

Appendix A. Summary of Public Comments Regarding the Environmental Document

The Department received emails and letters regarding California's falconry process and initial comments in the preparation of the Environmental Document. Comments were also received at the November 2010 scoping meeting. In addition, an online survey was made available from September 2010 to February 2011. Questions presented in the online survey are:

- Q1: Are you familiar with the Federal Falconry Regulations their intent?
Q2: Are you familiar with State of California Falconry Regulations and their intent?
Q3: Simply to illustrate where responses are coming from, would you please provide your zip code.
Q4: (Optional) If you would like to have your contact information included for the record, you may do so here:
Q5: Please state your opinion on the practice of falconry.
Q6: To what extent do you believe California's falconry regulations should be revisited or revised?
Q7: Do you believe the practice of falconry has a negative effect on wild falconry species?
Q8: Below is a list of the nine raptors that may be taken from the wild for use in falconry. Please indicate your opinion on whether take of this species should be allowed or not.
Q9: Based on your opinion from the previous question, can you state why you believe take of a particular species should or should not be allowed? If you have no opinion on a particular species, you may skip it and leave it blank.
Q10: Please note any additional comments that you may have that were not addressed in the above questions.

None of the comments received identified any new or unanticipated environmental consequences of the proposed project that would have an effect on the environment. A total of 64 individuals took the online survey. Seventy-eight percent (78%) who took the survey were familiar with both the federal and state falconry regulations; 19% were somewhat familiar; 3% were not familiar. Ninety-five percent (95%) were supportive of the practice of falconry, 2% were neutral, and 3% were opposed. Eighty-seven percent (87%) believed the states regulations should largely be tailored to the federal regulations; 11% believed state regulations should be stand alone; 2% had no opinion. Ninety-five percent (95%) believed the practice of falconry had no negative effect on wild raptor populations; 5% believed there was either a local or population-level effect. Figures 1 and 2 summarize the results of Q3 and Q8 of the online survey. The majority of survey respondents were from Southern California, but Northern California was also well represented.

Figure 1. Pie-chart Summary of Online Survey Q3 (location of responses)

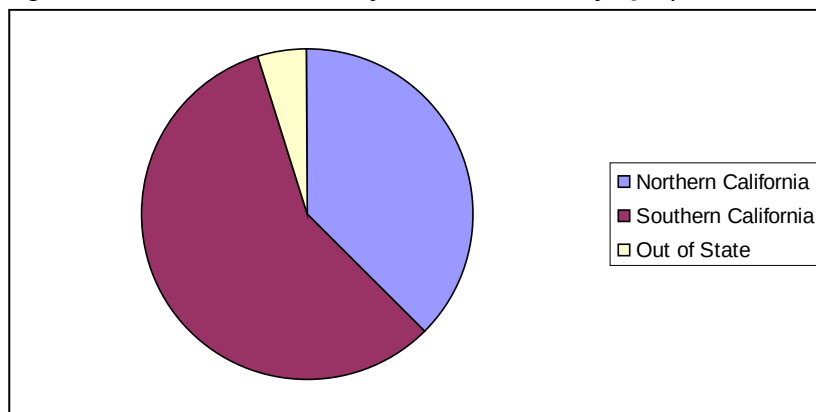
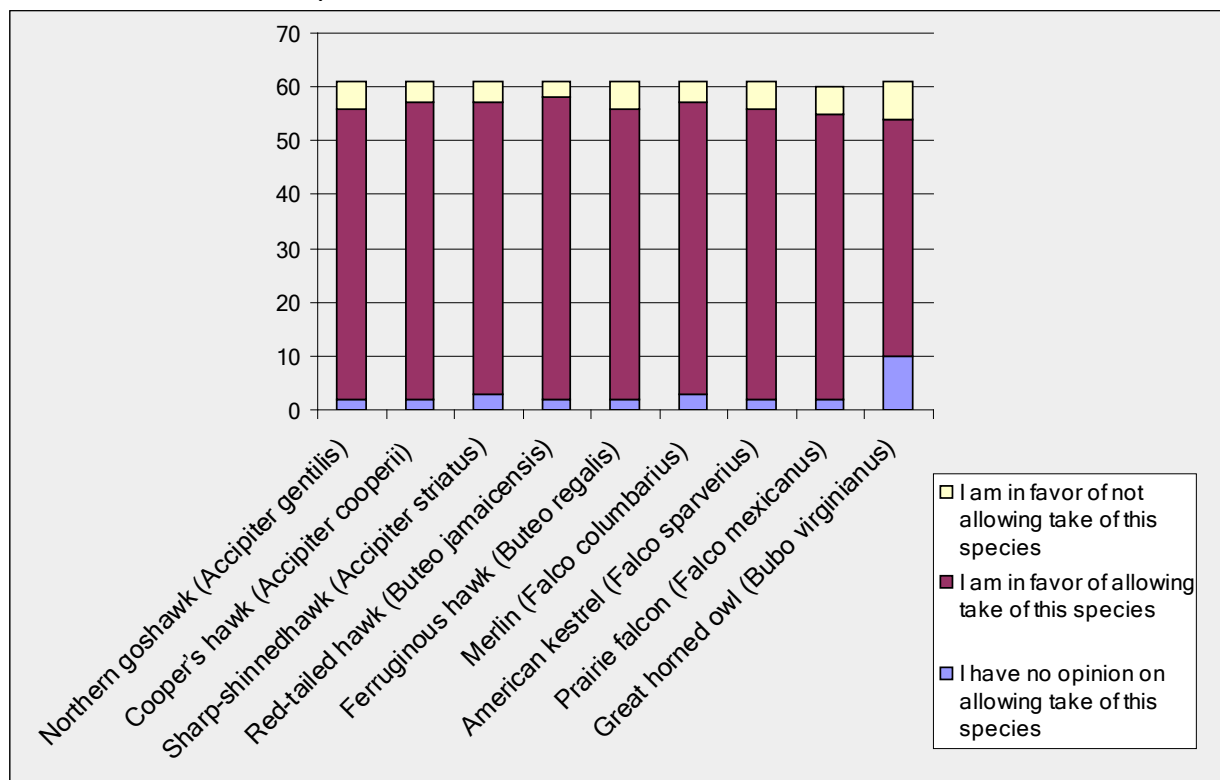


