

**NATURAL RESOURCE COMMISSION[571]**

**Adopted and Filed**

**Rulemaking related to endangered and threatened species**

The Natural Resource Commission (Commission) hereby rescinds Chapter 77, “Endangered and Threatened Plant and Animal Species,” Iowa Administrative Code, and adopts a new Chapter 77 with the same title.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code section 481B.3.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 481B and Executive Order 10.

*Purpose and Summary*

Chapter 77 implements Iowa Code chapter 481B. The chapter identifies plant and animal species that are protected due to being endangered or threatened in Iowa and provides for limited, regulated exceptions to those provisions.

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on January 7, 2026, as **ARC 9910C**. A public hearing was held on the following date(s):

- January 28, 2026
- February 4, 2026

Three individuals attended the January 28 hearing, and two individuals attended the February 4 hearing. All individuals who attended these hearings provided oral comments.

Additionally, 46 written comments were received. All public comments focused on the same topic. The commenters unanimously object to the removal of the “special concern animal species” and “special concern plant species” categories and lists from Chapter 77.

The Commission has considered these comments and decided to proceed with removing these categories from Chapter 77. The reasons for this decision are as follows:

1. “Special concern” is not a category created or authorized by Iowa Code chapter 481B, unlike the categories of “endangered” and “threatened.” Removing this language from the rules is consistent with the directives of Executive Order 10.
2. The “special concern” provisions have no legal effect. Listing a species as “special concern” provides no legal or regulatory protection for that species.
3. A “special concern” list will continue to be maintained on the Department of Natural Resources’ (Department’s) website and in the Iowa Wildlife Action Plan for purposes of public awareness and Department monitoring and research purposes.

Several minor changes from the Notice have been made. A typographical error in subrule 77.4(3) is corrected, changing “Iowa Code section 481A.6” to “Iowa Code section 481A.65.” Additionally, nonsubstantive changes to the lists of common and scientific animal names are made to reflect recent changes in taxonomy, taxonomic order, and naming conventions and to correct one typographical error.

*Adoption of Rulemaking*

This rulemaking was adopted by the Commission on April 9, 2026.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

This rulemaking is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rulemaking will become effective on June 17, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind 571—Chapter 77 and adopt the following **new** chapter in lieu thereof:

CHAPTER 77  
ENDANGERED AND THREATENED PLANT AND ANIMAL SPECIES

**571—77.1(481B) Definitions.** As used in this rule:

“*Endangered species*” means any species of fish, plant life, or wildlife that is in danger of extinction throughout all or a significant part of its range.

“*Threatened species*” means any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

**571—77.2(481B) Endangered and threatened animals.** The natural resource commission, in consultation with scientists with specialized knowledge and experience, has determined the following animal species to be endangered or threatened in Iowa:

**77.2(1)** Endangered animal species:

<b>Common Name</b>	<b>Scientific Name</b>
<u>Mammals</u>	
Southern Bog Lemming	<i>Synaptomys cooperi</i>
Northern Myotis	<i>Myotis septentrionalis</i>
Indiana Myotis	<i>Myotis sodalis</i>
Plains Spotted Skunk	<i>Spilogale interrupta</i>
<u>Birds</u>	
Piping Plover	<i>Charadrius melodus</i>
<u>Fish</u>	
Lake Sturgeon	<i>Acipenser fulvescens</i>
Pallid Sturgeon	<i>Scaphirhynchus albus</i>
Western Silvery Minnow	<i>Hybognathus argyritis</i>
Sturgeon Chub	<i>Macrhybopsis gelida</i>

Sicklefin Chub	<i>Macrhybopsis meeki</i>
Northern Pearl Dace	<i>Margariscus nachtriebi</i>
Pugnose Shiner	<i>Miniellus anogenus</i>
Blacknose Shiner	<i>Notropis heterolepis</i>
Ghost Shiner	<i>Paranotropis buchmanii</i>
Starhead Topminnow	<i>Fundulus dispar</i>
Plains Topminnow	<i>Fundulus sciadicus</i>
Crystal Darter	<i>Crystallaria asprella</i>
Bluntnose Darter	<i>Etheostoma chlorosoma</i>
Least Darter	<i>Etheostoma microperca</i>

