

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 520
SCIENTIFIC PERMITS

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AUTHORITY: Implementing and authorized by Sections 1-120, 1-135 and 20-100 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-135, 20-100] and Sections 1.2, 1.3, 2.1, 2.4, 3.22, and 3.26 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.1, 2.4, 3.22 and 3.26].

SOURCE: Adopted and codified at 7 Ill. Reg. 1236, effective January 26, 1983; amended at 12 Ill. Reg. 1815, effective December 31, 1987; amended at 14 Ill. Reg. 10811, effective June 20, 1990; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389.

Section 520.10 Purpose

The following rules and regulations have been established to govern the taking and/or possession of Illinois Fauna (protected under 515 ILCS 5/2-25 and 520 ILCS 5/2.2) for scientific purposes and the issuance of said permits for such activities.

Section 520.20 Requirements and Application

Any person who wishes to take or salvage Illinois fauna for scientific purposes must obtain and possess a valid scientific permit from the Department.

- a) To be eligible for a scientific permit for scientific research the applicant must be:
 - 1) 18 years of age, and
 - 2) Engaged in scientific research which may include, but not necessarily limited to, research sponsored by universities and/or colleges.
- b) To be eligible for a scientific permit for salvage and subsequent rehabilitation of

crippled fauna the applicant must be or have:

- 1) 15 years of age,
 - 2) A salvage permit the previous year or submit a reference statement from a licensed veterinarian, zoological curator, conservation police officer or a Department of Natural Resources Wildlife Resources, Natural Heritage, or Fisheries biologist as appropriate stating that the applicant has experience in treating and handling wild animals and has facilities available to treat, care for and produce self-dependent fauna for release to the wild, and
 - 3) Public or state scientific, educational or zoological institutions available which will take dead and/or permanently disabled fauna.
- c) Application for scientific permit shall be made on forms provided by the Department's Division of Wildlife Resources and may be obtained by submitting a request to the Division at Lincoln Tower Plaza, 524 South Second St., Springfield, Ill. 62706.
- d) Scientific permits will be issued by the Department provided the applicant has met the eligibility requirements as per this section and the application form has been completed and project description meets the criteria of 520.30.
- e) Final judgment of applications will be made by the Chief, Division of Wildlife Resources on Wildlife permits; by the Chief, Division of Fisheries on Fisheries permits; and by the Chief, Division of Natural Heritage on Heritage permits based on the criteria contained in Section 520.20(d).
- f) The taking of migratory or other species protected by Federal regulations must be approved by the U.S. Department of Interior after the Scientific Permit for Illinois is approved. The only exception to this is banding permits which will be issued only after issuance of a Federal permit. The taking of any endangered or threatened species must be done with concurrence of the Endangered Species Program Coordinator and, for taking of Federally listed species, the U.S. Department of the Interior.

(Source: Amended at 12 Ill. Reg. 1815, effective December 31, 1987)

Section 520.30 General Provisions

- a) Permanent employees of state or federal conservation agencies, universities or other

scientific institutions (such as government museums and laboratories) shall be issued a scientific permit valid for the term of their employment, as long as that person continues to submit, by January 31 of each year, an annual report of the past year's activities. Scientific permits for persons not employed by an above referenced organization will be issued on an annual basis and will expire on December 31.

- b) The scientific permit is valid for only the approved type of research and/or salvage stated on the permit. Under no circumstances shall a scientific permit be used in lieu of sport or commercial licenses.
- c) Permittee's method of taking fauna must be approved by the Department. Approved methods include but are not limited to, seines, electro-fishing, nets, hand, snap traps, live traps and foot-hold traps. All devices used for taking, which are left unattended, must have the permittee's name, address and scientific permit number visible on them.
- d) Taking and/or salvage of fauna shall be performed by or under the direct supervision of the permittee. Permittee must be present with person involved in actual taking of fauna.
- e) Taking and/or salvage of fauna is only allowed in areas designated on the permit.
- f) Taking and/or salvage of fauna on private properties requires oral or written landowner's permission. This permit does not allow the privilege of trespass.
- g) Taking and/or salvage of fauna on state owned or managed lands is not permitted without the prior approval of the Site Superintendent.
- h) The scientific permit must be carried on the person at all times when taking specimens and be presented, upon request, to Department personnel.
- i) Fauna taken and/or salvaged and rehabilitated must be released to the wild or permanently donated to a public or state scientific educational or zoological institution.
- j) Permittee is responsible for the taking activities and report of the individual issued the permit. Permittee must maintain a record of all specimens taken and shall present such record upon request to Department personnel.
- k) Permittee by January 31 of the next year shall submit an annual report to the Department of the past year's activities on forms provided by the Department, and mailed to address referred to in (Section 520.20 (c)). The permittee shall also

provide the Department (2) two copies of all written reports resulting from the permitted activities. Permits will be renewed only after copies of the annual report and all written reports have been received by the Department.

- l) A scientific permit does not release the permittee from other provisions of the Ill. Adm. Code nor from Federal or State Statutes and does not supersede Federal permits.
- m) Any person using rotenone or other toxic materials for taking of fauna must notify the Department prior to using such materials, and may need a variance from the Illinois Environmental Protection Agency.

(Source: Amended at 14 Ill. Reg. 10811, effective June 20, 1990)

Section 520.40 Renewal

Renewal of current permits, which require more than one year to complete the project, require the permittee to submit an annual report as prescribed in Section 520.30(j). Failure to provide these reports by March 31 will result in denial of subsequent renewal requests by the permittee.

Section 520.50 Revocation and Suspension of Permits - Hearings and Appeals

In accordance with Section 5.19 of the Fish Code and Section 3.36 of The Wildlife Code [515 ILCS 5/20-110 and 520 ILCS 5/3.23], failure to comply with the provisions of the scientific permit, Fish and Wildlife Codes of Illinois pertaining to scientific permits, and this Part or providing false information to obtain a scientific permit will result in suspension or revocation of the scientific permit. Suspension of the scientific permit will be for a period of not less than one year. The procedure by which suspensions and revocations are made, the rights of permittees to notice and hearing; and the procedures governing such hearings are set forth in 17 Ill. Adm. Code 2530.