FAQs:
2026 Georgia Protected Species List Revision

What is the Georgia protected species list? The Georgia protected species list includes all plant and animal species legally protected under the state's Endangered Wildlife Act of 1973 (O.C.G.A. § 27-3-5) or Wildflower Preservation Act of 1973 (O.C.G.A. § 12-6-3). By state law, the Georgia Department of Natural Resources has responsibility for periodically reviewing the lists – referenced in combination here as the state protected species list – and providing recommendations for revisions as needed. The current list and procedures for updating it are detailed in Subject 391-4-10: Protection of Endangered, Threatened, Rare or Unusual Species of the Rules of DNR.

Why does the protected species list need to be updated? The list identifies Georgia species considered most in need of conservation. Yet it has not been comprehensively reviewed and updated since 2006 and therefore does not reflect the most current information available. An accurate list of state-protected plants and animals is an integral component of DNR efforts to conserve Georgia's wildlife. If the list is not accurate, conservation efforts may be misdirected. The proposed changes – the first since 2006 – include adding and removing species, updating scientific names, and matching the status of species to their federal listing.



What's an example of a species proposed for addition to the list? Saltmarsh sparrows *(right)*, which are not on the current list, are one of the most rapidly declining bird species in the eastern U.S. These sparrows overwinter on the Georgia coast, where their habitat is threatened by coastal flooding and marsh fragmentation. Listing the species under the state Endangered Wildlife Act will increase the priority of monitoring efforts and projects to conserve and enhance habitat. Saltmarsh sparrows are proposed for addition to the state protected-species list as threatened.

What's an example of a species proposed for deletion from the list? Gray bats are state- and federally listed as endangered. However, the most recent five-year review of their federal conservation status determined that recovery goals have been reached and recommended delisting. DNR has worked to monitor and conserve gray bats for more than 20 years with partners such as the Southeastern Cave Conservancy, a nonprofit that protects the species' largest known maternity roost in Georgia. Gray bats also are generally not affected by white-nose syndrome, a disease plaguing bats. Although federal delisting is not final, DNR agrees that recovery goals have been met and removing gray bats from the state list is warranted. Conservation efforts for gray bats will continue as part of Georgia's State Wildlife Action Plan, which should help prevent the endangerment of this species.

How does state listing benefit animal and plant species? As noted, the protected species list identifies the Georgia species considered most in need of conservation. State listing prohibits intentionally harming protected animals anywhere in the state or destroying their habitat on public lands. Removing plants from state lands without a permit or private land without the landowner's permission is prohibited, as well. Listing also encourages voluntary conservation to protect the habitats species need, focuses DNR efforts to prevent species from declining to the point they require protection under the U.S. Endangered Species Act and authorizes DNR to work with federally listed wildlife.

What information is considered when determining the status of a species for listing?
Criteria for Georgia's state-listing of a species include:
(a) The present or threatened destruction, modification or curtailment of its habitat.
(b) Overutilization for commercial, sporting, scientific or educational purposes.
(c) Disease or predation.
(d) The inadequacy of existing regulatory mechanisms.
(e) Other natural or man-made factors affecting its continued existence.

The severity of these factors is considered when determining whether the species should be listed as endangered, threatened, rare or unusual. Under the Georgia Endangered Wildlife Act of 1973 or Georgia Wildflower Preservation Act of 1973, and as detailed in Subject 391-4-10, those classifications are defined as follows.

- Endangered: Any resident species that is in danger of extinction throughout all or a significant portion of its range, or one which is designated as endangered under the provisions of the federal Endangered Species Act of 1973
- Threatened: Any resident species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range or one that is designated as threatened under the provisions of the federal Endangered Species Act of 1973.
- Rare: Any resident species that, although not presently endangered or threatened as defined, should be protected because of its scarcity.
- Unusual: Any resident species that exhibits special or unique features and because of these features deserves special consideration in its continued survival in the state.

For the changes currently proposed, the primary data source for evaluating listing criteria was Georgia's 2025 State Wildlife Action Plan, with recommendations coming from the plan's technical teams. The Wildlife Action Plan is a comprehensive, statewide strategy compiled using hundreds of experts to assess the conservation status of Georgia's Species of Greatest Conservation Need based on rarity, trends and threats.

Are endangered, threatened, rare and unusual species afforded the same regulatory protections? Yes. State rules do not differentiate among the status categories with respect to

protection. However, endangered species should generally be the highest priority for voluntary conservation efforts, followed by threatened, rare and unusual species.

How does state listing affect the rights of landowners? Georgia law says that rules and regulations related to the protection of state-protected species shall not affect rights in private property. Prohibitions (noted in the next question) address the capture, killing or selling of protected animal species and the protection of the habitat of these species on public lands.

What actions are prohibited for state-protected animals? It is unlawful to harass, capture, kill or otherwise directly cause the death of any protected animal species, except as specifically authorized by law or regulation adopted by the state Board of Natural Resources. Protected animal species or parts of these species cannot be sold, bought or possessed unless authorized by a permit issued from DNR. The destruction of the habitat of any protected animal species on public lands is prohibited.

What actions are prohibited for state-protected plants? It is unlawful to cut, dig, pull up or otherwise remove any protected plant species from state-owned lands without an appropriate permit from DNR. It is unlawful to sell protected plants collected on private land without permission from the landowner. It is also unlawful to transport state-protected plants that were collected on private lands without a tag supplied by DNR and written evidence of the landowner's permission.