Figure 2. Bar-chart Summary of Online Survey Q8 (opinion on whether take of this species should be allowed or not)



Q9 of the survey allowed participants to comment on a specific species noted in Q8. A summary per species is outlined on Table 1. Table 2 summarizes general comments.

Table 1. Summary of Online Survey Q9 (opinion on whether take of this species should be allowed or not)

Species	Summary of Responses
Northern goshawk	Take should be allowed since falconry has no significant impact to wild raptor populations. California goshawk population is stable. Goshawk is a large excellent falconry hawk that can take large game. Goshawk is a very resilient species that adapts well in captivity. Goshawk is an outstanding hunting hawk, but can be aggressive if not manned down well. It doesn't do well in very hot conditions and should be housed in temperature controlled environment. Goshawk is an uncommon species. Escaped hybrids interbreed with wild birds and cause genetic pollution. Eggs and young are stolen from nests. Take increases chance of survival. Falconry will aid the preservation of this species due to captive population. The practice of falconry helps increase their healthy populations and may provide valuable information on population trends and other information.

	Goshawks are historically used in falconry. Consider areas permitted for taking, and the population density of the species before and after allowing take. Allow take if the data shows beneficial to the species. Take should be more closely monitored, and possibly areas of take mandated by species population studies/observations. Goshawks are locally rare and sensitive to disturbance at nest, and are poorly monitored in California. Current regulations prevent over harvesting.
Cooper's hawk	Take should be allowed since falconry has no significant impact to wild raptor populations. A mid-sized excellent falconry hawk used for hunter for a diverse field of game. Small numbers of birds are taken for falconry, therefore no effect on wild populations. Abundant raptor in California and populations are stable. Not a very good choice for an inexperienced falconer because they tend to be nervous and prone to aggressive behavior when handled improperly. Uncommon species. Requires exceptional skill to train. First-time trainers often kill these birds and then do not report the cause of death. Take increases chance of survival. Falconry will aid the preservation of this species due to captive population. The practice helps increase their healthy populations and may provide valuable information on population trends and other information. This species is unavailable as captive-bred. Fills a special niche in falconry allowing the take of game birds with a raptor other than a falcon. Consider areas permitted for taking, and the population density of the species before and after allowing taking. Allow take if the data shows beneficial to the species. Take should be more closely monitored, and possibly areas of take mandated by species population studies/observations. Current regulations prevent over harvesting.
Sharp-shinned hawk	Take should be allowed since falconry has no significant impact to wild raptor populations. A small very capable falconry hawk in the right hands Lower biomass and fewer numbers than the cooper's hawks in the Southwestern US. Abundant raptor in California and populations are stable. Uncommon species. Difficult to feed and prone to starvation. Difficult for falconers to reliably fly them for more than one season. They die easily. Take increases chance of survival.