#### Reptiles

Great Plains Skink	<i>Plestiodon obsoletus</i>
Western Hog-nosed Snake	<i>Heterodon nasicus</i>
Eastern Copperhead	<i>Agkistrodon contortrix</i>
Prairie Rattlesnake	<i>Crotalus viridis</i>
Eastern Massasauga	<i>Sistrurus catenatus</i>
Western Massasauga	<i>Sistrurus tergeminus</i>
Wood Turtle	<i>Glyptemis insculpta</i>
Yellow Mud Turtle	<i>Kinosternon flavescens</i>

#### Amphibians

Blue-spotted Salamander	<i>Ambystoma laterale</i>
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#### Bumble Bees

Rusty Patched Bumble Bee	<i>Bombus affinis</i>
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#### Butterflies

Mottled Duskywing	<i>Gesta martialis</i>
Arogos Skipper	<i>Atrytone arogos</i>
Dusted Skipper	<i>Atrytonopsis hianna</i>
Dakota Skipper	<i>Hesperia dacotae</i>
Ottoo Skipper	<i>Hesperia ottoe</i>
Poweshiek Skipperling	<i>Oarisma poweshiek</i>
Mulberry Wing	<i>Poanes massasoit</i>

#### Damselflies and Dragonflies

Prairie Bluet	<i>Coenagrion angulatum</i>
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#### Land Snails

Bluff Vertigo	<i>Vertigo meramecensis</i>
Iowa Pleistocene Snail	<i>Discus macclintocki</i>

#### Fresh Water Mussels

Slippershell	<i>Alasmidonta viridis</i>
Spectaclecase	<i>Cumberlandia monodonta</i>
Purple Wartyback	<i>Cyclonaias tuberculata</i>
Spike	<i>Eurynia dilatata</i>
Sheepnose	<i>Plethobasus cyphus</i>
Round Pigtoe	<i>Pleurobema sintoxia</i>

Salamander Mussel

*Simpsonaias ambigua*

77.2(2) Threatened animal species:

<b>Common Name</b>	<b>Scientific Name</b>
<u>Mammals</u>	
White-tailed Jackrabbit	<i>Lepus townsendii</i>
Plains Pocket Gopher	<i>Geomys bursarius</i>
Plains Pocket Mouse	<i>Perognathus flavescens</i>
North American Least Shrew	<i>Cryptotis parvus</i>
Little Brown Myotis	<i>Myotis lucifugus</i>
Tricolored Bat	<i>Perimyotis subflavus</i>
<u>Birds</u>	
Chuck-will's-widow	<i>Antrostomus carolinensis</i>
King Rail	<i>Rallus elegans</i>
Least Tern	<i>Sternula antillarum</i>
Black Tern	<i>Chlidonias niger</i>
Forster's Tern	<i>Sterna forsteri</i>
Long-eared Owl	<i>Asio otus</i>
Short-eared Owl	<i>Asio flammeus</i>
<u>Fish</u>	
Chestnut Lamprey	<i>Ichthyomyzon castaneus</i>
American Eel	<i>Anguilla rostrata</i>
Skipjack Herring	<i>Alosa chrysochloris</i>
Weed Shiner	<i>Alburnops texanus</i>
Redfin Shiner	<i>Lythrurus umbratilis</i>
Topeka Shiner	<i>Miniellus topeka</i>
Freckled Madtom	<i>Noturus nocturnus</i>
Pugnose Minnow	<i>Opsopoeodus emiliae</i>
Pirate Perch	<i>Aphredoderus sayanus</i>
Redfin Pickerel	<i>Esox americanus</i>
Trout-perch	<i>Percopsis omiscomaycus</i>
Banded Killifish	<i>Fundulus diaphanus</i>
Mottled Sculpin	<i>Cottus bairdii</i>
Western Sand Darter	<i>Ammocrypta clara</i>
Burbot	<i>Lota lota</i>
<u>Reptiles</u>	
Slender Glass Lizard	<i>Ophisaurus attenuatus</i>
Western Wormsnake	<i>Carphophis vermis</i>
Speckled Kingsnake	<i>Lampropeltis holbrooki</i>
Plain-bellied Watersnake	<i>Nerodia erythrogaster</i>
Diamond-backed Watersnake	<i>Nerodia rhombifer</i>
Gophersnake	<i>Pituophis catenifer</i>
Graham's Crayfish Snake	<i>Regina grahamii</i>
Blanding's Turtle	<i>Emydoidea blandingii</i>
Ornate Box Turtle	<i>Terrapene ornata</i>

