

Quick-Reference Legal

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[revised 12/29/06]

State of New Mexico; New Mexico Administrative Code

TITLE 19 NATURAL RESOURCES AND WILDLIFE

CHAPTER 33: ENDANGERED AND PROTECTED SPECIES

PART 2: LIST OF THREATENED AND ENDANGERED SPECIES

19.33.6.1 ISSUING AGENCY: New Mexico Department of Game and Fish.

[1-31-96; 19.33.1.1 NMAC - Rn, 19 NMAC 33.1.1, 4/14/00; 19.33.6.1 NMAC - Rn, 19.33.1.1 NMAC, 11/30/00]

19.33.6.2 SCOPE: The department of game and fish and all persons who may affect wildlife, or possess exotic large cats, in New Mexico. The department collects biological information for managing threatened and endangered species. Except as otherwise provided in the Wildlife Conservation Act (17-2-37 to 17-2-46 NMSA 1978), it is unlawful for any person to take, possess, transport, export, sell or offer for sale or ship any threatened or endangered species or subspecies, or any restricted species. The department may authorize such activities, by permit, for scientific or educational purposes, for propagation in captivity, or to protect private property.

[1-31-96; 19.33.1.2 NMAC - Rn, 19 NMAC 33.1.2, 4/14/00; 19.33.6.2 NMAC - Rn, 19.33.1.2 NMAC, 11/30/00]

19.33.6.3 STATUTORY AUTHORITY: 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected species. 17-2-38 and 17-2-40 NMSA 1978 provide that the commission may list threatened and endangered, native and foreign wildlife.

[1-11-91, 1-31-96; 19.33.1.3 NMAC - Rn, 19 NMAC 33.1.3, 4/14/00; 19.33.6.3 NMAC - Rn, 19.33.1.3 NMAC, 11/30/00]

19.33.6.4 DURATION: Permanent.

[1-31-96; 19.33.1.4 NMAC - Rn, 19 NMAC 33.1.4, 4/14/00; 19.33.6.4 NMAC - Rn, 19.33.1.4 NMAC, 11/30/00]

19.33.6.5 EFFECTIVE DATE: January 31, 1996, unless a later date is cited at end of a section.

[1-31-96, 12-31-96; 19.33.1.5 NMAC - Rn, 19 NMAC 33.1.5, 4/14/00; 19.33.6.5 NMAC - Rn, 19.33.1.5 NMAC, 11/30/00]

19.33.6.6 OBJECTIVE; To provide a list of the threatened, endangered, and restricted wildlife of New Mexico.

[1-11-91, 1-31-96; 19.33.1.6 NMAC - Rn, 19 NMAC 33.1.6, 4/14/00; 19.33.6.6 NMAC - Rn, 19.33.1.6 NMAC, 11/30/00]

19.33.6.7 DEFINITIONS:

- A. “**Endangered**”, as used herein, means any species or subspecies whose prospects of survival or recruitment in New Mexico are in jeopardy.
- B. “**Threatened**”, as used herein, means any species or subspecies that is likely to become endangered within the foreseeable future throughout all or a significant portion of its range in New Mexico.
- C. “**Restricted species**”, as used herein, means any listed large exotic cat species or subspecies.
- D. “**Identification format**”, Where both threatened or endangered, and non-endangered, subspecies occur in the state, the former are identified by being listed by common name (in parentheses) and trinomial.

[1-11-91, 1-31-96; 19.33.1.7 NMAC - Rn, 19 NMAC 33.1.7, 4/14/00; 19.33.6.7 NMAC - Rn, 19.33.1.7 NMAC, 11/30/00]

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19.33.6.8 THREATENED AND ENDANGERED SPECIES OF NEW MEXICO:

A. MAMMALS

(1) Endangered:

- (a) Arizona shrew, *Sorex arizonae*
- (b) Mexican long-nosed bat, *Leptonycteris nivalis*
- (c) (Penasco) least chipmunk, *Tamias minimus atristriatus*
- (d) meadow jumping mouse, *Zapus hudsonius*
- (e) (Arizona) montane vole, *Microtus montanus arizonensis*
- (f) gray wolf, *Canis lupus*
- (g) (desert) bighorn sheep, *Ovis canadensis mexicana*

(2) Threatened:

- (a) least shrew, *Cryptotis parva*
- (b) southern long-nosed bat, *Leptonycteris curasoae*
- (c) spotted bat, *Euderma maculatum*
- (d) western yellow bat, *Lasiurus xanthius*
- (e) white-sided jackrabbit, *Lepus callotis*
- (f) (Organ mountains) Colorado chipmunk, *Neotamias quadrivittatus australis*
- (g) southern pocket gopher, *Thomomys umbrinus*
- (h) American marten, *Martes americana*

- (3) Listing exempts individuals and populations of the desert bighorn sheep in the Peloncillo mountains in Hidalgo county and all stock in captivity.