	Falconry can aid the preservation of this species due to captive population. Species has good weather tolerance. This species is unavailable as captive-bred. Consider areas permitted for taking, and the population density of the species before and after allowing taking. Allow take If the data shows beneficial to the species. Take should be more closely monitored, and possibly areas of take mandated by species population studies/observations. Current regulations prevent over harvesting.
Red-tailed hawk	Take should be allowed since falconry has no significant impact to wild raptor populations. A large excellent falconry hawk. Good for beginners. A quick learner that can be used to take most any game. Common, abundant, easily tamed raptor. Falconry can control species population. Falconry can aid the preservation of this species due to captive population. This species is unavailable as captive-bred. Consider areas permitted for taking, and the population density of the species before and after allowing taking. Allow take If the data shows beneficial to the species. Take should be more closely monitored, and possibly areas of take mandated by species population studies/observations. Current regulations prevent over harvesting.
Ferruginous hawk	Take should be allowed since falconry has no significant impact to wild raptor populations. A large and robust falconry hawk that can be used to hunt large game. Excellent hawk for pursuing jackrabbits Should only be taken by General or Master falconer. This is a consistent and common winter visitor Abundant raptor in California and populations are stable. Uncommon species. Aggressive bird that has often assaulted people, causing damage. Falconry can aid the preservation of this species due to captive population. Not breeding plentifully in the state but large numbers of migrants travel through and winter in California. Small winter populations in California. Winter habitat needs is not understood, protected or managed. Population is not locally monitored. Highly sensitive to human activity. Consider areas permitted for taking, and the population density of the species before and after allowing taking. Allow take If the data shows beneficial to the

	species. Take should be more closely monitored, and possibly areas of take mandated by species population studies/observations. Current regulations prevent over harvesting.
Merlin	Take should be allowed since falconry has no significant impact to wild raptor populations. Very abundant migratory bird good for taking small quarry. This species should be allowed for apprentice because it is easier to care for. It does not take a large area (mews) to keep so it can be flown by falconers with limited space. Uncommon species. This bird is hard to feed. Falconry can aid the preservation of this species due to captive population. A good raptor for falconer who choose to fly falcon but may not have the area or access to game needed for the larger species. Consider areas permitted for taking, and the population density of the species before and after allowing taking. Allow take If the data shows beneficial to the species. Take should be more closely monitored, and possibly areas of take mandated by species population studies/observations. Current regulations prevent over harvesting.
American kestrel	Take should be allowed since falconry has no significant impact to wild raptor populations. A small capable falconry hawk. Good for beginners. Easily tamed. Common and abundant. Not suited as an Apprentice bird. Must have knowledgeable falconer to hunt successfully. Less than 5% of all apprentices who fly Kestrels actually take game with them. This bird becomes more of a "Pet" than a hunting bird. Unsuitable for falconry Hard to keep fed. Easy to kill through improper diet. The practice helps increase healthy populations and may provide valuable information on population trends and other information. Falconry can aid the preservation of this species due to captive population. Well suited for the falconer with limited space and access to larger prey. Consider areas permitted for taking, and the population density of the species before and after allowing taking. Allow take If the data shows beneficial to the species. Take should be more closely monitored, and possibly areas of take mandated by species population studies/observations. Current regulations prevent over harvesting.
Prairie falcon	Take should be allowed since falconry has no significant impact to wild raptor populations. Excellent falconry hawk in the right hands.

	Better suited for a falconer who is located in hotter dryer regions. More abundant than peregrines, it is a unique opportunity to keep a wild captured falcon. Common and abundant. Population in California is stable. Emotional falcon that is not consistent in behavior. Falconry can aid the preservation of this species due to captive population. The practice helps increase healthy populations and may provide valuable information on population trends and other information. Challenging to train. Small populations in California. Limited by rock nest sites. Highly sensitive to disturbance. Consider areas permitted for taking, and the population density of the species before and after allowing taking. Allow take if the data shows beneficial to the species. Take should be more closely monitored, and possibly areas of take mandated by species population studies/observations. Current regulations prevent over harvesting.
Great horned owl	Take should be allowed since falconry has no significant impact to wild raptor populations. Common and abundant. Not widely used as falconry bird. Because it is nocturnal it's very difficult to hunt with. This species is also hard to train. Can be flown successfully by skilled individuals. Unsuitable for falconry. Dangerous to bystanders. Falconry can aid the preservation of this species due to captive population. The practice helps increase healthy populations and may provide valuable information on population trends and other information. Current regulations prevent over harvesting.