Eastern Musk Turtle	<i>Sternotherus odoratus</i>
<u>Amphibians</u>	
Mudpuppy	<i>Necturus maculosus</i>
Eastern Newt	<i>Notophthalmus viridescens</i>
<u>Butterflies</u>	
Two-spotted Skipper	<i>Euphyes bimacula</i>
Crossline Skipper	<i>Limochores origenes</i>
Leonard's Skipper	<i>Hesperia leonardus</i>
Olympia Marble	<i>Euchloe olympia</i>
Regal Fritillary	<i>Argynnis idalia</i>
Baltimore Checkerspot	<i>Euphydryas phaeton</i>
<u>Damselflies and Dragonflies</u>	
Taiga Bluet	<i>Coenagrion resolutum</i>
Sioux Snaketail	<i>Ophiogomphus smithi</i>
Westfall's Snaketail	<i>Ophiogomphus westfalli</i>
Plains Emerald	<i>Somatochlora ensigera</i>
<u>Land Snails</u>	
Midwest Pleistocene Vertigo	<i>Vertigo arthuri</i>
<u>Fresh Water Mussels</u>	
Mucket	<i>Ortmanniana ligamentina</i>
Higgins' Eye Pearlymussel	<i>Lampsilis higginsii</i>
Yellow Sandshell	<i>Lampsilis teres</i>
Monkeyface	<i>Theliderma metanevra</i>
Pistolgrip	<i>Tritogonia verrucosa</i>
Ellipse	<i>Venustaconcha ellipsiformis</i>

**571—77.3(481B) Endangered and threatened plants.** The natural resource commission, in consultation with scientists with special knowledge and experience, determined the following plant species to be endangered or threatened in Iowa.

**77.3(1)** Endangered plant species:

<b>Common Name</b>	<b>Scientific Name</b>
Pale false foxglove	<i>Agalinis skinneriana</i>
Roundleaf serviceberry	<i>Amelanchier sanguinea</i>
Raccoon grape	<i>Ampelopsis cordata</i>
Pearly everlasting	<i>Anaphalis margaritacea</i>
Sand bluestem	<i>Andropogon hallii</i>
Round-lobed hepatica	<i>Anemone americana</i>
Carolina anemone	<i>Anemone caroliniana</i>
Bearberry	<i>Arctostaphylos uva-ursi</i>
Virginia snakeroot	<i>Aristolochia serpentaria</i>
Black chokeberry	<i>Aronia melanocarpa</i>
Fringed sagewort	<i>Artemisia frigida</i>
Mead's milkweed	<i>Asclepias meadii</i>
Showy milkweed	<i>Asclepias speciosa</i>

