

## CITIZEN PETITION FORM

Date: June 7, 2021

**Issue:** Temporary visits to Colorado by licensed non-resident falconers accompanied by lawfully held raptors for the purpose of hunting and/or permitted field meets

**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.**

Authority to make the changes here requested is found in section 33-1-106 of the Colorado Revised Statutes.

Change is requested to 2 CCR § 406-6 #600 - DEFINITIONS as follows:

[Add the following definition:]

P. "Importation" means to bring a raptor into Colorado for a planned period of more than 30 days. Falconers visiting the state for less than 30 days need only have a non resident small game hunting license or a non-resident falconry license, and be licensed to possess raptors in another state. Raptors that will be in the state for more than 30 days must be accompanied by a raptor import permit and veterinary health certificate.

AND

Change is requested to 2 CCR § 406-6 #615 – FALCONRY FIELD MEETS as follows:

- 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. [Because of the change in what an import is, the following may have to be slightly altered in the 30-day time frame.] 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 if the bird will be in the state for more than 30 days.
- 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 show proof of their falconry permit from another state, tribe, or territory, and purchase an annual nonresident possession/hunting raptor license or a non-resident small game license for the days they will be in Colorado.
- F. Migratory game birds used in a falconry field meet shall be marked or banded in accordance with federal law.

**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.**

Colorado's administrative requirements and the expense for doing so is a major obstacle for out-of-state falconers attempting to hunt in Colorado. Falconers can take their falconry birds into most neighboring states to hunt with ease. The only requirement to hunt in these states is a non-resident small game license—the same requirement for small game gun-hunters. A falconer from another state attempting to hunt in Colorado faces a complicated process.

Here are the steps that a non-resident falconer must go through:

1. The falconer must contact CPW Special Licensing and request an import permit. Navigating through the website is a bit complicated as the necessary information is found under “special licensing.” It is difficult to find information related to falconry. A hunter would expect to find the necessary information under hunting small game or purchasing a small game license. Even if the falconer knows where to look it will take him or her 6 steps through the website to get there.
2. The falconer must fill out the request form and send it back to CPW Special Licensing.
3. The falconer will then be instructed to obtain a health certificate from a Category II veterinarian. That is, the veterinarian must specialize in exotic species, not simply dogs and cats. This step can be quite challenging in some states, particularly for falconers who do not live near urban areas where these veterinarians can be found.
4. The cost of the health certificate is expensive, based on phone research to several out of state Level II vets, it costs between \$75 and \$170 and often more per bird. (See bookmark “01 – Veterinarian Survey.”) Many falconers have multiple birds thereby multiplying the expense. During the examination, the veterinarian is not looking for a specific illness or condition. The regulations do not state any conditions that the veterinarian must certify. The veterinarian looks at the bird’s throat and eyes, listens to the heart and lungs, and asks the falconer if the bird seems healthy to them. If the falconer suspected an illness in his or her bird, it would have already been treated by a veterinarian. The falconer is therefore paying a specialty veterinary to certify a healthy condition that the falconer and the falconer’s regular veterinarian are already aware of. (See bookmark “02 – Veterinarian Letters.”)
5. After the veterinarian completes the examination, the veterinarian must contact the Colorado State Veterinarian. The state veterinarian must confirm and sign off on the specialty veterinarian’s finding and provide the specialty veterinarian with an Entry Permit Number. This process can take days requiring long term planning for hunting trips and prohibiting last minute getaways to Colorado.
6. The permit is good for just 30 days. Should the falconer wish to hunt in Colorado as soon as the following month, he or she must repeat the above process.

We support the excellent job that the Dept of Agriculture does in protecting our state from the spread of many diseases and do not wish to change the health certificate process for any raptor that is coming to stay in Colorado. We only want nonresident falconers to be able to hunt with their hawk for a limited time. This is similar to when a waterfowl hunter or a quail hunter bring their favorite hunting dog.

According to Cornell Lab of Ornithology over 4 Billion birds migrate through the United States. (800 Million through the central flyway.) (See bookmark “03 - [2018 Migration Article by Carley Eschliman](#).”) Colorado Parks and Wildlife have mid season counts of waterfowl of over 400,000 birds, and report over 200,000 ducks and geese harvested each year. (See bookmark “04 - [Colorado Harvest Numbers](#)” and “05 - [USFWS Flyway Harvest Report](#) Excerpts.”) Making a few falconers’ well cared for birds get health certificates will not control an outbreak of a disease. Many of these wild birds will travel in flocks and mingle with our resident birds. Falconry raptors will not be mingling. They are lone hunters. If a falconer’s raptor is lost the falconer will be doing everything possible to reclaim their prized trained bird. Most falconry birds are flown with radio tracking devices, enabling a falconer to recover a stray bird quickly. (See bookmark “06 – Comments of Dr. Patrick Redig.”)