Table 2. Summary of Online Survey Q10 (additional comments)

Summary of Responses
The federal regulations should be adopted fully.
The practice of falconry has a positive effect on wild raptor populations through the conservation efforts of falconers.
The USFWS EA concluded that falconry has little or no impact on wild raptor populations or game species.
Peregrine falcon numbers have increased to where they are no longer endangered. The state should allow for a limited take of peregrine falcons based on sound science.
Falconers remove a minimal amount of raptors annually from the wild. The survival rate for eyass and

passage raptors is improved when under the care of a falconer.
More than one Harris hawk is sometimes used to hunt game at one location. This should not be allowed.
The most cost effective strategy for the state and taxpayers is to adopt the federal regulations in their entirety.
The state should comprise a list of falconers willing to take apprentices.
The practice of falconry is a safe, respectful and historic form of hunting.
All species of raptors should be allowed for falconry.
Add a multi-year license to help lower the administrative impact on the department.
Falconers are masters at propaganda for their blood sport.
Falconry has greatly increased public awareness in birds of prey and has had many positive impacts on every species of bird of prey utilized in the sport. The sport/art of falconry will continue to improve our ecosystems, specifically with respect to birds of prey.
Falconry has many positive aspects, such as the ability of falconers to educate people (especially school children) to the birds of prey. Education is the first defense against a species becoming endangered.
Any animal not endangered or threatened should be allowed for take under current regulations.
Falconry is a safe way to control cottontail rabbits.
California falconers and California Hawking Club are active hunters and support management of wild populations and ecology for both raptors and prey species.
Red shouldered hawks should be included in the list of birds legal for take. They are common in its range. Impact to wild populations would be limited due to minimal interest of persons wanting this species.
Falconry has been recognized as a world heritage sport.
There is no need on the part of any human to kill animals of the wild.
Change the sponsor language/requirement for individuals in areas where the local clubs (generals/masters) are not excepting apprentices.
Captive bred birds must be taken into consideration when determining numbers and species available to falconers. Possession of certain species that are available through a breeder should have no bearing on wild populations.
California's regulations should largely follow suit with Federal regulations, however independent California population monitoring should be conducted on a regular basis if the harvest numbers are to have any meaning.

A summary of comments received at the scoping meeting for the Environmental Document are as follows:

- Overall concern that the regulatory process will not be completed in time to prevent falconry from being an illegal activity in CA
- Suggestion to utilize the USFWS regulatory documents for falconry
- Address the cumulative effects of renewable energy on raptor populations
- Address appropriateness of releasing rehab birds, such as golden eagles, to falconers

- Question as to if DFG was keeping falconry species the same as noted in current regulation
- Alternative to be addressed – take of non-game species vs. game species
- Address the impact of falconry on other wildlife species
- Comment that falconry birds often pursue prey, but do not capture prey
- CHC offered to put together survey to determine what game species and how many are taken by falconers
- Suggestion to increase the range of species hunted and eliminate seasons
- Consider conformance with MBTA (list of game and nongame species protected by Act)
- Suggestion to change reporting form to better address species taken and level of take
- Suggestion to include catch and release so uninjured wildlife can be let go
- Suggestion to increase the number of raptors held by falconers at any one time (e.g. possession of 5 raptors)
- Suggestion to broaden the species of raptors allowable for take
- Address the impact to individual birds, raptor populations, and targeted prey species
- Address the impact of removing wild birds on raptor populations
- Suggest making a distinction between how wild and captive birds are used in falconry

Table 3. Comments received via email or letter format.

Name	Affiliation	Comment Summary
Monica Engbreton	Born Free USA	Ask that the following issues be addressed in the Environmental Document: * Effects on wild population genetics * Effects of small vs. large nestling removal * Survivability of remaining nestlings * Species population changes and the effects of taking wild raptors from nest on populations * Effects of escaped hybrids * Effects on nongame species taken by falconers birds * Provisions to limit take of endangered species * Ability for law enforcement to enforce compliance and impacts of non-compliance * Welfare of bird kept in captivity * Species specific considerations Alternatives to be considered: * Prohibition of collection of wild birds for falconry * Prohibition on captive breeding for birds for falconry * Prohibition on the practice of falconry * Prohibition on the take of uncommon species, those not used to take games species, pose a risk of hybridization or other risk to wild birds, or those that raise welfare concerns. * Prohibition of take from nests of high wildlife viewing opportunity or are part of agency research efforts Nestling Collection: Question as to how reduction of nestlings to a single bird per nest affect the genetic strength of the wild population. Would like ED to examine the concept of taking "surplus" nestlings. Impacts on wild population of taking the oldest, youngest, most robust, weakest, or exercise random selection should be considered. DFG should conduct research into the survivability of nestlings affected by falconry. Hybridization: Expressed concerns with the effects of accidental release if hybrids into the wild. Unintentional Take: Expressed concerns about unintentional take of protected species by falconry birds. Asks that provisions to prevent this unintentional take be addressed in ED.

