

6238.1500 FLYING AND INTENTIONAL RELEASE OF RAPTORS.

Subpart 1. **Flying raptors.** Permits under this chapter do not authorize trespass. All applicable state and federal trespass regulations must be followed. Further restrictions on the practice of hunting by falconry are provided under part 6234.0800 and in federal regulations. All applicable state and federal game and fish laws, licenses, permits, and stamps apply for taking game.

Subp. 2. **Flying hybrid raptors or raptors not native to Minnesota.** When flown free, a hybrid raptor or a raptor that is not native to Minnesota must have at least two functioning radio transmitters attached to assist in locating the raptor. A raptor listed as an unregulated species under part 6216.0270 is exempt from this subpart. A raptor designated as appropriate for introduction according to the process under part 6216.0290 for the review of proposed introductions of unlisted nonnative species is exempt from this subpart.

Subp. 3. **Intentional release of raptors.** A person must not permanently release a hybrid raptor into the wild. A person must not permanently release a raptor that is not native to Minnesota into the wild. A person releasing a raptor into the wild:

A. must obtain permission from the commissioner to release a captive-bred raptor species that is native to Minnesota;

B. may hack the raptor and allow it to adjust to the wild, at an appropriate time of year and an appropriate location, according to federal regulations;

C. must make a reasonable determination that a raptor held in captivity for an extended period of time can capture and consume native prey prior to release into the wild;

D. must release the raptor only at an appropriate time of year and an appropriate location for the species to be released;

E. must remove falconry bands before release and surrender the bands to the commissioner, but propagation bands must be left in place; and

F. must report release of the raptor within ten days as provided under part 6238.1650, subpart 1.

Statutory Authority: *MS s 97A.401; 97B.105*

History: *38 SR 299*

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