

WAC 220-420-180 Capture of marked raptors. (1) A raptor wearing falconry equipment or a captive-bred raptor may be captured at any time even if the falconer capturing it is not authorized to possess the species. The falconer must report the capture of a raptor wearing equipment or a captive-bred raptor that is not his/her own to the department no more than five working days after the capture.

(2) The recaptured falconry raptor must be returned to the person who lost it if that person is authorized to possess it. If that person cannot possess the raptor or does not wish to possess it, it may be kept by the falconer who captured it without it counting as a wild take, but he/she must be authorized to possess it.

(3) Disposition of a raptor whose legal possession cannot be determined will be at the discretion of the department. While the falconer who captured the raptor holds it for return to the person who lost it, the raptor will not count against his/her possession limit.

(4) With the exception of a banded peregrine falcon, a falconer may take any raptor authorized for his/her possession from the wild if the raptor is banded with a Federal Bird Banding Laboratory aluminum band.

(5) If a falconer captures a peregrine falcon with a research band, such as a colored band with alphanumeric codes, or a research marker attached to it, it must be immediately released. If the falcon has a transmitter attached to it, the capturing falconer is authorized to possess the raptor up to thirty days to allow time to contact the researcher to determine if he/she wants to replace the transmitter or its batteries. If the researcher wants to do so, or to have the transmitter removed, the researcher or his or her designee may make the change or allow the capturing falconer to do so before the raptor is released. If the researcher does not want to keep the transmitter on the falcon, the raptor may be kept if it was captured in circumstances in which capture of wild peregrines is allowed.

(6) If a falconer captures any other species of raptor that has any band, research marker, or transmitter attached to it, the band numbers and all other relevant information must be promptly reported to the Federal Bird Banding Laboratory at 1-800-327-2263. If the raptor has a transmitter attached to it, the capturing falconer is authorized to possess the bird up to thirty days to allow time to contact the researcher to determine if he/she wants to replace the transmitter or its batteries. If the researcher wants to do so, or to have the transmitter removed, the researcher or his or her designee may make the change or allow the capturing falconer to do so before the raptor is released. If the researcher does not want to keep the transmitter on the raptor, the raptor may be kept if it was captured in circumstances in which capture of that species of wild raptor is allowed.

[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 § 220-420-180, 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), § 232-30-215, filed 8/20/10, effective 9/20/10.]