Name	Affiliation	Comment Summary
		Enforcement: Expressed concerns about the lack or uncertainty of enforcing regulations, including issues surrounding take at nests, facility inspections, identification of individual birds, potential for illegal trade. Concerned the cost of enforcement may exceed the amount collected in fees. Welfare of Birds: Expressed concerns regarding wild birds in captivity and the limitations imposed on natural behavior. Also expressed concerns about the birds being put in harms way, such as while hunting, and the “inhumane” treatment of birds while in captivity. Northern Goshawk: Due to high demand and rare in some areas, concern that nests are in danger of being over harvested. Sharp-shinned Hawk: Question as to what game this species could take since it is a small raptor that specializes in taking small birds. Also expressed concern that these raptors are rare breeding birds in CA. Red-tailed Hawk: Due to variations in color morphs and patterns in this species, expressed concern that non-CA birds would be introduced. Also expressed concern that this species is used for “practice” and therefore viewed as “disposable”. Ferruginous Hawk: Because this bird is a rare breeder in CA, concerns were expressed about taking migrant birds from another rare or endangered population. Merlin: Because this bird does not breed in CA, concerns were expressed about taking migrant birds from another rare or endangered population. Also questioned what game this species could take since it is a small raptor that specializes in taking small birds. American Kestrel: Question as to whether this species is in decline in CA. Also questioned what game this species could take since it is a small raptor that specializes in taking small birds, and expressed concern that this species is used for “practice” and therefore viewed as “disposable”. Prairie Falcon: Expressed concerns due to this species rarity in CA, as well as concerns about unintentional release of captive bred birds into the wild population. Great Horned Owl: Concerns that subspecies do not mix on account of released birds. Also expressed concerns that this bird is not well suited for falconry, but only sought due to its fierce nature.
Jennifer Brown	USFWS	Requests the ED address golden eagles released to falconers from rehab centers, and the age limit and species restrictions of Apprentice falconers.
Karl Kerster	CA Falconer	Requests that the federal falconry regulations be adopted in CA, with the following additions: * Falconers should not be prohibited from hunting prey species other than protected of SSC species, that are natural for that raptor to hunt. * Catch and release practices should be granted * Exotic, non-native and introduced species should be allowed for unlimited take * A licensed falconer should be able to take up to two raptors from the wild within a 12 month period, and these should become personal property up to total limit noted in federal regulations. * Consider making falconry license a stamp to affix to hunting license.