Throughout our regulations we see the thirty day period used. It is the same in most other states, except they do not recognize a visitation as an import. (See generally bookmark “07 – State Regulation Excerpts.”) In most states “importation” means that the animal is coming to stay or to be sold in the state. In most states, a falconer needs an import permit only if the bird will be in that state longer than 30 days. Current regulations in Colorado have made it extremely difficult for falconers to come here and hunt. Since the 2013 North American Falconer’s Association (NAFA) field meet held in Alamosa, a large number of out-of-state

falconers have chosen not to hunt in Colorado because of the costs and complicated process. Colorado regulations have significantly diminished the likelihood of a well-attended NAFA field meet in the future. Colorado is missing out on a conference of 200 plus falconers entering our state, buying hunting licenses, paying for hotel rooms, eating at our restaurants, buying gas, and shopping in our retail stores. Cities such as Alamosa and Lamar will not gain the hundreds of thousands of dollars that would be spent in the towns and surrounding areas during these field meets. Colorado has a proud history of falconry and raptor conservation. Colorado has hosted the most meets of any state, however it will never happen again as long as this regulation exists.

Falconry regulations can be complicated, there is no doubt. Falconers want to hunt just like gun-hunters want to. Falconry is just another legal means to hunt. Falconers want to drive to the state, visit friends and family, fly their birds, and not be over regulated by costly and complicated steps. (See bookmark "01 – Veterinarian Survey.") Health certificates and import permits are just not necessary for a visiting falconer, and should only be used when a bird is coming here to stay for more than 30 days.

Signing petitioners are longstanding master Colorado falconers who have both served as president of the Colorado Hawking Club. The board of directors of the Colorado Hawking Club approved this petition.

<b>Petitioner's name:</b>	Matthew T. Gould Roger Tucker
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To: Wildlife Commission and staff,

To locate a licensed avian veterinarian in another state with the USDA qualifications for giving a CVI is not an easy task. When doing a google search for avian vets, most of them do not see raptors (i.e. I called 7 listed in Nebraska and all said no). It was alarming how many staff members at these veterinarian offices did not even know what raptors are, and they work with birds!

I was finally able to get in contact with the USDA and was able to obtain a search engine that allowed me to find USDA Category II certified veterinarians. This feature was not the most user friendly as it required me to know the county in addition to the state. This list also did not provide what animals the veterinarian practiced on, so I still had to call each office and inquire. Once again, not only did most of the veterinary staff not know what a raptor was, but they did not see them in the practice.

After 3 days of calling around, and numerous messages, I was able to obtain a list of 7 veterinarians in 6 of our neighboring states that could provide a CVI for a raptor. The average cost for obtaining a CVI amongst this group was \$114. This limited number of veterinarians and cost, combined with the offices located in various parts of each state, creates an undue burden and accessibility issue for a falconer.

Here are the names and pricing of the veterinarians I was able to locate.

*Prairie Lane Vet Hospital, Omaha, NE, \$100*

*Prairie Ridge Animal Hospital, Wichita, KS, \$95*

*Moab Vet Clinic, Moab, Utah, \$42*

*Coronado Pet Hospital, Rio Rancho, NM, \$141.50*

*South West Vet Medical Center, Albuquerque, NM, \$254*

*Stonebridge Animal Hospital, Edmond, OK, \$95*

*Broadmoor East Vet Clinic, Cheyenne, WY, \$71*

Regards,

Karen Green

Colorado Hawking Club Director-at-Large

02/07/2021

To whom it concerns:

This letter is in regards to the necessity of Import permits and Health certificates required for falconry.

As a practicing veterinarian, I am aware of the reasonings behind health certificates. I haven't ever understood the import permit. The basics are to prevent serious diseases from crossing over the border of these birds of prey. Many of the birds brought in for a week or two of hunting in the state have minimal risk of transferring zoonotic or economic damaging diseases is unlikely. Once a bird of prey has been caught, it is dewormed and deloused to remove any obvious problems to training. These birds are far healthier and disease free than the wild species migrating across border lines.

As a practicing avian veterinarian, few of which exist in the state actually have the knowledge to treat and properly examine these birds. Most accredited small animal or even large animal veterinarians will actually write the health certificate for the owner without ever touching the bird. I have witnessed several of my employers and associates eye ball the animal but that is it. The need to perform an interstate health certificate tends to bog down the appointment schedule. Now that Aphis USDA has switched all the forms to be filled out on line, this makes the process harder and longer to perform. We are relying on more than one division of the government to provide service to the country. Because, many of these forms have to be filled out adding tracking numbers to the various copies of the forms from the different groups, owners are often having to start a travel process 1-2 months in advance. With the current pandemic, the process has been slowed significantly by many of the government agencies being closed or working from home with limited access to the programs required for their job. The fact is these birds are owned by the falconer especially captive bred birds and are the only species of birds that have to have all this paper work to travel state to state with. Clients moving from one state to another rarely get an interstate health certificate for their pets. Many of these pets include parrots, ferrets, mice, rats and many

more small rodents that could pose just as severe an economic and disease risks as a falconer's bird.

I personally have had the health certificate review by the state a friend was moving to, contact me a few weeks down the road about their refusal of an import permit and health certificate for nursing stud colts to come to the state with the rest of the herd until they were gelded or had many other tests out lined in their regulations, none of which was found on the website prior to shipping. Fortunately, the notification came several weeks after the horses and family were already moved. This is a frequent situation leaving all of us involved on the paper side stressed and frustrated. If we had one less piece of paper to deal with in a day, then every one's job would be better.

