

The Vermont Statutes Online

Title 10 Appendix: Vermont Fish and Wildlife Regulations

Chapter 1: GAME

Sub-Chapter 1: General Provisions

10A V.S.A. § 10. Vermont endangered and threatened species rule

§ 10. Vermont endangered and threatened species rule

1.0 Authority

This rule is adopted pursuant to 10 V.S.A. §§ 5402, 5403, and 5408 which provides that the Secretary "shall adopt by rule a state-endangered species list and a state threatened species list," and may "adopt rules for the protection and conservation of endangered and threatened species."

2.0 Purpose

The purpose of this rule is to identify and list species of wild plants and animals that have been determined by the Secretary to be endangered and threatened in Vermont so that they may be protected under the law. The rule also sets out a process for Takings and Possession permits.

3.0 Definitions

3.1 "Endangered Species" means those species whose continued existence as viable components of the state's wild flora or fauna is determined to be in jeopardy or determined to be an "endangered species" under the federal Endangered Species Act.

3.2 "Listed Species" means any species that appears on the List in Section 5.0 this or has been determined to threatened or endangered by other relevant law.

3.3 "Secretary" means the Secretary of the Agency of Natural Resources except where otherwise specified.

3.4 "Take and taking" means: pursuing, shooting, hunting, killing, capturing, trapping, snaring and netting fish, birds and quadrupeds and all lesser acts, such as disturbing, harrying or worrying or wounding or placing, setting, drawing or using any net or other device commonly used to take fish or wild animals, whether they result in the taking or not; and shall include every attempt to take and every act of assistance to every other person in taking or attempting to take fish or wild animals, provided that when taking is allowed by law, reference is had to taking by lawful means and in lawful manner. With respect to wild plants, "Take and taking" means uprooting, transplanting, cutting, injuring or killing or any attempt to do the same or assisting another who is doing or is attempting to do the same.

3.5 "Threatened Species" means those species likely within the foreseeable future to become Endangered, or determined to be a "threatened species" under the federal Endangered Species Act. .

4.0 Permits for Taking and Possession

4.1 No person shall take or possess an endangered or threatened species, except when exempted as provided for in 10 V.S.A. § 5408.

4.2 Pursuant to 10 V.S.A. § 5408(a) the Secretary may, after receiving the advice of the Endangered Species Committee, grant permits for the taking and possession of an endangered or threatened species: for scientific purposes; to enhance the propagation of species; to prevent or mitigate economic hardship; for zoological exhibition; for educational purposes; for noncommercial cultural or ceremonial purposes to a person for the collection and possession of a dead salvage bird or parts thereof, including bird feathers, provided that the permit issued complies with federal requirements regarding collection and possession of migratory birds and the bird was legally acquired, transferred from an individual who acquired it legally, or found dead and the permittee had no part in the intentional killing of the bird, or for special purpose consistent with the purpose of the Federal Endangered Species Act (see 16 U.S.C. § 1531(b)).

4.3 An applicant for a Takings and Possession permit shall submit an administratively complete application to the Secretary, specifying for which purpose(s) the permit is required, as listed in 10 V.S.A. § 5408(a).

4.4 An administratively complete application shall include all information deemed necessary by the Secretary to evaluate the application. An application shall include a description of the possible impacts due to the proposed action and a plan for conservation or mitigation. The fee or mitigation proposal as required by 10 V.S.A. ch. 123 shall accompany the application.

4.5 Avoidance and Minimization

a. Applicants for Takings and Possession permits shall have the burden to show that reasonable steps have been taken in to avoid and minimize takings. The Applicant shall provide information that demonstrates:

- i. The proposed activity cannot practicably be designed to avoid taking and still satisfy the basic project purpose; and
- ii. If avoidance of taking of a listed species cannot practicably be achieved, the proposed activity has been planned to minimize adverse impacts on the listed species.

b. The Secretary may require an applicant to submit additional information that the Secretary considers necessary to make a decision on the issuance or denial of a permit. The Secretary may dismiss the application without prejudice if the requested information is not provided to the Secretary within sixty (60) days of the Secretary's request.

c. In determining whether the burden has been met, the Secretary shall evaluate the potential effect of any proposed activity on the basis of both its direct and immediate effects, as well as on the basis of any cumulative or on-going effects on the listed species.