B. BIRDS

(1) Endangered:

- (a) brown pelican, *Pelecanus occidentalis*
- (b) aplomado falcon, *Falco femoralis*
- (c) white-tailed ptarmigan, *Lagopus leucurus*
- (d) whooping crane, *Grus americana*
- (e) least tern, *Sterna antillarum*
- (f) common ground-dove, *Columbina passerina*
- (g) buff-collared nightjar, *Caprimulgus ridgwayi*
- (h) elegant trogon, *Trogon elegans*
- (i) northern beardless-tyrannulet, *Camptostoma imberbe*
- (j) (southwestern) willow flycatcher, *Empidonax traillii extimus*
- (k) thick-billed kingbird, *Tyrannus crassirostris*
- (l) (Arizona) grasshopper sparrow, *Ammodramus savannarum ammolegus*

(2) Threatened:

- (a) neotropic cormorant, *Phalacrocorax brasilianus*
- (b) bald eagle, *Haliaeetus leucocephalus*
- (c) common black-hawk, *Buteogallus anthracinus*
- (d) peregrine falcon, *Falco peregrinus*
- (e) (Gould's) wild turkey, *Meleagris gallopavo mexicana*
- (f) piping plover, *Charadrius melodus*
- (g) whiskered screech-owl, *Megascops trichopsis*
- (h) boreal owl, *Aegolius funereus*
- (i) broad-billed hummingbird, *Cyanthus latirostris*
- (j) white-eared hummingbird, *Hylocharis leucotis*
- (k) violet-crowned hummingbird, *Amazilia violiceps*
- (l) lucifer hummingbird, *Calothorax lucifer*
- (m) Costa's hummingbird, *Calypte costae*
- (n) Gila woodpecker, *Melanerpes uropygialis*
- (o) Bell's vireo, *Vireo bellii*
- (p) gray vireo, *vireo vicinior*
- (q) Abert's towhee, *Pipilo aberti*
- (r) Baird's sparrow, *Ammodramus bairdii*
- (s) yellow-eyed junco, *Junco phaeonotus*
- (t) varied bunting, *Passerina versicolor*



C. REPTILES

(1) Endangered:

- (a) Gila monster, *Heloderma suspectum*
- (b) Sand dune lizard, *Sceloporus arenicolus*
- (c) gray-checked whiptail *Aspidoscelis dixonii*
- (d) gray-banded kingsnake, *Lampropeltis alterna*
- (e) Mexican gartersnake, *Thamnophis eques*
- (f) plain-bellied water snake, *Nerodia erythrogaster*
- (g) (New Mexico) ridgenose rattlesnake, *Crotalus willardi obscurus*

(2) Threatened:

- (a) western river cooter, *Pseudemys gorzugi*
- (b) Slevin's bunch grass lizard, *Sceloporus slevini*
- (c) canyon spotted whiptail, *Aspidoscelis burti*
- (d) mountain skink, *Eumeces callicephallus*
- (e) green ratsnake, *Senticolis triaspis*
- (f) narrow-headed gartersnake, *Thamnophis rufipunctatus*
- (g) western ribbonsnake, *Thamnophis proximus*
- (h) (mottled) rock rattlesnake, *Crotalus lepidus lepidus*

D. AMPHIBIANS

(1) Endangered:

- (a) Jemez mountains salamander, *Plethodon neomexicanus*
- (b) lowland leopard frog, *Rana yavapaiensis*
- (c) mountain toad, *Bufo boreas*
- (d) Great Plains narrow-mouthed toad, *Gastrophryne olivacea*

(2) Threatened:

- (a) Sacramento mountain salamander, *Aneides hardii*
- (b) Sonoran desert toad, *Bufo alvarius*

E. FISHES

(1) Endangered:

- (a) Gila chub, *Gila intermedia*
- (b) Headwater chub, *Gila nigra*
- (c) Chihuahua chub, *Gila nigrescens*
- (d) roundtail chub, *Gila robusta*
- (e) Rio Grande silvery minnow, *Hybognathus amarus*
- (f) spikedace, *Meda fulgida*
- (g) Arkansas river shiner, *Notropis girardi*
- (h) (Pecos) bluntnose shiner, *Notropis simus pecosensis*
- (i) southern redbelly dace, *Phoxinus erythrogaster*
- (j) Colorado pikeminnow, *Ptychocheilus lucius*
- (k) (Zuni) bluehead sucker, *Catostomus discobolus yarrowi*
- (l) blue sucker, *Cycleptus elongatus*
- (m) Pecos gambusia, *Gambusia nobilis*

(2) Threatened:

- (a) Gila trout, *Oncorhynchus gilae*
- (b) Mexican tetra, *Astyanax mexicanus*
- (c) peppered chub, *Macrhybopsis tetranema*
- (d) suckermouth minnow, *Phenacobius mirabilis*
- (e) loach minnow, *Tiaroga cobitis*
- (f) gray redhorse, *Scartomyzon congestum*
- (g) Pecos pupfish, *Cyprinodon pecosensis*
- (h) White Sands pupfish, *Cyprinodon tularosa*
- (i) Gila topminnow, *Poeciliopsis occidentalis*
- (j) greenthroat darter, *Etheostoma lepidum*
- (k) bigscale logperch, *Percina macrolepida*