If you would like further communication feel free to give me a call.

Sincerely,

Dr. Kristin Ballotti

May 30, 2021

To Whom It May Concern:

Below are a few thoughts on the unnecessary requirement for a health certificate to allow out-of-state captive falconry raptors to be brought into Colorado for short term visits (less than 30 days) for hunting or field meet purposes.

The main purpose of a health certificate is to prevent the spread of communicable diseases. With regard to birds, the communicable diseases of concern are those that could potentially have a negative impact on the poultry industry.

Raptors, under normal circumstances, are not primary carriers of communicable diseases that would be a threat to poultry, wildlife, or human populations. The ONLY real threats that raptors could pose would be as potential carriers of the viral diseases, Newcastle Disease (ND) and the highly pathogenic Avian Influenza (H1N1). And this would only be of concern if there were a contagious outbreak in a given geographical region of the country. Although several types of mildly pathogenic (for poultry) avian influenza viruses normally exist in the U.S., we (fortunately) do not have the H1N1 variant; therefore, there is no present concern and no need to test for it.

Newcastle Disease is a highly pathogenic variant of an avian paramyxovirus, termed viscerotropic velogenic type 1 (VVND). Fortunately, there is no VVND in the U.S., as it has been eradicated. Again, there is no need to test for it in wild birds.

Lastly, to demonstrate the pointlessness of requiring a health certificate for a raptor, consider that the present testing for avian influenza H1N1 and VVND (even if it were necessary, which it is not) is beyond the capability of the veterinarian issuing the health certificate and can only be done by a specialty veterinary diagnostic laboratory.

In short, the requirement of a health certificate for a captively held raptor to cross state lines (wild ones do it all the time with no consequence!) is pointless and places a needless burden on all parties involved (falcon handler, state veterinarian, certificate issuing veterinarian, and CPW).

Sincerely,

John David Remple, DVM, Dipl ECZM (avian) ret

Hyde Park, January 10, 2021

To Whom It May Concern,

I'm writing this letter in support of the proposal by the Colorado Hawking club to simplify the procedure to import raptors used for falconry in Colorado. As I understand from the Colorado Department of Agriculture website (<https://ag.colorado.gov/birds-raptors>), a falconer must request a Colorado Parks and Wildlife (COPW) raptor import permit and provide a Certificate of Veterinary Inspection (CVI) with an import permit number provided by the State Veterinarian office. This procedure is more demanding than in most other states.

I personally don't understand what the Colorado Parks and Wildlife raptor importation permit requirement accomplish and suggest removing the need for this permit. What does the CPW gains by having falconers request this raptor importation permit? Especially for falconers coming to hunt in CO for a few days. If the raptor is imported permanently to CO, the CPW will be informed as it will receive a 3-186 form indicating the acquisition a bird by the falconer. It seems the effort needed from the CPW to issue these import permits does not lead to any significant benefits. Many other nearby states like NM, AZ, ID, and WY for examples do not require such permits.

It is standard procedure in almost all states to provide a certificate of Veterinary Inspection to import animals. I understand the desire from the state veterinarian at the Colorado Department of Agriculture to know what animals are coming in and out of the state when the imported animal species can carry diseases that can have a significant impact on other animals, especially agricultural animals. If the animal cannot carry any significant diseases, what is the point of a CVI? Enforcement of the CVI requirement is not uniform for practical reasons. Most people coming to CO do not have a CVI for their dogs or cats and this requirement is not enforced. It is not enforced because domestic dogs or cats do not carry diseases significant to agricultural animals or humans often. We know that raptors do not carry diseases of importance to poultry. When raptors are infected with the two most important disease of poultry, i.e. avian influenza and virulent Newcastle disease, raptors die within a few days and are not significant in spreading these diseases. This is well known and accepted by USDA-APHIS, and raptors can be used as sentinels for influenza or Newcastle disease introduction as they die so readily when infected. Personally, I think CVI are ineffective in raptors and pet birds as most birds do not display clinical signs until very late into the disease process and more than 90% of veterinarians are not trained and have no experience in examining birds. Therefore, a bird carrying a disease would be almost certainly missed by most veterinarians. My experience is that veterinarians distantly look at the raptors or place a stethoscope on their chest for a few seconds and then sign the CVI. I realize that it is very unlikely that the Colorado State Veterinarian Office will create an exception for raptors and will continue to require a CVI. Therefore, I would like to propose to simplify this procedure and either not require an importation permit number or make the procedure to obtain the number easier. Right now, the importation permit number cannot be obtained using the Online Permitting System like for other species. This delays the procedure significantly and does



not allows for last minute decision to go hunt in CO. Obtention of the importation number through the online permitting system or a phone call to the office would already be very helpful.

