms and conditions listed on the federal permit will also apply to the care and use of the non-Migratory Bird Treaty Act raptors and non-Migratory Bird Treaty Act corvids.</p>	
<p>Why are you seeking to create or revise this rule? Please include a general statement of the reasons for the requested rule or revision and any relevant information related to the request.</p>	
<p>Federally inspected and licensed facilities, such as Nature’s Educators, are currently unable to use non-MBTA corvids acquired after 2016 for educational programming. Our facility is licensed by the US Fish and Wildlife Service and the USDA. The USFWS does not regulate non-MBTA birds such as African Pied Crows and White-Necked Ravens (two birds that we house). Therefore, they do not need to be listed on either of our federal education permits. The USDA does regulate those birds and so, they are listed on our USDA paperwork.</p> <p>Being able to take non-MBTA corvids out for educational programming in Colorado would be a huge benefit to the citizens of our state. Our organization is constantly being asked to do programs involving birds other than raptors. Other than our current Pied Crow and Macaw, we are unable to bring our White Necked Raven out for groups to see and learn about. All we can do is show pictures. Pictures are great, but making a meaningful connection to a real, living ambassador, has been proven time and time again to have a much greater impact on individuals.</p> <p>Our goal is to not only teach awareness of birds in Colorado, but also birds all over the world. Many of our programs reach individuals from other areas of the US and other countries. Being able to bring up world-wide conservation efforts and why it’s so important to love and respect these birds, is a huge benefit to wildlife and wild places all over! Our goal is to get folks excited to learn about wildlife and to participate in active conservation.</p> <p>We understand that to open this up to native corvids could cause a lot of chapter changes, hence why the suggestion is to simply make a straightforward change in one existing chapter. This education section in chapter 6 allows us to abide by our FWS regulations which include following any set rules on those specific permits including charging for programming. Program fees are how educational facilities like ours stay alive!</p>	
Petitioner’s name:	Devin Jaffe

- A. All residents must possess a resident 3-year possession/hunting raptor license in order to practice falconry in Colorado. All nonresidents must possess either (a) a nonresident annual possession/hunting raptor license or (b) a nonresident small game license and (c) proof that they possess a valid falconry license in their home state. A hunter education certificate shall not be necessary to practice falconry under a resident 3-year possession/hunting raptor license or a nonresident annual possession/hunting raptor license. State and Federal Migratory Bird Hunting Stamps (Duck Stamps) are required as provided in Chapter 5 of these regulations for the taking of migratory waterfowl.
- B. Licensees must ensure that their activities do not cause the take of federally-listed threatened or endangered wildlife.
- C. The use of firearms is prohibited while engaged in falconry.
- D. Practicing falconry from a public road is prohibited.
- E. Except as provided in these regulations, all raptors flown in Colorado for falconry purposes must be banded or otherwise marked so that they may be readily identified.

#615 - FALCONRY FIELD MEETS

- A. A permit is required for any falconry field meet sponsored by a state or national organization in which any non-resident of Colorado participates.
- B. An application furnished by the Division shall be completed and returned to the Division accompanied by a fee of forty dollars (\$40.00) at least 30 days prior to the proposed meet.
- C. For the period three days prior to, during, and five days following any properly-licensed falconry field meet, those participants and raptors listed on a registration form for that field meet provided to the Special Licensing Unit of the Division at least five days prior to the scheduled event may submit that registration in lieu of an importation permit to satisfy the importation requirements of these regulations and § 33-6-114(2), C.R.S., provided further that registered participants in a field meet sponsored by any national falconry organization may submit that registration prior to or on the first day of the scheduled event. A veterinary certificate certifying that each bird is disease free is required.
- D. Banding requirements of these regulations are waived for the period three days prior to, during, and five days following any properly-licensed falconry field meet for any non-resident of Colorado whose birds are not required by their home state to be banded, and who are registered participants of a permitted falconry field meet.
- E. Each resident participant in such meet shall have a valid falconry license. Nonresident participants shall be required to purchase an annual nonresident possession/hunting raptor license.
- F. Migratory game birds used in a falconry field meet shall be marked or banded in accordance with federal law.

#616 - EDUCATION

- A. General or master falconers may use any raptor possessed under the authority of their state falconry license in any conservation education program presented in a public venue. Apprentice falconers shall only participate in any conservation program under the direct supervision of a general or master falconer. Further, the following provisions must be met for all conservation education programs:

1. Except for those birds possessed under the provisions of regulation #616.C, any raptor used in a conservation education program must be possessed and used primarily for the practice of falconry.
 2. Any fee charged for a conservation education program may not exceed the amount required for the presenter to recoup their cost of the presentation.
 3. The conservation education program must include information about the following:
 - a. Biology of raptors.
 - b. Ecological roles of raptors.
 - c. Conservation needs of raptors and other migratory birds.
 4. This section does not authorize presentations that do not address falconry or conservation education.
 5. The presenter assumes all responsibility and liability associated with any conservation education program they present under this section.
 6. Live raptors must be kept under control at all times and are not allowed to come in contact with the public.
- B. A state falconry licensee may allow photography, filming, or other such uses of any falconry raptor to create sources of information on the practice of falconry, or on the biology, ecological roles, and conservation needs of raptors and other migratory birds if no compensation is received by the licensee for such use.
- C. Raptors possessed under the authority of a valid federal permit issued for the express purpose of conducting conservation education with non-falconry raptors, shall be subject to the provisions of that permit. Federal permittees are required to comply with all the terms and conditions of their federal permit. No state license is otherwise required to possess the raptor or conduct conservation education activities in Colorado.
1. Any individual that holds a valid federal permit issued for the express purpose of conducting conservation education with non-falconry raptors may also possess any non-Migratory Bird Treaty Act species of raptor that was legally acquired. All terms and conditions listed on the federal permit will also apply to the care and use of the non-Migratory Bird Treaty Act raptor(s).
- D. Nonresidents holding either a valid federal permit issued for the express purpose of conducting conservation education or a state general or master falconers license may conduct conservation education programs in Colorado for no more than 30 days within a calendar year. A nonresident falconry license is also required. The conservation education program must meet the requirements listed in #616 A.
- E. Persons previously licensed to possess corvids pursuant to Chapter W-13 (“Possession of Wildlife, Scientific Collecting, and Special Licenses”) for educational purposes prior to November 1, 2016 shall be authorized to continue to possess those individual birds for the life of the birds provided the birds are otherwise maintained in facilities that comply with the provisions of #605 and subject to inspection by the Division. Further, escape, theft, death or other disposition of the birds must be reported to the Division in accordance with #620, #621 and #622. Under the provisions of #622, only the Division form is required.

#617 - ABATEMENT

- A. Any master falconer may conduct any abatement activity with any captive-bred raptor possessed under the authority of a state falconry license subject to the following provisions:
1. Any raptor used for abatement purposes must be possessed and used primarily for the practice of falconry.
 2. Prior to conducting any abatement activity under this provision, the licensee must possess a valid federal Special Purpose Abatement permit.