

TITLE VII  
FORESTRY

## CHAPTER 71

## NURSERY STOCK SALE TO THE PUBLIC

[Prior to 12/31/86, Conservation Commission[290] Ch 48]

**571—71.1(456A,461A) Purpose.** The department of natural resources shall sell nursery stock to private landowners and public agencies to encourage the establishment of wildlife habitat and erosion control plantings and to promote forestry.

**571—71.2(456A,461A) Procedures.**

**71.2(1) Description of nursery stock to be sold.**

- a. Plants sold for use on private land shall not exceed four years of age.
- b. Plants sold for use on private land shall be barerooted.
- c. Only those species in accepted use for wildlife habitat, erosion control and forestry plantings shall be sold for use on private land.
- d. Seeds and cuttings of those species in paragraph “c” may be sold for use on private land.

**71.2(2) Order limitations.**

a. The minimum acceptable order shall be 500 plants in total with the minimum number of 100 plants of one species.

(1) To complete the previous year’s planting, a purchaser may order less than 500 plants with a minimum of 100 plants of one species.

(2) Special purpose packets shall contain the number and species of plants as determined annually by the state forester but not to exceed 400 plants.

b. If a shortage occurs, substitution of suitable species may be made at the discretion of the state forester.

**71.2(3) Customer obligation.**

a. Nursery stock planted on private land shall be for the purpose of wildlife habitat establishment, the control of soil erosion or to establish forest cover.

b. Purchasers of nursery stock for planting on private land shall, as a part of the order, be required to certify the plants will be used for wildlife habitat, erosion control or forestation purposes and will not be used to establish a new farmstead windbreak, shade trees or ornamental plantings.

c. All purchasers of stock shall, as a part of the plant order, be required to certify as to the county in which the nursery stock will be planted.

d. All purchasers shall be required as a part of the plant order, to certify that the plants purchased will not be sold with roots attached.

[ARC 9051B, IAB 9/8/10, effective 10/13/10 (See Delay note at end of chapter)]

**571—71.3(456A,461A) Nursery stock prices.**

**71.3(1) Prices for hardwoods shall be as follows:**

- a. Aspen, oak, hickory, walnut, pecan and basswood, 6” to 16”—\$40 per hundred plants.
- b. Aspen, oak, hickory, walnut, pecan and basswood, 17” and larger—\$55 per hundred plants.
- c. Other hardwood tree species, 6” to 16”—\$37 per hundred plants.
- d. Other hardwood tree species, 17” and larger—\$52 per hundred plants.

**71.3(2) Prices for shrubs shall be as follows:**

- a. Elderberry, buttonbush, dogwood, and Nanking cherry, 6” to 16”—\$37 per hundred plants.
- b. Elderberry, buttonbush, dogwood, and Nanking cherry, 17” and larger—\$52 per hundred plants.
- c. Other shrub species, 6” to 16”—\$40 per hundred plants.
- d. Other shrub species, 17” and larger—\$55 per hundred plants.

**71.3(3) Prices for conifers shall be as follows:**

- a. Conifers, 6” to 16”—\$25 per hundred plants.
- b. Conifers, 17” and larger—\$40 per hundred plants.

**71.3(4) Prices for wildlife packets shall be \$110 each.**

**71.3(5)** Prices for songbird packets shall be \$25 each.

**71.3(6)** Prices for walnut seed shall be \$3 per pound.

**71.3(7)** For promotion of conservation plantings, nursery stock may be provided to schools and conservation and education groups to use for Arbor Day and other special events.

[ARC 7857B, IAB 6/17/09, effective 7/22/09]

These rules are intended to implement Iowa Code sections 456A.20 and 461A.2 and 1989 Iowa Acts, chapter 311, section 16.

[Filed 6/6/79, Notice 4/4/79—published 6/27/79, effective 8/1/79]

[Filed 1/5/84, Notice 11/23/83—published 2/1/84, effective 3/8/84]

[Filed without Notice 12/12/86—published 12/31/86, effective 2/4/87]

[Filed 8/17/89, Notice 6/28/89—published 9/6/89, effective 10/11/89]

[Filed 5/10/91, Notice 3/6/91—published 5/29/91, effective 7/3/91]

[Filed 5/7/93, Notice 3/31/93—published 5/26/93, effective 6/30/93]

[Filed emergency 8/23/96 after Notice 7/17/96—published 9/11/96, effective 8/23/96]

[Filed emergency 5/14/99—published 6/2/99, effective 5/14/99]

[Filed 8/20/99, Notice 6/2/99—published 9/8/99, effective 10/13/99]

[Filed 6/18/02, Notice 4/3/02—published 7/10/02, effective 8/14/02]

[Filed ARC 7857B (Notice ARC 7615B, IAB 3/11/09), IAB 6/17/09, effective 7/22/09]

[Filed ARC 9051B (Notice ARC 8876B, IAB 6/30/10), IAB 9/8/10, effective 10/13/10]<sup>1</sup>

[Editorial change: IAC Supplement 10/20/10]

<sup>1</sup> October 13, 2010, effective date of rescission of 71.2(2) “c” delayed 30 days by the Administrative Rules Review Committee at its meeting held October 12, 2010.