Green antelopehorn	<i>Asclepias viridis</i>
Wall-rue	<i>Asplenium ruta-muraria</i>
Field milkvetch	<i>Astragalus agrestis</i>
Prairie milkvetch	<i>Astragalus laxmannii</i>
Fern-leaved false foxglove	<i>Aureolaria pedicularia</i>
Water marigold	<i>Bidens beckii</i>
Matricary grape fern	<i>Botrychium matricariifolium</i>
Little grapefern	<i>Botrychium simplex</i>
Swamp moonwort	<i>Botrychium tenebrosum</i>
White-tinged sedge	<i>Carex albicans</i>
Back's sedge	<i>Carex backii</i>
Cordroot sedge	<i>Carex chordorrhiza</i>
Fringed sedge	<i>Carex crinita</i>
Raven's-foot sedge	<i>Carex crus-corvi</i>
Star sedge	<i>Carex echinata</i>
Shoreline sedge	<i>Carex hyalenolepis</i>
Hoplike sedge	<i>Carex lupuliformis</i>
Intermediate sedge	<i>Carex media</i>
Plantain-leaved sedge	<i>Carex plantaginea</i>
Drooping sedge	<i>Carex prasina</i>
Cyperus-like sedge	<i>Carex pseudocyperus</i>
Reflexed sedge	<i>Carex retroflexa</i>
Rocky Mountain sedge	<i>Carex saximontana</i>
Fireweed	<i>Chamaenerion angustifolium</i>
Pipsissewa	<i>Chimaphila umbellata</i>
Drooping woodreed	<i>Cinna latifolia</i>
Purple clematis	<i>Clematis occidentalis</i>
Blue-eyed mary	<i>Collinsia verna</i>
Spotted coralroot	<i>Corallorhiza maculata</i>
Golden corydalis	<i>Corydalis aurea</i>
Large-bracted corydalis	<i>Corydalis curvisiliqua</i>
Pale corydalis	<i>Corydalis flavula</i>
Pink corydalis	<i>Corydalis sempervirens</i>
Silky prairie-clover	<i>Dalea villosa</i>
Tree clubmoss	<i>Dendrolycopodium dendroideum</i>
Sessile-leaved tick trefoil	<i>Desmodium sessilifolium</i>
Roundleaved sundew	<i>Drosera rotundifolia</i>
Marginal shield fern	<i>Dryopteris marginalis</i>
Purple coneflower	<i>Echinacea purpurea</i>
Elliptic spikerush	<i>Eleocharis elliptica</i>
Few-flowered spikerush	<i>Eleocharis quinqueflora</i>
Wolf's spikerush	<i>Eleocharis wolfii</i>
Wiegand's wildrye	<i>Elymus wiegandii</i>
Downy willowherb	<i>Epilobium strictum</i>
Slender cottongrass	<i>Eriophorum gracile</i>
Tawny cottongrass	<i>Eriophorum virginicum</i>