Name	Affiliation	Comment Summary
		* Consider selling lifetime falconry licenses
Mark Maxcy	CA Falconer	(first email) Requests that the federal falconry regulations be adopted in CA.
Mark Maxcy	CA Falconer	(second email) Forwarded the newsletter from The International Association for Falconry and Conservation of Wild Birds with article titled "UNESCO Recognizes Falconry"
Lour Fols	General Public	Question as to if it is legal to fly falconry birds over residential area with small dogs present.
Kate Marden	CA Falconer	Requests that the federal falconry regulations be adopted in CA.
Karen Daine	CA Falconer	Requests that the federal falconry regulations be adopted in CA.
Michael Noll	CA Falconer	(first email) Requests that the federal falconry regulations be adopted in CA.
Michael Noll	CA Falconer	(second email) Requests that the federal falconry regulations be adopted in CA.
Michael Clark	CA Falconer	Requests that the federal falconry regulations be adopted in CA.
Dewey Savell	CA Falconer	Requests that the federal falconry regulations be adopted in CA.
Toby Butterworth	CA Falconer	Expressed concerns about the ramifications if the January 1, 2014, deadline is missed. Requests that the federal falconry regulations be adopted in CA initially to meet deadline, and later readress the regulations as needed.
Andrea Ashbaugh	CA Falconer	Requests that the federal falconry regulations be adopted in CA.
Roger Garabedian	CA Falconer	(first email) Requests that the federal falconry regulations be adopted in CA.
Roger Garabedian	CA Falconer	(second email) Requests that the federal falconry regulations be adopted in CA.
Roger Garabedian	CA Falconer	(third email) Requests that the federal falconry regulations be adopted in CA.
Steven Watson	CA Falconer	(first email) Requests that the federal falconry regulations be adopted in CA. Expressed concern that DFG is not adequately addressing the falconry regulations and the ramifications if the January 1, 2014, deadline is missed.
Steve Watson	CA Falconer	(second email) Expressed concern that DFG is not adequately addressing the falconry regulations and the ramifications if the January 1, 2014, deadline is missed.
Steven Watson	CA Falconer	(third email) Expressed concern that DFG is not adequately addressing the falconry regulations and the ramifications if the January 1, 2014, deadline is missed.
Steven Watson	CA Falconer	(fourth email) Expressed concern that DFG is not adequately addressing the falconry regulations and the ramifications if the January 1, 2014, deadline is missed.
Steven Watson	CA Falconer	(letter) Requests that the federal falconry regulations be adopted in CA. Expressed concern that DFG is not adequately addressing the falconry regulations and the ramifications if the January 1, 2014, deadline is missed.
Trevor Jahangard	CA Falconer	Requests that the federal falconry regulations be adopted in CA. Expressed concern regarding the lack of a timeline for ED production and the ramifications if the January 1, 2014, deadline is missed.
Scott Timmons	CA Falconer	Expressed concern regarding the lack of a action from DFG and the ramifications if the January 1, 2014, deadline is missed.
Helga Thordarson	CA Falconer	Requests that the federal falconry regulations be adopted in CA. Expressed concern regarding the ramifications if the January 1, 2014, deadline is missed.
Jeremy Law		Simplify the licensing process and reduce fees. Provide a listing or online database of potential sponsors for new falconers.
Ryan English	CA Falconer	Requests that the federal falconry regulations be adopted in CA. Believes take of wild raptors for falconry has no significant impacts to wild populations. Requests that peregrine falcons be permitted of take. Believes falconers should not be subject to the same hunting restrictions that gun hunters are and should have no seasonal restrictions on duck or upland game hunting. Believes falconers should not be subject to search and seizure.
Ron Brown	CA Falconer	Requests that the federal falconry regulations be adopted in CA.
Joel Wernke	CA Falconer	(email) Requests that the federal falconry regulations be adopted in CA.
Joel Wernke	CA Falconer	(letter) Requests that the federal falconry regulations be adopted in CA.
Valerie Baldwin	CA Falconer	Requests that the federal falconry regulations be adopted in CA.
Cynthia Maxwell	CA Falconer	(first email) Requests that the federal falconry regulations be adopted in CA.
Doug Alton	CA Falconer	Requests that the federal falconry regulations be adopted in CA.

Name	Affiliation	Comment Summary
Anonymous	CA Falconer	Would like CA to consider adding the Red-shouldered hawk as a falconry species.
Bill S	General Public	Requests that the federal falconry regulations be adopted in CA.
Walter Imfeld	CA Falconer	Requests that the federal falconry regulations be adopted in CA.
Marten Benatar	CA Falconer	Requests that the federal falconry regulations be adopted in CA. Believes falconry causes no ecological impact to wild raptor populations.
William Swearingen	CA Falconer	Expressed concern regarding the ramifications if the January 1, 2014, deadline is missed.
Terence Tiernan	CA Falconer	Expressed concern regarding the lack of a action taken by DFG and the ramifications if the January 1, 2014, deadline is missed.
Mike Anselmo	CA Falconer	Expressed concern regarding the ramifications if the January 1, 2014, deadline is missed.
Marshall Rodelli	CA Falconer	Requests that the federal falconry regulations be adopted in CA. Expressed concern regarding the ramifications if the January 1, 2014, deadline is missed.
Steve Weir	General Public	Support the practice of falconry.
Mark Hennelly	CA Falconer	Questioned the need for the following language in the federal regulations: “(ii) An original, signed certification that you are particularly familiar with §10.13 of this subchapter, the list of migratory bird species to which the Migratory Bird Treaty Act applies; part 13 of this subchapter, general permit regulations; part 21 of this subchapter, migratory bird permits; and part 22 of this subchapter, eagle permits. The certification can be incorporated into tribal and State application forms, and must be worded as follows: I certify that I have read and am familiar with the regulations in title 50, part 13, of the Code of Federal Regulations and the other applicable parts in subchapter B of chapter I of title 50, and that the information I have submitted is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001. “