Personally, I avoid coming to Colorado because of the procedure. When I travel to the Midwest, I travel through WY where no CVI or import permit is required for raptors. A few years ago, I asked an employee of the Colorado Parks and Wildlife if I needed to have an CPW import permit, and CVI with an import number if I was just crossing Colorado going to another state. I was thinking that I may have one day to change my itinerary at the last minute and cross through CO if the highway through WY was closed due to a winter storm. I was told: “no permits are required if you stay on the interstate highway and do not stop but if you stop at a rest stop, then yes you need them”. I suspect and hope that employee was incorrect.

To conclude, my suggestion is to align the importation procedure in CO to the one present in most other states. If an importation number is required, then make obtention of the importation number through the online permitting system, or a phone call available to speed up and simplify the procedure. This should allow the state of Colorado to know how many raptors used for falconry enter the state but will reduce bureaucracy for the employees at the state veterinarian office, Colorado Parks and Wildlife, and the falconer.

Sincerely,

Arnaud Van Wettere

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# 4 Billion Birds Will Fly Through American Airspace This Fall

By Carley Eschliman

September 17, 2018

## 4 Comments

Cornell Lab of Ornithology researchers used weather-radar data to count the numbers of birds crossing the northern and southern borders of the United States in fall and spring. [View larger image](#). *Source: AM Dokter et al. (2018).*

*Graphic by Jillian Ditner.*

*From the Autumn 2018 issue of Living Bird magazine. [Subscribe now](#).*

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Fall migration will bring 4 billion birds into the skies over the United States. That's not a guess—it's hard data, gleaned from the first-ever national bird count using weather radar.

Cornell Lab of Ornithology scientists picked through data from 143 weather radar stations from 2013 to 2017 to provide the first large-scale counts of migratory bird activity across the United States. Their research, [published today in the journal \*Nature Ecology & Evolution\*](#), provides a peek into how many migratory birds use American airspace.

An average of 4 billion birds passed from Canada across the northern border of the U.S. in autumn, with 2.6 billion birds returning across the Canada–U.S. border in spring. Activity across the southern border was on an even grander scale: an average of 4.7 billion birds left the U.S. for Mexico and other points south each autumn, with 3.5 billion birds heading north across the U.S. southern border each spring.

Radar ornithology is an emerging field that extracts avian activity from weather-radar data to track birds' nocturnal movements. Researchers in this field employ the power of cloud computing and use algorithms to identify bird activity among meteorological phenomena, such as thunderstorms and drizzle. Scientists can then estimate flight altitude, speed, direction, and number of birds per unit of airspace using a wide assortment of radar tools along with existing knowledge of flight behavior, such as how close together migrant birds fly.

Wood Thrush populations are down 60 percent since 1970. *Photo by [Andrew Spencer/Macaulay Library](#).*

The numbers from this study provide a measure of year-to-year bird survival. By comparing the number of birds moving back and forth each autumn and spring, researchers were able to determine an average annual return rate. For birds crossing the U.S. northern border—which includes many short-distance migrants such as sparrows, Snow Buntings, and Dark-eyed Juncos that fly from Canada to spend winter in the Lower 48 states—the average rate of return was 64 percent. But for birds crossing the U.S. southern border—which includes more of the

long-distance migrants such as warblers, tanagers, and orioles that travel to Central and South America, three to four times farther than the short-distance migrants—the average rate of return was 76 percent.

“That was probably the most interesting finding,” said Benjamin Zuckerberg, an associate professor at the University of Wisconsin–Madison who studies the impacts of modern climate change on bird populations, and who was not involved with this research. “That you potentially have higher survival in Central and South America for these Neotropical migrants than you do for these short-distance migrants, that’s an interesting finding for many groups of ornithologists and conservationists. We find that kind of surprising.”

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One explanation for the higher mortality among birds that overwinter in the U.S. may be a higher number of hazards. “All birds need to stay safe from predators, find enough food, and not get hit by a car,” says Ken Rosenberg, research coauthor and conservation scientist at the Cornell Lab. “Birds wintering in the U.S. may have more habitat disturbances and more buildings to crash into, and they might not be adapted for that.” Another reason for the disparity in return rates between migrant birds may be breeding strategy. Short-distance migratory birds appear to follow a strategy of high recruitment—that is, they have high reproduction rates that generate many offspring, so the populations can offset mortality rates. The long-distance migrant birds, on the other hand, follow a strategy of high survivorship. Their populations depend on adult birds living through the winter and returning to reproduce the following spring, even if that means expending large amounts of time and energy to travel thousands of miles to favorable wintering grounds.

Ironically, this high-survivorship strategy may provide a clue as to why so many populations of long-distance migratory songbirds are declining. Tropical deforestation has continued in Central and South America in recent decades, according to the [2016 State of the World’s Forests](#) report. Accordingly, populations of birds that overwinter in the Western Hemisphere tropics have declined dramatically, such as Wood Thrush (down 60 percent since 1970) and Canada Warbler (down 62 percent since 1970).