Wood spurge	<i>Euphorbia commutata</i>
Forked aster	<i>Eurybia furcata</i>
Large-leaved aster	<i>Eurybia macrophylla</i>
Schreber's aster	<i>Eurybia schreberi</i>
Queen of the prairie	<i>Filipendula rubra</i>
False mermaid	<i>Floerkea proserpinacoides</i>
Rough bedstraw	<i>Galium asprellum</i>
Black Huckleberry	<i>Gaylussacia baccata</i>
Hairy goldenaster	<i>Heterotheca villosa</i>
Povertygrass	<i>Hudsonia tomentosa</i>
Rock clubmoss	<i>Huperzia porophila</i>
Canadian St. Johnswort	<i>Hypericum canadense</i>
Pinweed	<i>Hypericum gentianoides</i>
Flax-leaved aster	<i>Ionactis linariifolia</i>
White morning-glory	<i>Ipomoea lacunosa</i>
Black-based quillwort	<i>Isoetes melanopoda</i>
Alpine rush	<i>Juncus alpinoarticulatus</i>
Edged rush	<i>Juncus marginatus</i>
Vasey's rush	<i>Juncus vaseyi</i>
Creeping juniper	<i>Juniperus horizontalis</i>
Intermediate pinweed	<i>Lechea intermedia</i>
Hairy pinweed	<i>Lechea mucronata</i>
Wild lupine	<i>Lupinus perennis</i>
Bog clubmoss	<i>Lycopodiella inundata</i>
Hairy waterclover	<i>Marsilea vestita</i>
Millet grass	<i>Milium effusum</i>
Sensitive briar	<i>Mimosa nuttallii</i>
Partridge berry	<i>Mitchella repens</i>
Naked miterwort	<i>Mitella nuda</i>
Mat muhly	<i>Muhlenbergia richardsonis</i>
Small sundrops	<i>Oenothera perennis</i>
Fragile prickly-pear	<i>Opuntia fragilis</i>
Frenchgrass	<i>Orbexilum onobrychis</i>
Clustered broomrape	<i>Orobanche fasciculata</i>
One-sided shinleaf	<i>Orthilia secunda</i>
Rough-leaved ricegrass	<i>Oryzopsis asperifolia</i>
Cinnamon fern	<i>Osmundastrum cinnamomeum</i>
Philadelphia panic grass	<i>Panicum philadelphicum</i>
Arrow arum	<i>Peltandra virginica</i>
Cobaea beardtongue	<i>Penstemon cobaea</i>
Slender beardtongue	<i>Penstemon gracilis</i>
Tube beardtongue	<i>Penstemon tubaeflorus</i>
Wild dill	<i>Perideridia americana</i>
Long beechfern	<i>Phegopteris connectilis</i>
Fameflower	<i>Phemeranthus parviflorus</i>
Rough-seeded fameflower	<i>Phemeranthus rugospermus</i>

Mountain ricegrass	<i>Piptatherum pungens</i>
Wood orchid	<i>Platanthera clavellata</i>
Hooker's orchid	<i>Platanthera hookeri</i>
Green fringed orchid	<i>Platanthera lacera</i>
Eastern prairie fringed orchid	<i>Platanthera leucophaea</i>
Woodland Bluegrass	<i>Poa saltuensis</i>
Clammyweed	<i>Polansia jamesii</i>
Crossleaf milkwort	<i>Polygala cruciata</i>
Pink milkwort	<i>Polygala incarnata</i>
Purple milkwort	<i>Polygala polygama</i>
Hairy Solomon's-seal	<i>Polygonatum pubescens</i>
Jointweed	<i>Polygonella articulata</i>
White-stemmed pondweed	<i>Potamogeton praelongus</i>
Silverweed	<i>Potentilla anserina</i>
Pennsylvania cinquefoil	<i>Potentilla pensylvanica</i>
Stem flower dewberry	<i>Rubus caulifloris</i>
Washington dewberry	<i>Rubus celer</i>
Swamp dewberry	<i>Rubus hispidus</i>
Recurved blackberry	<i>Rubus recurvans</i>
New England blackberry	<i>Rubus semisetosus</i>
Bottomland dewberry	<i>Rubus serratus</i>
Uniform bristleberry	<i>Rubus uniformis</i>
Shining willow	<i>Salix lucida</i>
Smith's bulrush	<i>Schoenoplectiella smithii</i>
Downy skullcap	<i>Scutellaria incana</i>
Veined skullcap	<i>Scutellaria nervosa</i>
Wild stonecrop	<i>Sedum ternatum</i>
Meadow spikemoss	<i>Selaginella eclipses</i>
Knotweed bristlegrass	<i>Setaria parviflora</i>
Annual skeletonweed	<i>Shinneroseris rostata</i>
Three-toothed cinquefoil	<i>Sibbaldiopsis tridentata</i>
Needle-pointed blue-eyed grass	<i>Sisyrinchium mucronatum</i>
Rough-leaved goldenrod	<i>Solidago patula</i>
Bog goldenrod	<i>Solidago uliginosa</i>
Yellow-lipped ladies-tresses	<i>Spiranthes lucida</i>
Hooded ladies-tresses	<i>Spiranthes romanzoffiana</i>
Little ladies-tresses	<i>Spiranthes tuberosa</i>
Spring ladies-tresses	<i>Spiranthes vernalis</i>
Rough-leaved hedge-nettle	<i>Stachys aspera</i>
Pickering morning-glory	<i>Stylisma pickeringii</i>
Snowberry	<i>Symphoricarpos albus</i>
Waxy meadowrue	<i>Thalictrum amphibolum</i>
Western spiderwort	<i>Tradescantia occidentalis</i>
Small bladderwort	<i>Utricularia minor</i>
Sessile-leaf bellwort	<i>Uvularia sessilifolia</i>
Low sweet blueberry	<i>Vaccinium angustifolium</i>

