

New England Botanical Society Herbaria

Policy on Permits and Permissions

Adopted February 24, 2022

Purpose

The NEBS becomes the owner of all donated specimens of vascular plants and cryptogams. For this reason, it is important that NEBS only accepts specimens collected in compliance with the laws and regulations of the United States, each New England State, and other jurisdictions. This document establishes the policy under which curators will evaluate donated specimens and determine whether to accept them. It also serves as guidance to collectors as part of the NEBS's ethical standards.

Federal and Tribal Lands

Most federal lands (National Parks, National Forests, National Wildlife Refuges) and Tribally-owned lands prohibit plant collecting without a valid permit. Federal laws also prohibit collecting any federally-listed Endangered or Threatened plant without a permit. Appendix A to this policy provides a partial list of federal properties where permits are required. The NEBS Herbaria will not accept specimens collected on federal or tribal lands, or federally-listed endangered or threatened plant species, without appropriate permits or permissions.

State Lands

Many states prohibit plant collecting on state lands (state parks and reservations, state forests, state wildlife management areas, etc.) without a valid permit. Appendix A to this policy provides a partial list of state properties where permits are required. The NEBS Herbaria will not accept specimens collected on these state lands without appropriate permits or permissions.

State-Protected Species

All New England states have laws requiring them to identify and list rare (endangered, threatened, special concern) plant species, however not all states provide legal protection to these species. Appendix A to this policy provides a partial list of states where permits are required. The NEBS Herbaria will not accept specimens of listed species in these states without appropriate permits or permissions. Specimens collected accidentally will be evaluated and accepted at the discretion of the responsible state official.

Collector Responsibilities – Federal, State, Tribal lands and Protected Species

Where such laws and regulations apply, the collector is responsible for securing the necessary permit(s) and must cite the permit and permit number on the collection label. A copy of the permit must also be provided to NEBS for its records, with the specimen. NEBS will retain copies of such permits permanently. The list in Appendix A is intended as guidance only: collectors are responsible for determining if other laws or regulations are applicable.

Effective Date

Collections made without permits prior to the effective date of this policy may be accepted by NEBS.

Other Properties - Guidance

In many circumstances, permits are not required by law or regulation (for example, collecting on private lands, collecting on some municipal lands, collecting on public roads). Collectors should be aware that plants are considered the property of the owner. Where feasible, collectors should obtain the permission of the property owner prior to collecting. This is particularly applicable to lands open to the public and held by private conservation organizations (Audubon societies, The Nature Conservancy, land trusts, etc.) or municipalities (town forests) as well as lands not open to the public owned by private individuals. Where such permission has been secured, it should be recorded on the collection label (for example, 'collected with permission of the Needham Land Trust').

We recommend that collectors obtain written or emailed approvals for their records. Seeking landowner permission provides an opportunity to educate landowners about the value of scientific collections, as well as securing goodwill that collectors are respectful of private property rights as well as the protection of native plant populations.

The NEBS Herbaria will accept specimens collected from these public and private lands without documentation of permission, however NEBS strongly recommends that all collectors obtain landowner approvals as a general ethical collecting practice. Appendix B to this policy provides an example of a permission letter, and an example of an email permission request.

Appendix A – Partial List of Circumstances Where Permits Are Required For Collecting Plant Specimens

Location	Parks Recreation Areas Monuments	National or State Forests	State Wildlife Management Areas	Listed Species (Endangered, Threatened)	Contact
Federal	Permit	Permit	Permit	Permit	NPS USFWS USFS

Location	Parks Recreation Areas Monuments	National or State Forests	State Wildlife Management Areas	Listed Species (Endangered, Threatened, Special Concern)	Contact
Maine	Permit (Bureau of Parks and Lands)	Permit (Bureau of Parks and Lands)	Permit (Department of Inland Fisheries and Wildlife)	No	Maine Natural Areas Program
New Hampshire	Permit	Permit	Permit	Permit (state lands)	Various
Vermont	Permit	Permit	Permit	Permit (state lands); written landowner permission	Department of Fish and Wildlife
Massachusetts	Special Use Permit (Department of Conservation and Recreation)	Permit (Department of Conservation and Recreation)	Permit (Division of Fisheries and Wildlife)	Permit (Division of Fisheries and Wildlife)	Various (see left)
Rhode Island	Permit	Permit	Permit	Permit	Department of Environmental Management
Connecticut	Permit	Permit	Permit	Permit	Department of Energy and Environmental Protection

Appendix B Sample Permission Letter and Email

New England Botanical Society Herbaria

Private Landowner Permission Letter

This letter indicates that _____ (the landowner) permits _____ (the collector) to access landowner's property at

_____ (address) to collect specimens of vascular plants or cryptogams (mosses, fungi?, liverworts, lichens) for the New England Botanical Society (NEBS) herbaria. The specimens will become the property of the NEBS and will be available to researchers through the physical and digital herbaria.

Herbarium collections provide an invaluable permanent record of the diversity of the New England flora, the distribution of each plant species across the region, and the changes over time in distributions, flowering times, and other aspects of ecology. Thank you for agreeing to participate in this important research by allowing plant specimens from your property to become part of the herbarium.

Landowner

_____ Name
_____ Telephone
_____ Email
_____ Signature
_____ Date

Collector

_____ Name
_____ Signature
_____ Date
_____ Email

Sample Permission Email

To: Landowner

Text:

Dear _____

I request access to your property at

(address) to collect specimens of vascular plants or cryptogams (mosses, liverworts, lichens) for the New England Botanical Society (NEBS) herbaria. These specimens will become the property of the NEBS and will be available to researchers through the physical and digital herbaria. Herbarium collections provide an invaluable permanent record of the diversity of the New England flora, the distribution of each plant species across the region, and the changes over time in distributions, flowering times, and other aspects of ecology. Thank you for agreeing to participate in this important research by allowing plant specimens from your property to become part of the herbarium.

More information on the NEBS is available on the Society's website (rhodora.org)

Signed

Researcher's name

Telephone

email