## Reference

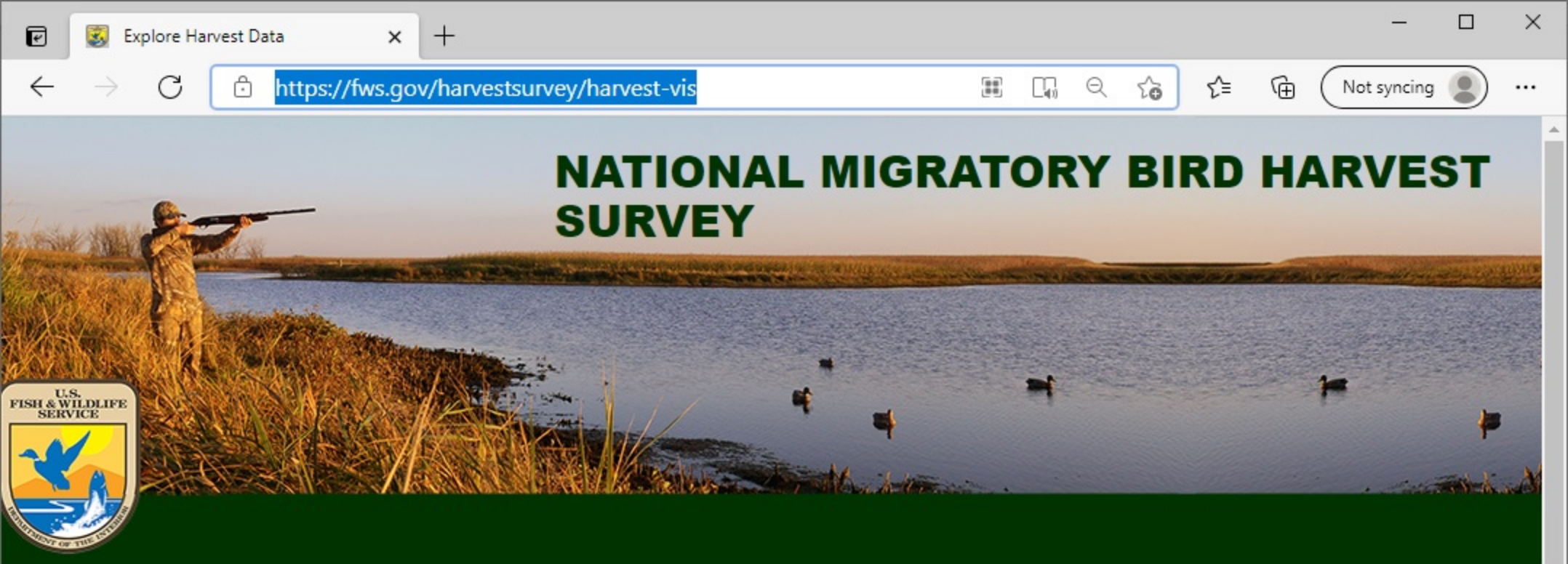
A. M. Dokter, A. Farnsworth, D. Fink, V. Ruiz-Gutierrez, W. M. Hochachka, F. A. La Sorte, O. J. Robinson, K. V. Rosenberg, and S. Kelling. 2018. [Seasonal abundance and survival of North America’s migratory avifauna determined by weather radar](#). *Nature Ecology & Evolution*. DOI: 10.1038/s41559-018-0666-4.

“Longer-distance migrants seem to be gambling on having high survival in the tropics. They might be more sensitive to what happens to their wintering grounds,” noted Adriaan Dokter, an Edward W. Rose postdoctoral fellow at the Cornell Lab and lead author on the research. For the University of Wisconsin’s Zuckerberg, this study opens new doors to bird conservation—on their wintering and breeding grounds, and their travels in between.

“We are entering a new age of big-data ornithology,” says Zuckerberg. “We can take data sets, either collected through citizen science, weather surveillance, or other novel ways of capturing information on bird populations and explore historical questions and think about them in a new


light.”

*Carley Eschliman's work on this story was made possible by the Cornell Lab of Ornithology Science Communication Fund, thanks to Jay Branegan (Cornell '72) and Stefania Pittaluga.*