Velvetleaf blueberry	<i>Vaccinium myrtilloides</i>
American brookline	<i>Veronica americana</i>
Maple-leaved arrowwood	<i>Viburnum acerifolium</i>
Spurred violet	<i>Viola adunca</i>
Large-leaved violet	<i>Viola blanda</i>
Frost grape	<i>Vitis vulpina</i>
Rusty woodsia	<i>Woodsia ilvensis</i>
Oregon woodsia	<i>Woodsia oregana</i>

**77.3(2)** Threatened plant species:

<b>Common Name</b>	<b>Scientific Name</b>
Slender three-seeded mercury	<i>Acalypha gracilens</i>
Northern wild monkshood	<i>Aconitum noveboracense</i>
Round-stemmed false foxglove	<i>Agalinis gattingeri</i>
Inland serviceberry	<i>Amelanchier interior</i>
Fragrant false indigo	<i>Amorpha nana</i>
Woolly milkweed	<i>Asclepias lanuginosa</i>
Oval-leaved milkweed	<i>Asclepias ovalifolia</i>
Narrow-leaved milkweed	<i>Asclepias stenophylla</i>
Pawpaw	<i>Asimina triloba</i>
Water parsnip	<i>Berula erecta</i>
Watershield	<i>Brasenia schreberi</i>
Poppy mallow	<i>Callirhoe triangulata</i>
Water-starwort	<i>Callitriche heterophylla</i>
Low bindweed	<i>Calystegia spithamea</i>
Assiniboine sedge	<i>Carex assininboinensis</i>
Carey's sedge	<i>Carex careyana</i>
Fibrous-root sedge	<i>Carex communis</i>
Spreading sedge	<i>Carex laxiculmis</i>
Delicate sedge	<i>Carex leptalea</i>
Yellow sedge	<i>Carex lurida</i>
Sterile sedge	<i>Carex sterilis</i>
Quill sedge	<i>Carex tenera</i>
Shaved sedge	<i>Carex tonsa</i>
Wood's sedge	<i>Carex woodii</i>
Pink turtlehead	<i>Chelone obliqua</i>
Marsh cinquefoil	<i>Comarum palustre</i>
Dayflower	<i>Commelina erecta</i>
Bunchberry	<i>Cornus canadensis</i>
Fireberry hawthorn	<i>Crataegus chrysocarpa</i>
Waxy-fruited hawthorn	<i>Crataegus pruinosa</i>
Showy lady's slipper	<i>Cypripedium reginae</i>
Shrubby cinquefoil	<i>Dasiphora fruticosa</i>
Silvery spleenwort	<i>Deparia acrostichoides</i>
Northern panic-grass	<i>Dichanthelium boreale</i>
Slim-leaved panic-grass	<i>Dichanthelium linearifolium</i>

