

MAR 7 2001

NATURAL RESOURCES

HOUSE FILE 553  
BY MERTZ

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the establishment and review of state  
2 threatened or endangered species lists.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 553

1 Section 1. Section 481B.3, Code 2001, is amended by  
2 striking the section and inserting in lieu thereof the  
3 following:

4 481B.3 THREATENED AND ENDANGERED SPECIES DETERMINATION --  
5 LISTS.

6 1. The commission shall establish, by rule, the  
7 methodology and criteria by which the department shall  
8 determine if a species shall be proposed for listing as a  
9 threatened or endangered species in this state. The rules  
10 shall be patterned as far as possible after the rules adopted  
11 by the United States fish and wildlife service and in effect  
12 on January 1, 2001, for determining threatened and endangered  
13 species for the nation.

14 2. The commission shall adopt, by rule, a list of those  
15 species of plants and fish or wildlife which are determined to  
16 be threatened or endangered in this state as provided in  
17 subsection 1. The rules shall include procedures for a person  
18 to petition the commission to add or remove a species from the  
19 list.

20 3. Except for species which are also listed as threatened  
21 or endangered by the United States fish and wildlife service  
22 as of July 1, 2001, those species listed by the department as  
23 threatened or endangered which were not determined to be  
24 threatened or endangered pursuant to the rules adopted under  
25 subsections 1 and 2 shall be removed from the lists.

26 4. The commission shall review the state list of  
27 endangered and threatened species every two years and may  
28 amend the list.

29 Sec. 2. Section 481B.4, Code 2001, is amended by striking  
30 the section and inserting in lieu thereof the following:

31 481B.4 INVESTIGATIONS.

32 The director shall conduct investigations on plants and  
33 fish or wildlife in order to develop information relating to  
34 population, distribution, habitat needs, limiting factors, and  
35 other biological and ecological data to determine management

1 measures necessary for the continued ability of the plants and  
2 fish or wildlife to successfully sustain themselves.

3 EXPLANATION

4 This bill provides that the natural resource commission  
5 shall adopt rules to establish the methodology and criteria by  
6 which the department shall determine if a species of plants  
7 and fish or wildlife shall be listed as threatened or  
8 endangered in this state. The rules shall be patterned as far  
9 as possible after the rules adopted by the United States fish  
10 and wildlife service and in effect on January 1, 2001, for  
11 determining threatened and endangered species for the nation.  
12 After the methodology and criteria are established, the  
13 commission shall adopt a list of those species of plants and  
14 fish or wildlife which are determined to be threatened or  
15 endangered in this state. The commission shall also establish  
16 procedures for a person to petition the commission to add or  
17 remove a species from the list.

18 The bill also provides that, except for those species  
19 listed as threatened or endangered by the United States fish  
20 and wildlife service as of July 1, 2001, those species listed  
21 by the department as threatened or endangered which were not  
22 determined to be threatened or endangered pursuant to the  
23 methodology and criteria adopted by the commission, shall be  
24 removed from the state lists. The commission is also directed  
25 to review the state list every two years and may amend the  
26 list.

27 The bill provides that the director shall conduct  
28 investigations on plants and fish or wildlife to develop  
29 information relating to population, distribution, habitat  
30 needs, limiting factors, and other biological and ecological  
31 data to determine management measures necessary for the  
32 continued ability of the plants and fish or wildlife to  
33 successfully sustain themselves.

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