4.6 Mitigation

a. Mitigation may be required when full compliance with the requirements of 4.5 of this rule is insufficient to achieve no taking.

i. Mitigation may include permanent conservation of habitat in which the same species exists, ongoing monitoring of conserved areas, and treatment of conserved areas for the purposes of restoration or propagation of listed species.

ii. The mitigation may also include payment of fees to a state "in-lieu fee" program or mitigation fund approved by the Secretary.

4.7 Hearings

a. The Secretary may conduct a non-adversarial, public hearing in order to evaluate the application. Such a hearing will be held within 60 (sixty) days of the receipt of the administratively complete application.

b. When a petition has been denied and no public hearing has been held, the Applicant may request in writing to the Secretary that a hearing be held regarding the proposed activity. The Secretary will conduct a hearing within 30 days of receipt of the request.

4.8 Permit Conditions

The Secretary may require, as part of any issued permit, conditions for the protection and conservation of endangered species, per 10 V.S.A. ch. 123.

4.9 The Secretary shall inform an applicant of a decision to approve or deny a permit no more than 60 (sixty) days following an application being deemed administratively complete unless the Secretary determines there is just cause.

4.10 The Secretary maintains continuing jurisdiction over activities permitted under this rule and may, at any time, order the permittee to undertake remedial measures to ensure the protection and conservation of listed species.

5.0 Listing

5.1 The following list of plants and animals is adopted as the Vermont Endangered and Threatened Species List pursuant to 10 V.S.A. ch. 123.

5.2 Plants

Scientific Name	Common Name	Status	Date Listed*
PLANTS			
APIACEAE PARSLEY			
FAMILY			
<i>Sanicula canadensis</i> var. <i>canadensis</i> L.	Short-styled snakeroot	T	1
<i>Sanicula canadensis</i> var. <i>grandis</i> Fern.	Greater short-styled snakeroot	T	1
<i>Taenidia integerrima</i> (L.)	Yellow pimpernel	T	1
Drude			
ARACEAE-ARUM			
FAMILY			
<i>Arisaema dracontium</i> (L.)	Green dragon	T	1
Schott			
ASCLEPIADACEAE-			
MILKWEED FAMILY			
<i>Asclepias amplexicaulis</i> Sm.	Blunt-leaved milkweed	T	1
<i>Asclepias tuberosa</i> L.	Butterfly-weed	T	1
ASPLENIACEAE-SPLEEN-			
WORT FAMILY			
<i>Asplenium montanum</i> Willd.	Mountain spleenwort	T	1
<i>Asplenium viride</i> Huds.	Green spleenwort	T	1
*(<i>Asplenium trichomanes-ramosum</i> L.)			
ASTERACEAE-ASTER			
FAMILY			
<i>Eupatorium sessilifolium</i> L.	Sessile-leaved boneset	E	4

Helianthus strumosus L.	Harsh sunflower	T	1
Lactuca hirsuta Muhl. Ex. Nutt.	Hairy lettuce	T	5
Nabalus boottii D.C. *(Prenanthes boottii (DC.) A. Gray)	Boott's rattlesnake-root	E	1
Omalotheca sylvatica L. Schultz-Bip. & F.W. Schultz	Woodland cudweed	E	4
Petasites frigidus var. palmatus (Ait.) Cronq.	Sweet coltsfoot	T	1
Polymnia canadensis L.	White-flowered leafcup	E	5, A
Solidago odora Ait.	Sweet goldenrod	T	1
Solidago ulmifolia Muhl. ex. Willd.	Elm-leaved goldenrod	E	4, A
BLECHNACEAE-CHAIN FERN FAMILY			
Woodwardia virginica (L.)	Sm. Virginia chain-fern	T	1
BORAGINACEAE-BORAGE FAMILY			
Cynoglossum virginianum var. boreale (Fern.) Cooperider	Northern wild camfrey	T	1
Hackelia deflexa (Wahlenb) Opiz ssp. americana (Gray) A. & D. Löve	Nodding stickseed	T	1
BRASSICACEAE- MUSTARD FAMILY			
Arabidopsis lyrata (L.) O'Kane & Al-Shehbaz *(Arabis lyrata L.)	Lyre-leaved rock-cress	T	1
Boechera stricta (Graham) 4 *(Arabis drummondii A. Gray)	Drummond's rock-cress	E	
Braya humilis (C.A. Mey.) B.L. Rob.	Northern rock-cress	T	1
Draba breweri var. cana (Rydb.) Rollins *(Draba cana Rydb.)	Lanceolate cress	T	1
Draba glabella Pursh	Smooth draba	T	1
Rorippa aquatica *(Neobeckia aquatica (Eaton) Greene	Lake-cress	T	1
BRYACEAE-BRYUM MOSS FAMILY			
Plagiobryum zieri (Hedw.) 3 Lindb.	A moss	E	

