

CHAPTER 77
ENDANGERED AND THREATENED PLANT AND ANIMAL SPECIES
[Prior to 12/31/86, Conservation Commission[290], Ch 19]

Chapter rescission date pursuant to Iowa Code section 17A.7: 6/17/31

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.

[ARC 0267D, IAB 5/13/26, effective 6/17/26]

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:

Common Name	Scientific Name
<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 buchmanani</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>
<u>Reptiles</u>	
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>
Ottoe 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	<i>Simpsonaias ambigua</i>

77.2(2) Threatened animal species:

Common Name	Scientific Name
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Mammals

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>

Birds

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>

Fish

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>

Reptiles

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>

Amphibians

Mudpuppy	<i>Necturus maculosus</i>
Eastern Newt	<i>Notophthalmus viridescens</i>

Butterflies

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>

Damselflies and Dragonflies

Taiga Bluet	<i>Coenagrion resolutum</i>
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Sioux Snaketail	<i>Ophiogomphus smithi</i>
Westfall's Snaketail	<i>Ophiogomphus westfalli</i>
Plains Emerald	<i>Somatochlora ensigera</i>

Land Snails

Midwest Pleistocene Vertigo	<i>Vertigo arthuri</i>
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Fresh Water Mussels

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>

[ARC 0267D, IAB 5/13/26, effective 6/17/26]

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:

Common Name	Scientific Name
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>
Pineweed	<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 eclipes</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:

Common Name	Scientific Name
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 pynocarpon</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>

[ARC 0267D, IAB 5/13/26, effective 6/17/26]

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.

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