What is the penalty for violating Georgia's Wildflower Preservation Act or the Endangered Wildlife Act? Violating either of these state laws is a misdemeanor.

Would protecting the eastern diamond-backed rattlesnake make Georgians less safe? No. Of the approximately 500-600 venomous snakebites reported in Georgia each year, about 10 can be attributed to eastern diamond-backed rattlesnakes, with zero deaths reported most years. Nationally, the majority of snakebite fatalities occur after people have been bitten while trying to catch, handle or kill a venomous snake. Protection of the eastern diamond-backed rattlesnake as part of the state's protected species list would make such activities unlawful and hopefully discourage the behaviors that lead to most bites. On average, out of the approximately 7,000 snakebites annually in the U.S., about three people die from envenomation by native venomous snakes. In comparison, about 20-30 people die nationwide each year from lightning strikes, 40-70 from dog attacks and 60-70 from bee stings. In Georgia, three fatalities over the last 30 years have been attributed to the eastern diamond-backed rattlesnake.

Would someone be charged if they were defending themselves from an eastern diamond-backed rattlesnake? DNR's Law Enforcement Division would investigate to determine whether killing the animal was necessary to defend against an imminent threat of injury to a person, other animal or property. Violating the Georgia Endangered Wildlife Act is a misdemeanor offense.

Can a state-protected species stop development? No. Georgia law specifically states that rules and regulations related to the protection of state-protected species shall not impede construction of any type. However, the DNR Wildlife Resources Division routinely makes

recommendations to guide more environmentally friendly development in areas where state-protected plant and animal species are known to occur.

Will state listing a species protect it from possible extinction? Listing does not ensure that species will not go extinct, but it should result in increased efforts to protect and recover them. For example, the protected plant and animal lists are increasingly used to guide voluntary conservation efforts by conservation groups and government agencies. In addition, protected species status is often used to justify grant funding for research and conservation projects. Finally, prohibitions specified in the Georgia Endangered Wildlife Act of 1973 and Wildflower Preservation Act of 1973 can be used to deter the illegal harvest of plants and animals and protect habitats on public lands.

Will the addition of more species to the state list result in more federally listed species in Georgia? No. While Georgia regulation provides that federally protected species are automatically protected at the state level, determining whether to add a species to the federal Endangered Species Act list is a completely separate process led by the U.S. Fish and Wildlife Service. Furthermore, if state listing results in increased conservation efforts for a declining species, that work may help avoid federal listing for a species that may have otherwise required protection at the federal level.

Will species be removed from the state list? Yes, 40 species will be removed from the list. This is either because the work DNR and partners have completed over the last 20 years has helped to recover the species or that updated survey and monitoring data revealed that the species was not as rare and we thought.

Why does one proposed change involve the sale of native Georgia plants? The purpose of Rule 391-4-10-.07 is to provide exceptions for activities otherwise prohibited under the Wildflower Preservation Act. The proposed exception would allow for the sale, transportation and possession of 39 protected plant species – denoted by asterisks in Rule 391-4-10-.09 – without a permit issued by DNR. The native plant horticulture industry is an emerging and important sector of Georgia's economy, and research indicates that private landowners are increasingly seeking native plants for use in residential landscapes. Several protected species have long been established in the horticultural trade and are propagated from cultivated stock rather than collected from wild populations. To support the responsible growth of Georgia's native plant industry, this exemption would allow the sale of designated species without a DNR permit, provided they are propagated from pre-existing horticultural stock and not collected from wild populations.

How can I submit comments during the public comment period? The public comment period has closed. It was open Aug. 28 through Sept. 20, 2026. During that time, interested individuals could submit comments on the proposed amendments to rules 391-4-10-.09 and 391-4-10-.07 of Subject 391-4-10: Protection of Endangered, Threatened, Rare or Unusual Species by:

- Sending an email to wcscomments@dnr.ga.gov with the subject line Protected Species List.
- Calling the DNR Wildlife Conservation Section at (706) 557-3213.

- Submitting a written statement. Written statements provided by mail should be sent to the attention of Trina Morris at:
  Georgia Department of Natural Resources
  Wildlife Resources Conservation Center
  2065 U.S. Hwy. 278 SE
  Social Circle, GA 30025

Statements sent by mail must have been received before the close of business (4:30 p.m.) on Sept. 20, 2026.

Comments on the proposed regulations could also be provided during a public hearing scheduled for 7 p.m. on Sept. 8, 2026, at the Wildlife Resources Division Headquarters Office, 2067 U.S. Hwy. 278 SE, Social Circle, GA 30025.

What happens after the public comment period? The initial plan was for the state Board of Natural Resources to consider the proposed amendments and any comments received at the board meeting scheduled for 9 a.m. Oct. 27, 2026, in the DNR Board Room at 2 Martin Luther King Jr. Drive, SE Suite 1252 East, Atlanta, GA 30334. However, DNR will be doing further outreach and analysis on the amendments. They are expected to be recommended for approval in 2027.

Where can I find more details on the proposed changes and related resources?

- Visit https://georgiawildlife.com/ProtectedSpeciesList on the DNR Wildlife Resources Division website.
- Email wcscomments@dnr.ga.gov