Narrow-leaved spleenwort	<i>Diplazium pycnocarpon</i>
Glandular wood fern	<i>Dryopteris intermedia</i>
Oval spikerush	<i>Eleocharis ovata</i>
Woodland horsetail	<i>Equisetum sylvaticum</i>
Yellow trout lily	<i>Erythronium americanum</i>
Upland boneset	<i>Eupatorium sessilifolium</i>
Slender fimbry	<i>Fimbristylis autumnalis</i>
Blue ash	<i>Fraxinus quadrangulata</i>
Bog bedstraw	<i>Galium labradoricum</i>
Oak fern	<i>Gymnocarpium dryopteris</i>
Needle-and-thread grass	<i>Hesperostipa comata</i>
Green violet	<i>Hybanthus concolor</i>
Winterberry	<i>Ilex verticillata</i>
Twinleaf	<i>Jeffersonia diphylla</i>
Green rush	<i>Juncus greenii</i>
Dwarf dandelion	<i>Krigia virginica</i>
Prairie bush clover	<i>Lespedeza leptostachya</i>
Cleft conobea	<i>Leucospora multifida</i>
Twinflower	<i>Linnaea borealis</i>
Whiskbroom parsley	<i>Lomatium foeniculaceum</i>
Western parsley	<i>Lomatium orientale</i>
Running clubmoss	<i>Lycopodium clavatum</i>
Bunchflower	<i>Melanthium virginicum</i>
Ten-petaled blazingstar	<i>Mentzelia decapetala</i>
Bog buckbean	<i>Menyanthes trifoliata</i>
Northern lungwort	<i>Mertensia paniculata</i>
Rock sandwort	<i>Minuartia michauxii</i>
Pinesap	<i>Monotropa hypopithys</i>
Southern adder's-tongue	<i>Ophioglossum vulgatum</i>
Royal fern	<i>Osmunda regalis</i>
Purple cliffbrake	<i>Pellaea atropurpurea</i>
White beardtongue	<i>Penstemon albidus</i>
Broad beech fern	<i>Phegopteris hexagonoptera</i>
Northern bog orchid	<i>Platanthera aquilonis</i>
Western prairie fringed orchid	<i>Platanthera praeclara</i>
Purple fringed orchid	<i>Platanthera psycodes</i>
Bog bluegrass	<i>Poa paludigena</i>
Nodding rattlesnake-root	<i>Prenanthes crepidinea</i>
Canada plum	<i>Prunus nigra</i>
Sand cherry	<i>Prunus pumila</i>
Pink shinleaf	<i>Pyrola asarifolia</i>
Meadow beauty	<i>Rhexia virginica</i>
Northern currant	<i>Ribes hudsonianum</i>
Wood's rose	<i>Rosa woodsii</i>
Garden dewberry	<i>Rubus aboriginum</i>
Short-stalked dewberry	<i>Rubus curtipes</i>

Southern dewberry	<i>Rubus enslenii</i>
Iron River dewberry	<i>Rubus ferrofluvius</i>
Common dewberry	<i>Rubus flagellaris</i>
Fuller’s bristly dewberry	<i>Rubus fulleri</i>
Downy dewberry	<i>Rubus satis</i>
Widgeon grass	<i>Ruppia cirrhosa</i>
Bog willow	<i>Salix pedicellaris</i>
Leathery grapefern	<i>Sceptridium multifidum</i>
Low nutrush	<i>Scleria verticillata</i>
Buffaloberry	<i>Sheperdia argentea</i>
Scarlet globemallow	<i>Sphaeralcea coccinea</i>
Rush aster	<i>Symphyotrichum boreale</i>
Large arrowgrass	<i>Triglochin maritima</i>
Small arrowgrass	<i>Triglochin palustris</i>
Black arrowwood	<i>Viburnum molle</i>
Lance-leaved violet	<i>Viola lanceolata</i>
Macloskey’s violet	<i>Viola macloskeyi</i>
Kidney-leaved violet	<i>Viola renifolia</i>
Summer grape	<i>Vitis aestivalis</i>
Yellow-eyed grass	<i>Xyris torta</i>

**571—77.4(481B) Exemptions.** Notwithstanding the foregoing list and the prohibitions in Iowa Code chapter 481B, a person may import, export, possess, transport, purchase, barter, buy, sell, offer to sell, hold for processing or process a species of animal or plant that is listed as endangered or threatened on the state list or as listed in the Code of Federal Regulations, Title 50, Part 17 as amended to December 30, 1991, according to the following rules:

**77.4(1)** Trophies lawfully taken by persons licensed to hunt or fish (not including trapping or commercial harvest licenses) in another state, country or territory may be brought into this state and possessed, held for processing and processed but may not be sold or offered for sale.