CAPRIFOLIACEAE-HONEYSUCKLE

FAMILY

Viburnum edule (Michx.) Raf.	Squashberry	T	1
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CARYOPHLLACEAE-PINK FAMILY

Minuartia marcescens (Fern.) House	Marcescent sandwort	T	1
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Minuartia rubella (Wahlenb.) Hiern	Marble sandwort	T	1
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CISTACEAE-ROCK-ROSE FAMILY

Crocanthemum bicknellii (Fern) Janchen	Plains frostweed	T	1
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Hudsonia tomentosa Nutt.	Beach heather	E	1
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1

*(Helianthemum bicknellii
Fern.)

Lechea mucronata Raf.	Hairy pinweed	E	4
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CLUSIACEAE-

ST. JOHN'S-WORT

FAMILY

Hypericum ascyron L.	Great St. John's-wort	T	1
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CONVOLVULACEAE-

MORNING-GLORY FAMILY

Calystegia spithameus (L.) Pursh	Low bindweed	T	1
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1

Pursh

CORNACEAE-DOGWOOD FAMILY

Cornus florida L.	Flowering dogwood	T	1
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CRASSULACEAE-STONECROP FAMILY

Rhodiola rosea L.	Roseroot	T	1
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*(Sedum rosea L. Scop.)

CUPRESSACEAE-CYPRESS FAMILY

Juniperus horizontalis Moench	Creeping juniper	T	1
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CYPERACEAE-SEDGE FAMILY

Carex arcta Boott	Contracted sedge	E	4
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Carex atratiformis Britt.	Blackish sedge	T	1
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Carex buxbaumii Walenb.	Buxbaum's sedge	E	1
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Carex capillaris L.	Capillary sedge	T	1
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Carex chordorrhiza Ehrh, ex L. f.	Creeping sedge	E	4
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Carex foenea Willd.	Bronze sedge	E	4
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Carex garberi Fern.	Garber's sedge	T	1
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Carex livida (Wahlenb.) Willd.	Pale sedge	T	1
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Carex muehlenbergii var.
enervis

Schkuhr ex Willd.	Nerveless Muelehberg		
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Carex muehlenbergii var. muehlenbergii	sedge	T	1
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Schkuhr ex Willd.	Muhlenberg's sedge	T	1
Carex oligocarpa Schkuhr ex Willd.	Few-fruited sedge	E	4
Carex richardsonii R. Br.	Richardson's sedge	E	1
Carex siccata Dewey	Hay sedge	E	4
Carex vaginata Tausch	Sheathed sedge	E	4
Cyperus diandrus Torr.	Low cyperus	E	3
Cyperus houghtonii Torr.	Houghton's cyperus	T	
1			
Eleocharis quinqueflora (Hartmann O. Schwarz *(Eleocharis pauciflora (Lightf.) Link)	Few-flowered spike rush	T	1
Fimbristylis autumnalis (L.)	Autumn fimbristylis	E	4
Roem. & Schult.			
Rhynchospora capillacea Torr.	Capillary beak-rush	T	1
Scirpus ancistrochaetus Schuyler	Barbed-bristle bulrush	E	4, A
Trichophorum planifolium (Spreng.) Palla	Bashful bulrush	E	4, A
*(Scirpus verecundus Fern.)			
DIAPENSIACEAE-DIAPENSIA FAMILY			
Diapensia lapponica L.	Diapensia	E	1
DRYOPTERIDACEAE-WOOD FERN FAMILY			
Dryopteris filix-mas (L.) Schott	Male Fern	T	1
Woodsia alpina (Bolton) S.F.	Alpine woodsia	E	1
Gray			
EQUISETACEAE-HORSETAIL FAMILY			
Equisetum palustre L.	Marsh horsetail	T	1
ERICACEAE-HEALTH FAMILY			
Pterospora andromedea Nutt.	Pinedrops	E	4
Pyrola asarifolia Michx.	Bog wintergreen	T	4
Pyrola minor L.	Lesser pyrola	E	1
Rhododendron maximum L.	Great laurel	T	
1			
Vaccinium stamineum L.	Deerberry	E	
5			
FABACEAE-PEA FAMILY			
Astragalus canadensis L.	Canadian milk-vetch	T	1
Astragalus robbinsii var.	Jessup's milk-vetch	E	1

