

REGULATIONS CONTAINING A LIST OF ALL SPECIES OF WILDLIFE AND PLANTS NORMALLY OCCURRING WITHIN THE STATE DETERMINED TO BE ENDANGERED SPECIES AND A LIST OF ALL SPECIES DETERMINED TO BE THREATENED SPECIES. EACH LIST SHALL REFER TO THE SPECIES BY SCIENTIFIC AND COMMON NAMES AND SHALL SPECIFY WITH RESPECT TO EACH SPECIES OVER WHAT PORTION OF ITS RANGE IT IS ENDANGERED OR THREATENED.

10-2A05.

(A) EXCEPT WITH RESPECT TO SPECIES OF WILDLIFE OR PLANTS DETERMINED TO BE ENDANGERED OR THREATENED PURSUANT TO THE ENDANGERED SPECIES ACT, THE SECRETARY, UPON THE PETITION OF AN INTERESTED PERSON, SHALL CONDUCT A REVIEW OF ANY LISTED OR UNLISTED SPECIES PROPOSED TO BE REMOVED FROM OR ADDED TO THE LISTS PUBLISHED PURSUANT TO § 10-2A04(F), IF THE SECRETARY PUBLISHES PUBLIC NOTICE THAT THE PERSON HAS PRESENTED SUBSTANTIAL EVIDENCE WHICH WARRANTS A REVIEW.

(B) WHEN ANY SPECIES OF WILDLIFE OR PLANT IS LISTED AS A THREATENED SPECIES PURSUANT TO § 10-2A04(F), THE SECRETARY SHALL ADOPT RULES AND REGULATIONS NECESSARY AND ADVISABLE TO PROVIDE FOR THE CONSERVATION OF THE SPECIES. THE SECRETARY, BY RULES AND REGULATIONS, MAY PROHIBIT WITH RESPECT TO ANY THREATENED SPECIES OF WILDLIFE OR PLANT ANY ACT PROHIBITED UNDER SUBSECTION (C).

(C) EXCEPT AS PROVIDED IN SUBSECTION (F), WITH RESPECT TO ANY ENDANGERED SPECIES OF WILDLIFE, NO PERSON MAY:

- (1) EXPORT THE SPECIES FROM THE STATE;
- (2) TAKE THE SPECIES WITHIN THE STATE;
- (3) POSSESS, PROCESS, SELL OR OFFER FOR SALE, DELIVER, CARRY, TRANSPORT, OR SHIP THE SPECIES BY ANY MEANS; OR
- (4) VIOLATE ANY RULE OR REGULATION PERTAINING TO THE CONSERVATION OF THE SPECIES OR TO ANY THREATENED SPECIES OF WILDLIFE LISTED PURSUANT TO THIS SUBSECTION AND ADOPTED BY THE SECRETARY PURSUANT TO AUTHORITY PROVIDED BY THIS SECTION.

(D) EXCEPT AS PROVIDED IN SUBSECTION (F), WITH RESPECT TO ANY ENDANGERED SPECIES OF PLANT, NO PERSON MAY:

- (1) EXPORT THE SPECIES FROM THE STATE;
- (2) POSSESS, PROCESS, SELL, OFFER FOR SALE,