- (3) **Listing exceptions:** Gila trout – excludes the population in McKnight creek, Grant county; Arkansas river shiner – excludes the population in the Pecos river drainage; bigscale logperch – excludes the population in the Canadian river drainage



F. CRUSTACEANS

(1) Endangered:

- (a) Socorro isopod, *Thermosphaeroma thermophilum*
- (b) Noel's amphipod, *Gammarrus desperatus*

G. MOLLUSKS

(1) Endangered:

- (a) paper pondshell, *Utterbackia imbecillis*
- (b) Texas hornshell, *Popenaias popeii*
- (c) Koster's springsnail, *Juturnia kosteri*
- (d) Alamosa springsnail, *Pseudotryonia alamosae*
- (e) Chupadera springsnail, *Pyrgulopsis chupaderae*
- (f) Socorro springsnail, *Pyrgulopsis neomexicana*
- (g) Roswell springsnail, *Pyrgulopsis roswellensis*
- (h) Pecos assiminea, *Assiminea pecos*
- (i) wrinkled marshsnail, *Stagnicola caperata*
- (j) Florida mountainsnail, *Oreohelix florida*

(2) Threatened:

- (a) lake fingernailclam, *Musculium lacustre*
- (b) swamp fingernailclam, *Musculium partumeium*
- (c) long fingernailclam, *Musculium transversum*
- (d) Lilljeborg's peaclam, *Pisidium lilljeborgi*
- (e) Sangre de Cristo peaclam, *Pisidium sanguinichristi*
- (f) Gila springsnail, *Pyrgulopsis gilae*
- (g) Pecos springsnail, *Pyrgulopsis pecosensis*
- (h) New Mexico hot springsnail, *Pyrgulopsis thermalis*
- (i) star gyro, *Gyraulus crista*
- (j) shortneck snaggletooth, *Gastrocopta dalliana dalliana*
- (k) ovate vertigo, *Vertigo ovata*
- (l) Hacheta Grande woodlandsnail, *Ashmunella hebardii*
- (m) Cooke's peak woodlandsnail, *Ashmunella macromphala*
- (n) Mineral creek mountainsnail, *Oreohelix pilsbryi*
- (o) Doña Ana talussnail, *Sonorella todseni*

[1-11-91, 11-15-95, 12-31-96, 8-15-98; 19.33.1.8 NMAC - Rn & A, 19 NMAC 33.1.8, 4/14/00; 19.33.6.8 NMAC - Rn, 19.33.1.8 NMAC & A, 11/30/00; A, 11/14/02; A, 1/31/05; A, 9/15/05; A, 10/16/06; A, 12/29/06]

19.33.6.9 RESTRICTED SPECIES OF NEW MEXICO:

- A. leopard, *Panthera pardus*
- B. clouded leopard, *Neofelis nebulosa*
- C. snow leopard, *Panthera uncia*
- D. jaguar, *Panthera onca*
- E. Florida panther, *Felis concolor coryi*
- F. tiger, *Panthera tigris*
- G. ocelot, *Felis pardalis*

[8-6-91, 8-15-98; 19.33.1.8 NMAC - Rn, 19 NMAC 33.1.9, 4/14/00; 19.33.6.9 NMAC - Rn, 19.33.1.9 NMAC, 11/30/00; A, 9/15/05]

19.33.6.10 SPECIES FORMERLY LISTED: These species have been removed from the above list since 1997; because they have been determined to be not indigenous to New Mexico, or they have been extirpated from New Mexico, or they have recovered and are no longer threatened or endangered.

- A. spotted chorus frog, *Pseudacris clarkii*
- B. phantom shiner, *Notropis orca*
- C. (Rio Grande) bluntnose shiner, *Notropis simus simus*
- D. brook stickleback, *Culaea inconstans*

[8-15-98; 19.33.1.8 NMAC - Rn, 19 NMAC 33.1.10, 4/14/00; 19.33.6.10 NMAC - Rn, 19.33.1.10 NMAC, 11/30/00]

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HISTORY OF 19.33.6 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the Commission of Public Records - Records Center and Archives:

DGF 75-2 Regulation No. 563, Protection of Endangered Species and Subspecies of New Mexico, 1-31-75.

DGF 79-4 Regulation No. 599, Listing of Endangered Species and Subspecies of New Mexico, 6-27-79.

Regulation No. 624 Listing of endangered Species and Subspecies of New Mexico, 7-29-83.

Regulation No. 657 Amending the Listing of Endangered Species and Subspecies of New Mexico, 3-3-88.

Regulation No. 682 Amending the Listing of Endangered Species and Subspecies of New Mexico, 1-11-91.

History of Repealed Material: [RESERVED]

Suggested in-text citation and full reference:

(19 NMAC 33.6.8)

19 NMAC 33.6.8. 1996. Natural Resources and Wildlife; Endangered and Protected Species.

List of Threatened and Endangered Species. New Mexico Department of Game and Fish.

[1-31-96; 11/30/00]

