

WAC 220-420-170 Take of nestling at nest site. (1) It is unlawful to remove an immature raptor from a nest unless one or more live nestling raptors remain in the nest.

(2) A person other than a permitted falconer may climb to a raptor nest and remove a nestling for the falconer, but only with the falconer present at the nest site.

(3) The falconer taking a raptor must be present at the capture site. The falconer is considered the person who removes the raptor from the wild even if a proxy climber, or other person, captures the raptor for the falconer. The falconer is responsible for reporting take of the raptor from the wild.

(4) If a falconer is not at the immediate location where a raptor is taken from the wild for him/her, the person who removes the raptor from the wild must be a general or master falconer, and must report take of the raptor. If that person then transfers the raptor to another falconer, the originating falconer must report the transaction no later than ten days after the take of the raptor. The raptor will count as one of the two wild raptors that the falconer is allowed to capture in any year. The raptor will not count as a raptor taken from the wild by the recipient. The falconer who takes the raptor from the wild must report the take even if he/she promptly transfers it to another falconer.

(5) If a falconer has a long-term or permanent physical impairment or disability that prevents him/her from attending the capture of a raptor, a general or master falconer may capture a raptor for that falconer. The disabled falconer is responsible for reporting take of the raptor from the wild, and the raptor will count against the take of wild raptors he/she is allowed to take in any year. It will not count against the annual wild take for the falconer who captured the raptor for the disabled falconer.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-420-170, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.210, and C.F.R. Title 50, Part 21, Subpart C, Section 21.29; Migratory Bird Treaty Act. WSR 10-18-012 (Order 10-214), § 232-30-222, filed 8/20/10, effective 9/20/10.]