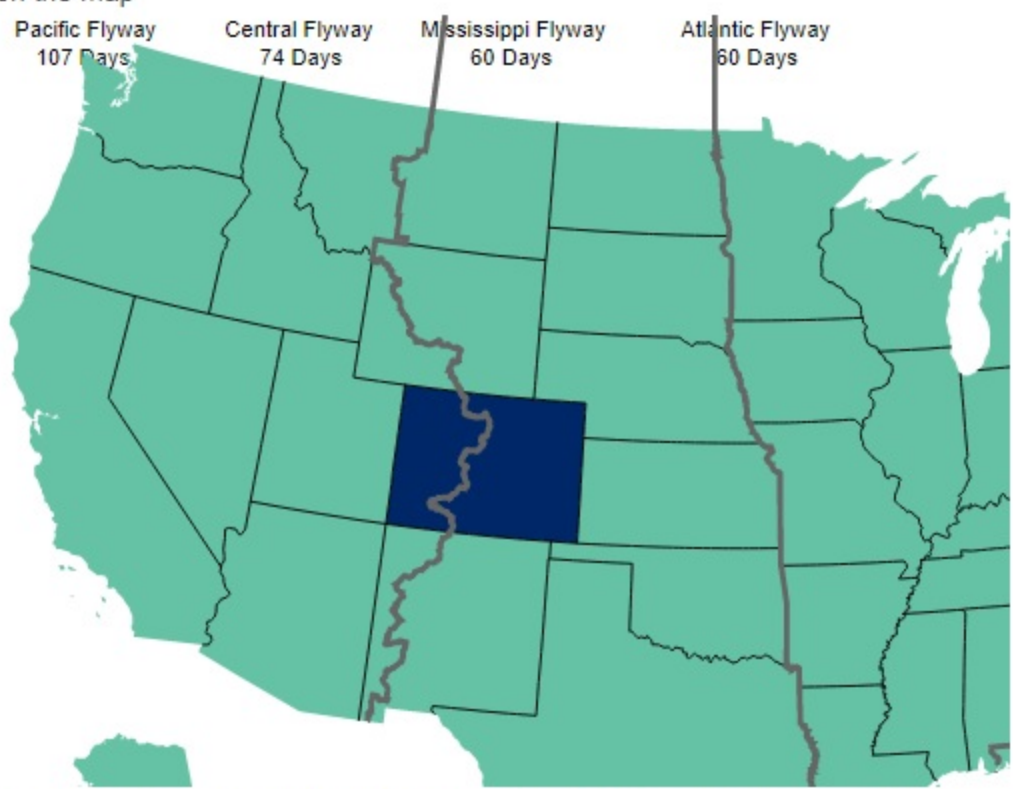
# NATIONAL MIGRATORY BIRD HARVEST SURVEY

## What do we learn from harvest surveys?

Hunters provide information that helps set annual hunting regulations, ensuring both the best possible opportunities for hunting and healthy waterfowl populations. The **Harvest Survey** tells us how many people hunted in each state, how many days, when and in what county they hunted, and how many birds were harvested. Someone registering for the **Harvest Information Program (HIP)** might wonder: **"I get asked questions about my hunting when I register, is that all there is to the survey?" No!**  The Harvest Survey has been conducted for over 50 years, including years with short hunting seasons, years with long hunting seasons, various daily bag limits, and a range of season dates.

## State waterfowl hunting by the numbers (10-year average)

Select a state on the map




**Colorado has**  
11,700 duck hunters  
13,800 goose hunters

**Colorado ranks**  
33<sup>rd</sup> in duck harvest  
15<sup>th</sup> in goose harvest

The average hunter harvests  
9 ducks in 6 days afield  
7 geese in 6 days afield

Top harvested ducks  
Mallard  
Gadwall  
Green-Winged Teal

We use the Harvest Survey to estimate harvest and hunting effort. For example, we multiply the average number of ducks shot, as reported on the Harvest Survey, by the number of duck hunters to estimate the number of ducks shot in each state. **How do we know the number of waterfowl hunters in a state?** 

Harvest Survey participants tell us the days they hunted and how many birds they harvested each day. This information allows state wildlife agencies to choose the hunting dates that will provide the best hunting, because a state agency can look at the number of birds shot on each date for the past, say, 10 years, to figure out when the most birds are harvested in their state, and set their season to cover those dates.

Excerpted from:

## **USFWS Report: U.S. Duck Hunter Numbers, Duck Harvest Decreased in 2019-2020**

<https://deltawaterfowl.org/usfws-report-u-s-duck-hunter-numbers-duck-harvest-decreased-in-2019-2020/>

In the Central Flyway, 212,800 active waterfowlers harvested 2.11 million ducks and 747,500 geese. With 77,100 active waterfowlers, Texas accounted for nearly one third of the flyway's hunters. Not surprisingly, Lone Star state hunters also had the flyway's largest duck harvest, totaling 787,800 birds — including 153,713 blue-winged/cinnamon teal. North Dakota's duck harvest of 406,900 was the second highest tally in the Central Flyway last season.

Out West, 160,100 Pacific Flyway waterfowlers bagged 2.14 million ducks and 469,800 geese. California had more active waterfowlers (49,000) who harvested more ducks (962,200) than any western state. Additionally, the average California waterfowler shot 21.1 ducks last season — the highest total in the nation. Green-winged teal were the most commonly bagged ducks in California, with a harvest of 288,875. The harvests of mallards (147,680) and wigeon (142,026) also added weight to hunters' straps.

Date: May 20, 2021

To: Colorado Game and Fish Commission

From: Patrick T. Redig DVM, PhD

I have been asked to provide comment and testimony on the issuance of Certificates of Veterinary Health Inspection for raptors

This following overview of disease concerns in raptors used in falconry is prepared in the context of their short term residence in the state of Colorado for the purposes of pursuing wild game (i.e. falconry). Such transport into the state currently requires a Raptor Import Permit and a Certificate of Veterinary Inspection (CVI) issued within 30 days of the time of transport. This summary provides an analysis of the need and utility of the CVI for the ostensible intent of preventing the introduction of infectious disease that could negatively impact the state's poultry industry.

### **Analysis of Disease Potential**

Two viral infections have the most potential for problems and are the target of regulatory concern. However, it is important to note, that raptors are so-called dead end hosts for all such viral infections. That is, when/if infected they develop acute disease resulting in death and typically display low levels of circulating virus in their blood (viremia) that limits any transmission.

