

TITLE 17: CONSERVATION
CHAPTER I: 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 3.3].

SOURCE: Adopted and codified at 7 Ill. Reg. 1236, effective January 26, 1983; amended at 11 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; amended at 47 Ill. Reg. 12398, effective August 4, 2023.

Section 520.10 Purpose

The following rules and regulations have been established to govern the taking and/or possession of Illinois Fauna protected under Section 5-25 of the Fish and Aquatic Life Code [515 ILCS 5] and Section 2.2 of the Wildlife Code [520 ILCS 5] for scientific purposes and the issuance of said permits for such activities.

(Source: Amended at 47 Ill. Reg. 12398, effective August 4, 2023)

Section 520.20 Requirements and Application

Any person who wishes to take, rehabilitate or salvage Illinois fauna for scientific or educational purposes must obtain and possess a valid scientific permit from the Department of Natural Resources (Department).

- a) To be eligible for a scientific permit for scientific study the applicant must be:
 - 1) 18 years of age; and

- 2) Engaged in scientific study which may include, but is not limited to, research for species conservation and education, and data collection by organized citizen groups. Organized citizen groups are defined as members of the general public who collect and analyze data relating to the natural world as part of a collaborative project with professional scientists.
- b) To be eligible for a scientific permit for rehabilitation of fauna the applicant must:
 - 1) Be 18 years of age;
 - 2) Have experience in treating and handling wild animals and have facilities available to treat, care for and produce self-dependent fauna for release to the wild; and
 - 3) Have public or State scientific, educational or zoological institutions available which will take dead and/or permanently disabled fauna.
- c) Application for a scientific permit shall be made on forms provided by the Department. Applications can be found on the Department's website, www.dnr.illinois.gov.
- d) Scientific permits will be issued by the Department provided the applicant has met the eligibility requirements of this Section, the application form has been completed and the project description meets the criteria of Section 520.30.
- e) Final judgment of applications and applicability of formal agreements described in Section 520.30(a) 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 possession of Department scientific permit does not excuse the permittee from complying with federal regulations. Permittees may be required to obtain federal permits in order to take or band migratory birds or other species protected by the U.S. Department of Interior. Banding activities are considered to be any activity that involves affixing plastic, metal or other material to legs of birds.

(Source: Amended at 47 Ill. Reg. 12398, effective August 4, 2023)

Section 520.30 General Provisions

- a) Formal agreements between the Department and State or federal agencies, county or municipal conservation agencies, universities or other scientific institutions that

include annual reports, meet the eligibility criteria of Section 520.20 and meet the requirements of this Section will serve as scientific permits for employees designated by the agency, university or scientific institution. This includes agreements for Department sponsored scientific studies. Scientific permits under this Section will be valid for the term stated in the agreement. The agreement must state the term of the agreement and that the agreement is intended to serve as a scientific permit.

- b) Scientific permits not covered under subsection (a) will be issued on an annual basis and will expire on December 31.
- c) The scientific permit is valid for only the approved activities stated on the permit. Under no circumstances shall a scientific permit be used in lieu of sport or commercial licenses.
- d) Permittee's method of taking fauna must be approved by the Department. Approved methods include, but are not limited to, electro-fishing, nets, hand and traps. All devices used for taking which are left unattended must have the permittee's name, address and scientific permit number visible on them.
- 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) 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 within 120 days.
- h) At no point will a scientific permit be issued or allowed for the keeping of fauna as a pet or companion animal.
- i) Except as otherwise stated on the face of a permit, any person who is under the direct control of the permittee, or who is an agent of the permittee for the purposes authorized by the permit, may carry out the activity authorized by the permit.
- j) Permittee is responsible for ensuring compliance with the provisions of the permit and reporting on behalf of the permittee's agents engaged in the taking and/or salvage of fauna under the issued permit. Permittee must maintain a record of all specimens taken and shall present such record upon request to Department.
- k) No person shall transfer a permit issued pursuant to this Part to another person.

- l) Permits issued under this Part or valid copies thereof must be in the possession of the permittee or the permittee's agents when engaged in the taking and/or salvage of fauna and presented upon demand to any authorized officer or agent of the Department or any police officer of the State of Illinois or of any unit of local government within the State of Illinois.
- m) Permittees issued a permit under subsection (c) shall submit an annual report to the Department of the past year's activities on forms provided by the Department by January 30 of the next year. At a minimum, permittees will be required to report the number of individuals and species taken, live or salvaged, and disposition.
- n) Permittees shall also provide the Department a copy of all articles and scientific publications resulting from the permitted activities. Permits issued under subsection (c) will be renewed only after copies of the annual report and all related documents have been received by the Department.
- o) A scientific permit does not release the permittee from compliance with other provisions of the Illinois Administrative Code nor from federal or State law and does not supersede federal permits.

(Source: Amended at 47 Ill. Reg. 12398, effective August 4, 2023)

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 20-105 of the Fish and Aquatic Life Code [515 ILCS 5] and Section 3.36 of the Wildlife Code [520 ILCS 5], failure to comply with the provisions of the scientific permit, Fish and Aquatic Life Code and Wildlife Code 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.

(Source: Amended at 47 Ill. Reg. 12398, effective August 4, 2023)