

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section §42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement for the below identified regulation, which was subject to a public hearing on May 6, 2020.

AGENCY: Department of Environmental Management

DIVISION: Fish and Wildlife

RULE IDENTIFIER: 250-RICR-60-00-7

RULE TITLE: RI Falconry Regulations for the Season

REASON FOR RULEMAKING: The purpose of this filing is to establish regulations for the practice of falconry in the State of Rhode Island.

TESTIMONY AND COMMENTS (for not adopting a proposed rule): There was one public comment received in regard to the Falconry Rules and Regulations in regard to extending the hunting season for the sport of falconry for small game only. The requestor has provided no pertinent information or justification to support such a request other than “for no other reason than it allows the birds to be ‘on the wing’ longer”. Under current regulations, there is no time of year restriction on flying, training, participating in field meets or educational programs of raptors in the falconer’s possession, allowing ample opportunities for the bird to be “on the wing”. Wild quarry cannot be taken except if done so during an open season for that species; however, regulations currently allow for the accidental take of game without penalty outside the open season provided that the falconer does not direct a bird to do so, or retain or possess the animal in question. This should not be construed as an opportunity to “extend” the existing season framework but does provide relief from penalty should a bird, while in the act of training or other activity, accidentally take quarry outside of an established season. Additionally, offering tailor-made seasons for certain user groups will likely encourage other users, with their own particular interests, to request similar accommodations.

CHANGES TO TEXT (between proposed and final rule): N/A.

REGULATORY ANALYSIS: N/A