The most important diseases of concern are highly pathogenic Newcastle Disease and Avian Influenza. The former has occurred on sporadic occasions in a limited range in Southern California over the last 3 decades and each time has been eradicated by the USDA. It is not a factor for consideration with regard to the present situation. Outbreaks of high pathogenicity avian influenza (HPAI) have occurred in the U.S. in 2005 and again in 2014-2015, severely impacting the poultry industry and wild waterfowl. While several raptor deaths were recorded during these outbreaks, they were spillover events resulting from exposure to infected waterfowl; at no time were raptors part of the ongoing spread or transmission cycle of the virus. When such events occur, the USDA authority supersedes any other extant regulation and all movement of avian species in the affected area stops anyway. As with Newcastle, there is no role played by raptors

in the introduction, spread, or maintenance of the viral cycle. Presently, there is no HPAI anywhere in the U.S.

Other diseases known to affect raptors include a herpesvirus infection and the parasite that causes trichomoniasis, both obtained from consumption of pigeons and both dead end, non-transmissible entities. West Nile virus and pox infections are both insect transmitted diseases. The former causes an acute, severe and generally fatal disease in susceptible raptors and does not transmit from bird to bird. Pox infections are rare and transmitted by biting insects such as mites, midges, flies and mosquitoes which are typically not present during the hunting seasons, hence transmission potential is largely eliminated. Bacterial diseases such as *Pasteurella multocida* (fowl cholera) are known to occur in raptors only when they have consumed contaminated prey such as waterfowl and again does not transmit from raptor to raptor. Surveys for rabies antibodies in raptors have shown uniformly negative results and there are no reported infections of rabies in raptors.

### **Management considerations of raptors with regard to disease introduction**

The very nature of falconry demands that raptors be in a very high state of health and condition in order to hunt effectively – a falconer is not going to bring a sick bird into the state to go hunting. Beyond that, unlike parrots that may be transported for show or sale purposes where they are housed in large numbers in close proximity, raptors are solitary predatory creatures and close association invites attack and injury, so they are maintained in strict separation. Additionally, they have their separate food supplies and water. Therefore the effective modes of disease transmission (aerosol, fecal-oral contamination) are blocked.

### **Personal Testimony**

Over my 45 years as a falconer and a veterinarian specializing in birds of prey, both wild and those held in captivity for breeding, education, research and falconry, I attended and participated in numerous falconry meets throughout the country and I handled or supervised the care of over 25,000 individual raptors; at no time did I encounter either avian influenza or Newcastle disease, the two diseases of concern for regulation. I have also issued a large number of CVI's and I can tell you that the cursory examination given to birds cannot determine with certainty that they are free of any given disease and the specialized testing required to make such determination (e.g. antibody analysis on a blood sample, or culture of



the throat or cloaca) is not done (or required) as part of the process. So, all in all, the CVI is asking veterinarians to certify birds to be free of diseases which are not readily detectable in an otherwise fit and conditioned bird, occur with extremely low frequency in raptors, and are not transmitted beyond the individual raptor even if they are present. For short-term residency considerations, it can be argued that the CVI does not serve the intended purposes.

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### **Supporting Literature:**

Morishita, TY, Aye, PP, and Brooks, DL. A Survey of diseases of raptorial birds. *Journal of Avian Medicine and Surgery* 11(2);77-92. 1977. Summary: A review of diseases and pathogens recovered from 2,975 raptors undergoing rehabilitation revealed the expected complement of bacterial organisms in carnivorous birds, there were no encounters with Newcastle disease of Avian Influenza.

Riemann H, Behymer D, Fowler M, Ley D, Schultz T, Ruppner R and King J. Serological investigation of captive and free living raptors *JRR* 11(4): 104 - 111; 1977. Summary: 70 birds were tested serologically – none were positive for Newcastle, adenovirus or reovirus; one red-tailed hawk positive for infectious bursal disease. 30% were positive for *C. burnettii*, 8% positive for *Toxoplasma gondii*. None of the birds expressed illness – seropositivity was related to exposure from the wild prey they were eating (rodents) – antibodies can persist long after exposure and titers in all cases were low and did not indicate recent or present infection

Shannon LM, Poulton JL, Emmons RW, Woodie JD, and Fowler ME,. Serological survey for rabies antibodies in raptors from California.: *Journal of Wildlife Diseases* 24(2): 264-267, 1988. Summary: Fifty-three newly admitted birds of prey were tested serologically for neutralizing antibodies against rabies virus, using a fluorescent focus inhibition test. No significant antibody titers were detected with this sensitive and specific technique in any of these birds. This study

supports the contention that free-ranging birds of prey are of limited importance in the epidemiology of rabies.</abstract>

## **Arizona**

### **R12-4-422. Sport Falconry License      Section J**

A falconer licensed in another state shall:

- a. Comply with all applicable state and federal falconry regulations,
- b. Possess only those raptors authorized under the out-of-state sport falconry license, and
- c. Provide a health certificate for each raptor possessed under the out-of-state sport falconry license when the raptor is present in this state for more than 30 consecutive days. The health certificate may be issued after the date of the interstate importation, but shall have been issued no more than 30 consecutive days prior to the interstate importation.

