

Endangered Species Permits

Law and rules

- Minnesota's endangered species law ([MS 84.0895](#)) and associated rules (Chapter [6212.1800](#) , [6212.2300](#) and [6134](#)) impose a variety of restrictions, a permit program, and several exemptions pertaining to species designated as endangered or threatened.
- **[Current list of endangered, threatened, and special concern species](#)** [PDF](#)

The law and rules prohibit **taking, purchasing, importing, possessing, transporting, or selling** endangered or threatened plant or animal, including their parts or seeds, without a permit.

- **For animals**, taking includes pursuing, capturing, or killing.
- **For plants**, taking includes picking, digging, or destroying.

The law and rules specify conditions under which the Commissioner of the Department of Natural Resources may issue permits to allow taking and possession of endangered or threatened species.

Permits

Permits may be issued for taking only under certain conditions:

- for scientific study,
- for educational programs,
- to enhance propagation or survival of the species,
- to prevent injury to people or property, or
- when the social and economic benefit of the taking outweigh the harm caused by it.

Permitting decisions must be consistent with the intent of the law, which is to retain or restore healthy populations of native plants and animals. The responsibility for making permitting decisions has been delegated by the Commissioner to the Division of Ecological Resources.

Permit issuance is discretionary and based on DNR's assessment of all relevant information.

Some species listed under Minnesota law are also listed under the Federal Endangered Species Act. If species that are federally listed as endangered or threatened are to be taken, the USFWS should be contacted at 612-725-3276, ext. 250 or see [the USFWS website](#).

Permit application

For species to be taken from the wild in Minnesota, the applicant must document the following.

- the **justification for the taking, location, species, number of individuals** to be taken or possessed
- that there are **no feasible alternatives to the taking**

- provide assurance that **the taking will not negatively affect the species' status in Minnesota**

Permit requests must be submitted in writing to:

Minnesota Department of Natural Resources
Attn. Endangered Species Permits
500 Lafayette Rd., Box 25
St. Paul, MN 55155

Scientific studies

When taking is proposed in connection with a scientific study, the request must be accompanied by a **research proposal** that outlines the following.

- justification
- methodology (including the species and number of individuals to be taken)
- location of the project
- qualifications of the researcher

If the research is judged to provide important information about the species that will foster its conservation, the researcher is qualified to do the work, and the proposed taking will not have a significant negative effect on the species population in the state, a permit may be issued. Permits will specify that final disposition of specimens acquired for the purposes of scientific study is to the University of Minnesota Bell Museum of Natural History. Alternative repositories may be considered if compelling justification is provided.

Permits to possess

For permits to possess living or dead specimens for scientific or educational purposes, the request must indicate the following.

- permittee is currently conducting scientific or educational programs in the field of biology or natural history
- permittee or their institution have appropriate and adequate facilities for the care, exhibition, or storage of the particular species that are sought to be taken, acquired or possessed
- proposed source of the specimens, and for specimens to be acquired from a secondary source, documentation that they were legally acquired
- qualifications and experience of the person(s) who will be caring for the species
- demonstrate an understanding of the specific needs of the species, and how they will be met

Propagation

Requests for permits for propagation must be accompanied by a **project proposal** that outlines the following.

- justification
- methodology (including the species and number of individuals or their parts or propagules to be taken)
- locations of both the proposed collection and propagation facilities
- qualifications of the permittee relevant to propagation of endangered or threatened species

The proposal should also describe in detail the following.

- methods of propagation
- conditions under which it will occur
- plans for disposition of offspring propagated under the permit.

If offspring are to be released into the wild, the proposal must include the following.

- coordinates of locations for release
- quantitative information about pre-release habitat and species populations at the release site
- risk analysis of potential negative effects on habitat and species populations at the release site
- post-release monitoring plan for evaluating both the target species populations, and the health of the community into which the release is done.

Permits for propagation for conservation purposes will be considered only when the proposal provides convincing justification that propagation is required for the recovery of the species, the protocol is judged to be appropriate, and the permittee is qualified to do the work.

Development projects

When taking is proposed in connection with a development project, the request can be in the form of a letter that outlines the following.

- nature of the project
- location
- species and number of individuals that would be taken

Before a permit can be issued, the project proposer is asked to explore project alternatives, including other locations or designs, which would avoid or minimize taking.

Mitigation

If it is determined that there are no feasible alternatives to taking in connection with a development project, the applicant must propose compensatory mitigation to reduce the impact of the taking to an acceptable level. The magnitude of the compensation required is related to the degree of impact on the species, (for example, will the whole population at a site be destroyed, or just a few individuals), and also to the statewide significance of the population on the site. Examples of types of compensatory mitigation that have been done for taking endangered or threatened species in Minnesota include:

- funding state acquisition of another site where the species occurs that is currently unprotected and vulnerable to destruction,
- funding additional survey work to locate other sites, and/or
- funding research to improve our understanding of the habitat requirements or protection needs of the species.

Transplantation generally has not been considered by MNDNR to be acceptable mitigation for taking of endangered or threatened species for several reasons.

- First, conservation of species in their native habitats is our first priority. Transplantation into an artificial habitat is not a sustainable strategy for native plant and animal conservation.
- Second, it is necessary to understand the life history, habitat requirements, and genetic structure of natural populations in order to determine the feasibility and advisability of transplantation. This information is unknown for most rare species, and acquiring it is the responsibility of the applicant. Third, transplantation may have unanticipated effects on other organisms on the new site through disturbance or competition.
- Finally, it would be necessary to establish the species on the new site and monitor it for several years to determine whether the species survived and persisted on the new site before taking on the project site could proceed. Most project proposers are not willing or able to defer their projects to determine the success of such an experiment.

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