**77.4(2)** Furs or skins of wildlife species appearing on the state list of endangered and threatened species that were lawfully taken or purchased in another state, country or territory may be imported, exported, purchased, possessed, bartered, offered for sale, sold, held for processing, or processed in this state if they are tagged or permanently marked by the state, country, or territory of origin.

**77.4(3)** Species of live animals appearing on the state list of endangered and threatened species may be imported, exported, possessed, purchased, bartered, offered for sale, or sold under the terms of a scientific collecting permit or educational project permit issued pursuant to Iowa Code section 481A.65 and administrative rules adopted by the department.

**77.4(4)** Plants, seeds, roots, and other parts of plants that appear on the state list of endangered and threatened plants that were lawfully taken or purchased in another state, country or territory may be imported, exported, purchased, possessed, offered for sale or sold in this state.

**77.4(5)** A part or product of a species of fish or wildlife appearing on the state list of endangered or threatened species that enters the state from another state or from a point outside the territorial limits of the United States may enter, be transported, exported, possessed, sold, offered for sale, held for processing or processed in accordance with the terms of a permit issued by the agency of jurisdiction in the state of origin or, if entering from outside the United States, a federal permit issued by the United States government. If proper documentation is available, a person may buy or offer to buy a part or product of a species of fish or wildlife appearing on the state or federal lists as long as it is imported from a legal source outside this state and proper documentation is provided.

**77.4(6)** If a person possesses a species of fish or wildlife or a part, product or offspring of such a species, proper documentation such as receipt of purchase and the permit from the state of origin or the

U.S. government must be presented upon request of any conservation officer. Failure to produce such documentation is a violation of this chapter and will constitute grounds for forfeiture to the Iowa DNR.

**77.4(7)** A species of plant, fish or wildlife appearing on the state list of endangered and threatened species may be collected, held, salvaged and possessed under the terms of a scientific collecting permit issued pursuant to Iowa Code section 481A.6 and administrative rules adopted by the department.

**77.4(8)** Drainage district repairs and improvements to existing open ditch facilities are excluded from the department's protection efforts for the Topeka shiner. This includes facilities of levee and drainage districts established and maintained under Iowa Code chapter 468. This exclusion does not apply to new channelization, deepening, or leveeing of existing streams and rivers with permanent flow or existing streams with off-channel water areas capable of supporting fish.

**77.4(9)** The department may enter into an agreement with a private landowner for habitat improvements that benefit endangered and threatened species while limiting the potential impacts to the landowner arising when a covered species becomes more numerous due to the voluntary improvements to the habitat. If any covered species becomes more numerous as a result of the landowner's voluntary actions, a private landowner who commits to implement voluntary conservation measures for a listed species will not be required to implement additional measures, and additional land, water, or resource use restrictions will not be imposed.

*a.* The department will provide participating landowners with technical assistance to develop landowner habitat improvement agreements. Each agreement shall include the following:

- (1) Landowner's name.
- (2) Legal description of the property covered by the agreement.
- (3) Length of agreement period.
- (4) Species covered by the agreement.
- (5) Baseline conditions: the estimated number of listed species and the size and condition of habitat for each species covered.
- (6) Conservation measures to be implemented and implementation schedule.
- (7) Financial commitment of the department and the landowner.
- (8) Measures to determine if the agreement has been fulfilled.
- (9) Any property use restrictions.
- (10) Terms for the termination of the agreement prior to its scheduled expiration.

*b.* The landowner, through normal lawful activities, may return the property to the baseline or a mutually agreed-upon condition above the baseline at any time after expiration of the landowner habitat improvement agreement.

These rules are intended to implement Iowa Code chapter 481B.

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