jesupii				
Egglst. & Sheldon				
Crotalaria sagittalis L.	Rattlebox	T		1
Desmodium cuspidatum (Muhl.				
ex Willd.) DC ex Loud.	Large-bracted tick-trefoil	E		1
Desmondium rotundifolium	Prostrate tick-trefoil		T	
1				
DC.				
Lathyrus japonicus var.				
maritimus				
(L.) Kartesz & Gandhi	Beach-pea		T	
1				
*(Lathyrus maritimus (L.)				
Bigelow)				
Lathyrus palustris L.	Marsh vetchling	T		1
Lespedeza frutescens (L.)	Violet bush-cover	T		1
Hornem				
*(Lespedeza violacea auct.				
non (L.) Pers)1				
Lespedeza hirta (L.)	Hairy bush-clover	T		4
Hornem.				
Lupinus perennis L.	Wild lupine		E	6,
A				
Senna hebecarpa (Fern.)				
Irwin & Barneby	Wild senna	T		1
FAGACEAE-BEECH FAMILY				
Quercus ilicifolia Wangenh.	Scrub oak		E	
4				
Quercus prinoides Willd.	Dwarf chinkapin oak		E	
7				
GENTIANACEAE-GENTIAN				
FAMILY				
Gentiana andrewsii Griseb.	Fringe-top closed		T	1
gentian				
Gentianella amarella (L.)	Felwort	T		1
Boerner				
Gentianella quinquefolia	Stiff gentian	T		1
(L.) Small				
HYDROPHYLLACEAE-				
WATERLEAF FAMILY				
Hydrophyllum canadense	Broad-leaved waterleaf	T		1
(L.)				
ISOETACEAE-QUILLWORT				
FAMILY				
Isoetes engelmannii A.	Engelmann's quillwort	T		1
Braun				
JUNCACEAE-RUSH FAMILY				
Juncus greenei Oakes &	Greene's rush		E	
4				

Tuckerm.				
Juncus militaris	Bigelow	Soldier rush	E	4
Juncus secundus	Beauv. ex	Secund rush	E	4
Poir.				
JUNICAGINACAE-ARROW-GRASS FAMILY				
Triglochin maritima	L.	Arrow-grass	E	8
LAMIACEAE-MINT FAMILY				
Agastache nepetoides	(L.)	Yellow giant hyssop	T	1
Kuntze				
Agastache scrophulariaefolia	(Willd.) Kuntze	Purple giant hyssop	T	1
Blephilia hirsuta	(Pursh.)	Hairy wood-mint	T	1
Benth.				
Dracocephalum parviflorum	Nutt.	American dragonhead	T	1
Nutt.				
Physostegia virginiana	(L.)	Obedience	T	1
Benth.				
Pycnanthemum incanum	(L.) Michx.	Hoary mountain mint	E	4
LENTIBULARIACEAE-BLADDERWORT FAMILY				
Utricularia resupinata	B.D.	Northeastern bladder-	T	1
Greene ex Bigelow				
wort				
LILIACEAE-LILY FAMILY				
Allium canadense	L.	Wild garlic	T	1
Anticlea glauca	(Nutt.)	White camas	E	10
Kunth				
LYGODIACEAE-CLIMBING FERN FAMILY				
Lygodium palmatum	(Bernh.) Sw.	Climbing fern	E	1
MELASTOMATACEAE-MEADOW-BEAUTY FAMILY				
Rhexia virginica	L.	Virginia meadow-beauty	T	1
MORACEAE-MULBERRY FAMILY				
Morus rubra	L.	Red mulberry	T	1
NYMPHACEAE-WATER-LILY FAMILY				
Nymphaea leibergii	Morong.	Pygmy water-lily	E	7
ONAGRACEAE-EVENING PRIM ROSE FAMILY				
Ludwigia polycarpa	Short &	Many-fruited	E	1