## **Illinois**

### **Section 1590.50 Permit and License Requirements**

2) Non-Residents – A non-resident falconer who possesses a falconry permit issued by another state may transport and possess legally possessed raptors in Illinois for falconry purposes on a temporary basis not to exceed 30 days. Written authorization from the Department is required in advance if any raptor is to be brought into Illinois for more than 30 days. While in Illinois, all non-residents shall comply with all applicable provisions of this Part and obtain the appropriate hunting licenses, stamps and/or permits required under Illinois law.

## **New Mexico**

### **19.35.8.13      IMPORTATION, TRANSPORT AND TEMPORARY HOLDING:**

D.      Transportation of raptors:

(3) A nonresident falconer does not need an importation permit to bring a falconry raptor(s) into

New Mexico for hunting or attending a falconry meet as provided in Chapter 17-3-32.1 NMSA

1978 Compilation.

## **Nebraska**

Title 163 - Nebraska Game and Parks Commission  
Chapter 4 - Wildlife Regulations  
009 Falconry

009.05M1 Non-residents have thirty (30) days to submit their Nebraska raptor permit application once residency is established in Nebraska.

009.05Y for any person to possess and hunt with a raptor without possessing a copy of their Nebraska falconry permit or a valid falconry permit from another state or country.

## **Kansas**

**115-14-11. Falconry; general provisions.** (a) Each falconer hunting or trapping raptors in Kansas shall possess any current hunting license, unless exempt pursuant to K.S.A. 32-919 and amendments thereto, and any other state or federal stamp, permit, certificate, or other issuance that may be required for hunting the species that the falconer is hunting. In addition, each nonresident falconer shall possess a current nonresident hunting license while participating in a falconry field trial or a department-approved special event.

## **Idaho**

**Temporary Visitors to Idaho Possessing or Importing Raptors:**  
Falconers possessing valid falconry licenses/permits issued in other states, territories or countries may lawfully import and/or possess raptors on a temporary basis for up to 30 days without having to purchase any additional form of Idaho permit, with one exception. Falconers importing raptors from another country must first obtain an Idaho Wildlife Import Permit by making application to:

## **Texas**

Sec. 49.010. HUNTING. (a) A resident possessing a falconry permit and a hunting license may hunt by means of falconry.

(b) A nonresident may hunt by means of falconry if the nonresident possesses on the nonresident's person

(1) a federal falconry permit;

(2) a falconry permit issued in the person's state of residence; and

(3) a nonresident hunting license and any applicable stamps.

(c) A person may hunt a bird or animal by means of falconry only during an open season provided for that bird or animal.

## **Wisconsin**

### **NR 18.03 Permit and license requirements.**

**(1)** No person may take, possess, transport, import, export, sell, purchase, barter, offer for sale,

or purchase any migratory raptor species, or the parts, nests, or eggs of raptor species, for falconry purposes or to practice falconry in Wisconsin unless a valid falconry permit has been issued pursuant to this chapter or issued by another state or tribe provided that the state or tribe is listed in the federal regulations as a state or tribe meeting federal falconry standards. Tribal permits are only valid when issued to the tribe's own members. Falconers hunting on state property need to follow state property rules, and it is the falconer's responsibility to be aware of the state property rules before commencing falconry activities.

**(2)** Nonresident falconers shall obtain a trapping permit to take raptors in Wisconsin under s. [NR 18.12 \(2\)](#) and shall obtain a valid small game or general hunting license to practice falconry in Wisconsin.

## **NR 18.14 Transportation.**

**(1)** Temporary holding. A raptor may be transported or held in temporary facilities for a period not to exceed 120 days. Such facilities shall provide an adequate perch and protection from extreme temperatures and excessive disturbance.

**(2)** Out-of-state use. A resident permittee may transport raptors possessed as authorized under this chapter to another state for meets, trials, hunting, and other falconry activities provided the permittee obtains all permits or licenses required by the other state.

**(3)** In-state use. Except for species listed in s. [NR 27.03](#), nonresidents may possess and transport raptors authorized by permit by their state of residency into Wisconsin without additional license.

**History:** Cr. [Register, December, 1977, No. 264](#), eff. 1-1-78; r. and recr. [Register, August, 1979, No. 284](#), eff. 9-1-79; cr. (3), [Register, August, 1982, No. 320](#), eff. 9-1-82; am. (2) and (3), [Register, December, 1997, No. 504](#), eff. 12-1-98; [CR 13-005](#): am. (1), (2) [Register July 2013 No. 691](#), eff. 8-1-13.

## **Wyoming**

(b) Falconry Permit Conditions.

(i) A Wyoming falconry permit or a falconry permit from another state, tribe, or territory meeting federal falconry standards shall be required before any person may take, transport, receive or possess any raptor for falconry purposes or practice falconry in Wyoming.

(vi) A falconer permitted in another state or jurisdiction who moves to Wyoming with raptors in possession shall notify the Department within thirty (30) days.