Peter	false-loosestrife			
OPHIOGLOSSACEAE-ADDER'S-TONGUE FAMILY				
Botrychium minganense	Mingan moonwort	E		1
Vict.				
ORCHIDACEAE-ORCHID FAMILY				
Aplectrum hyemale	Putty-root		T	
1				
(Muhl. ex Willd.) Nutt.				
Torr.				
Arethusa bulbosa L.	Arethusa	T		1
Calypso bulbosa (L.) Oakes	Calypso	T		1
Corallorhiza odontorhiza	Autumn coral-root	T		1
(Willd.)				
Nutt				
Cypripedium arietinum Ait.	Ram's head lady's-slipper	T		1
f.				
Isotria medeoloides (Pursh)	Small whorled pogonia	E		4
Raf. Isotria verticillata	Large whorled pogonia	T		1
(Muhl.				
ex Willd.) Raf.				
Liparis lilifolia (L.) L.C.	Lily-leaved twayblade	T		1
Rich. ex Lindl.				
Listera auriculata Wieg.	Auricled twayblade	E		1
Listera australis Lindl.	Southern twayblade	E		1
Malaxis monophyllos var	White adder's mouth		T	
1				
brachypode (Gray) Morris & Eames				
*(Malaxis brachypoda (A. Gray) Fern.)				
Platanthera flava (L.) Lindl.	Tuberclad orchis	T		1
Platanthera hookeri (Torr.	Hooker's orchis	T		1
ex				
Gray) Lindl.				
Triphora trianthophora (Sw.)	Three-birds orchid	T		1
Rydb.				
OROBANCHACEAE-CANCER-ROOT FAMILY				
Castilleja septentrionalis	Northern-painted-cup	T		1
Lindl.				
PAPAVERACEAE-POPPY FAMILY				
Corydalis aurea Willd.	Golden corydalis	T		1
PINACEAE-PINE FAMILY				
Pinus banksiana Lamb.	Jack pine	T		1
PLANTAGINACEAE-PLANTAIN FAMILY				

Hippuris vulgaris L.	Mare's tail	E	4	
Veronicastrum virginicum (L.) Farw.	Culver's-root		E	1
POACEAE-GRASS FAMILY				
Ammophila breviligulata ssp. champlainensis (Seymour) Walker, Paris, & Barrington ex Bankworth *(Ammophila champlainensis Seymour)	Champlain beach grass	E		1
Anthoxanthum monticola 1 (Bigelow) Veldkamp *(Hierochloa alpina (Swartz) R. & S.)	Alpine sweet-grass			T
Calamagrostis pickeringii A. Gray, Man.	Pickering's reed- grass	E		8
Calamagrostis stricta ssp. inexpansa (Gray) C.W. Greene	Bentgrass	E		4
Glyceria acutiflora Torr.	Sharp manna- grass	E		4
Panicum flexile (Gattinger) Scribn.	Stiff witch- grass		E	4
Piptatherum pungens (Torr ex Spreng.) Dorn *(Oryzopsis pungens (Torr.) Hitchc.)	Slender mountain- rice	T		4
Sphenopholis nitida (Biehler) Scribn.	Shiny wedgegrass		E	4
Sphenopholis obtusata (Michx.) Scribn.	Blunt sphenopholis	E		4
Sporobolus compositus (Poir.) Merr. *(Sporobolus asper (Michx.) Kunth)	Rough rush-grass	E		1
Vulpia octoflora (Walt.) Rydb.	Eight-flowered fescue	E		4
POLEMONIACEAE-PHLOX FAMILY				
Polemonium van-bruntiae Britt.	Eastern Jacob's ladder	T		1
POLYGONACEAE- BUCKWHEAT FAMILY				

Polygonum douglasii Greene	Douglas' knotweed	E	4	
PRIMULACEAE-PRIMROSE FAMILY				
Primula mistassinica Michx.	Bird's-eye primrose	T		1
PTERIDACEAE-MAIDENHAIR FERN FAMILY				
Adiantum viridimontanum Paris	Green Mountain maidenhair	T	5	
RANUNCULACEAE- BUTTERCUP FAMILY				
Anemone multifida Poir.	Early thimbleweed	E		1
Hydrastis canadensis L.	Golden-seal	E	1	
Ranunculus allegheniensis Britt.	Allegheny buttercup	T	4	
RHAMNACEAE-BUCKTHORN FAMILY				
Ceanothus herbaceus Raf.	Prairie red-root	E	1	
ROSACEAE-ROSE FAMILY				
Potentilla litoralis Rydb. *(Potentilla pensylvanica L. var. bipinnatifida (Douglas) T. & G.)	Northern cinquefoil	E	4	
Prunus americana Marsh.	Wild plum	T		1
Prunus susquehanae Willd.	Susquehanna sand cherry	E	10	
Rosa acicularis Lindl.	Needle-spine rose	E	4	
RUBIACEAE-MADDER FAMILY				
Galium labradoricum Wieg.	Bog bedstraw	T		1
SALICACEAE-WILLOW FAMILY				
Salix plainifolia Pursh	Tea-leaved willow	T	1	
Salix uva-ursi Pursh	Bearberry willow	E	1	
SCHEUCHZIERIACEAE- SCHEUCHZERIA FAMILY				
Scheuchzeria palustris L.	Pod-grass	T	1	
SPARGANIACEAE-BUR- REED FAMILY				
Sparganium nutans L.	Lesser bur-reed	T	4	
SPHAGNACEAE-SPHAGNUM FAMILY				
Sphagnum subfulvum Sjors *(Sphagnum nitidum Warnst.)	A peat moss	E	3	
TOFIELDIACEAE-FALSE ASPHODEL FAMILY				
Triantha glutinosa (Michx.)	Sticky false-asphodel	T	1	

Baker*(*Tofieldia gutinosa*

(Michx.) Baker)

ULMACEAE-ELM FAMILY*Ulmus thomasi* Sarg. Rock elm T 8**VALERIANACEAE-VALERIAN****FAMILY***Valeriana uliginosa* (Torr. & Marsh valerian E 1
Gray) Rydb.**VIOLACEAE-VIOLET FAMILY***Viola lanceolata* L. Lance-leaved violet T 1**XYRIDACEAE-YELLOW-EYED****GRASS FAMILY***Xyris montana* Ries Yellow-eyed grass T 1**5.3 AMPHIPODS****CRANGONYCTIDAE-A****GAMMARIDAE AMPHIPOD****FAMILY***Stygobromus borealis* Taconic E 5
cave amphipod**5.4 INSECTS****CICINDELIDAE-TIGER BEETLE****FAMILY***Cicindela hirticollis* Beach-dune tiger T 5
beetle*Cicindela marginipennis* Cobblestone tiger T 1
beetle*Cicindela puritana* Puritan tiger beetle T 5**5.5 MOLLUSKS****MARGARITIFERIDAE-PEARL****MUSSEL FAMILY***Margaritifera margaritifera* Eastern pearlshell T 5**UNIONIDAE-UNIONOID MUSSEL****FAMILY***Alasmidonta heterodon* Dwarf wedge mussel E 4, A*Alasmidonta varicosa* Brook floater T 5*Anodontoides ferussacianus* Cylindrical papershell E 6*Lampsilis ovata* Pocketbook E 6*Lasmigona costata* Fluted-shell E 6*Leptodea fragilis* Fragile papershell E 6*Ligumia recta* Black sand shell E 6, B*Potamilus alatus* Pink heelsplitter E 6*Pyganodon grandis* Giant floater T 6**5.6 FISH****ACIPENSERIDAE-STURGEON****FAMILY**

Acipenser fulvescens	Lake sturgeon	E	1		
ICTALURIDAE-NORTH AMERICAN FRESHWATER CATFISH FAMILY					
Noturus flavus	Stonecat	E	5		
PERCIDAE-PERCH FAMILY					
Ammocrypta pellucida	Eastern sand darter		T	1	
Percina copelandi	Channel darter	E		6	
PETROMYZONTIDAE-LAMPREY FAMILY					
Ichthyomyzon fossor	Northern brook lamprey	E	4, A		
Lampetra appendix	American brook lamprey	T	1		
5.7 AMPHIBIANS					
HYLIDAE-NEW WORLD TREE FROG FAMILY					
Pseudacris maculata	Boreal chorus frog	E	10		
5.8 REPTILES					
COLUBRIDAE-COLUBRID SNAKE FAMILY					
Coluber constrictor	North American racer	T	7		
Pantherophis alleghaniensis	Eastern ratsnake	T	7		
*(Elaphe obsoleta)					
EMYDIDAE BOX TURTLE AND POND TURTLE FAMILY					
Clemmys guttata	Spotted turtle	E		6, C	
SCINCIDAE-SKINK FAMILY					
Plestiodon fasciatus					
*(Eumeces fasciatus)	Common five-lined skink	E	1		
TRONYCHIDAE-SOFTSHELL TURTLE FAMILY					
Apalone spinifera	Spiny softshell	T	1		
VIPERIDAE-VIPER AND PIT VIPER FAMILY					
Crotalus horridus	Timber rattlesnake	E	1		
5.9 BIRDS					
ACCIPITRIDAE-HAWK AND EAGLE FAMILY					
Haliaeetus leucocephalus	Bald eagle	E	1		
CAPRIMULGIDAE-NIGHTJAR FAMILY					
Caprimulgus vociferous	Whip-poor will	T	10		
Chordeiles minor	Common nighthawk	E	10		
EMBERIZIDAE-AMERICAN					

SPARROW AND RELATIVES

FAMILY

<i>Ammodramus henslowii</i>	Henslow's sparrow	E	1
<i>Ammodramus savannarum</i>	Grasshopper sparrow	T	6

LANIIDAE-SHRIKE FAMILY

<i>Lanius ludovicianus</i>	Loggerhead shrike	E	1
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LARIDAE-GULL AND TERN

FAMILY

<i>Chlidonias niger</i>	Black tern	T	7,B
<i>Sterna hirundo</i>	Common tern	E	2, A

PHASIANIDAE-TURKEY,
GROUSE, PHEASANT AND
PARTRIDGE FAMILY

<i>Falciennis canadensis</i>	Spruce grouse	E	2
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SCOPLOPACIDAE-SANPIPER,
SNIPE AND RELATIVES

FAMILY

<i>Bartramia longicauda</i>	Upland sandpiper	T	7, A
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TROGLODYTIDAE-WREN

FAMILY

<i>Cistothorus platensis</i>	Sedge wren	E	6, A
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5.10 MAMMALS

FELIDAE-CAT FAMILY

<i>Puma concolor</i> cougar	Eastern mountain lion	E	1
*(<i>Felis concolor</i> cougar)			

<i>Lynx canadensis</i>	Canada lynx	E	1
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MUSTELIDAE-WEASEL

FAMILY

<i>Martes americana</i>	American marten	E	1
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VESPERTILIONIDAE-VESPER-
TILIONID BAT FAMILY

<i>Myotis leibii</i>	Eastern small-footed bat	T	1
<i>Myotis lucifugus</i>	Little brown bat	E	9
<i>Myotis septentrionalis</i>	Northern long-eared Bat	E	9
<i>Myotis sodalis</i>	Indiana bat	E	1
<i>Perimyotis subflavus</i>	Tri-colored bat	E	10

*Date listed:

- 1 = 04-13-87
- 2 = 07-30-88
- 3 = 06-23-89
- 4 = 11-09-91
- 5 = 12-07-94
- 6 = 03-18-99
- 7 = 04-23-05
- 8 = 02-16-11
- 9 = 07-15-11
- 10 = 11-15-12

A = listed as threaten on 04-13-87

B = listed as threaten on 12-07-94

C = listed as threaten on 06-23-89

*Synonym - indicates a name change from a previous Vermont Endangered and Threatened Species list

(Added 1989, Regulation of the Secretary Agency of Natural Resources, eff. June 23, 1989; amended 1991, Regulation of the Secretary of Agency of Natural Resources, eff. Nov. 9, 1991; amended 1995, Regulation of the Secretary of Agency of Natural Resources, eff. Dec. 7, 1994; amended 1999, Regulation of the Secretary of Agency of Natural Resources, eff. Mar. 18, 1999; 2005 Regulation of the Secretary of Agency of Natural Resources, eff. April 28, 2005; 2011 Regulation of the Secretary of Agency of Natural Resources, eff. July 15, 2011; 2012 Regulation of the Secretary of Agency of Natural Resources, eff. Nov. 15, 2012; 2014, No. 116 (Adj. Sess.), § 13.)
