



NJDEP  
recommendations to  
amend the lists of  
endangered and  
nongame wildlife

## Statutory Authority:

N.J.A.C. 23:2A-4

- NJDEP Fish & Wildlife is charged with conducting investigations of wildlife indigenous to the State to develop information on populations, distribution, habitat needs, and other biological and ecological data, to determine management measures needed for wildlife populations to perpetuate themselves successfully.
- On the basis of such investigations, the DEP may promulgate a list of those species that are determined to be endangered. This list shall be periodically reviewed and amended.



## **Recommended changes include:**

- \* Additions, deletions, and conservation status updates to the list of endangered species and the nongame species list, based on the Department's investigations regarding the status of wildlife species populations in the State.
- \* One significant and several minor organizational amendments to the two lists. The proposed structural and organizational amendments affect how we describe the conservation status updates, so this presentation will address the structural/organizational changes first.
- \* Changes to the definitions section including adding four new terms, amending five existing terms, and a minor change to the title of the nongame species list.
- \* A new subsection that addresses the way DEP adds species to the list of endangered species that have been added to the Federal list (ESA) but are not currently included on the State list of endangered species.
- \* Updates and corrections to the scientific and/or common names of several species on both lists based on updated nomenclature.
- \* A minor amendment regarding the term of the Chairperson of the Endangered and Nongame Species Advisory Committee (ENSAC).

# Organizational Changes

**No Actual  
Change in  
Conservation  
Status**





# Organizational changes

The list of endangered species will be formally defined to include species with a conservation status of *endangered* or *threatened*.

The statute includes two degrees of imperilment, which the Department has defined as “endangered” and “threatened.”

- *endangered* species were put on the **endangered species** list
- *threatened* species were put on the **nongame list**
- This categorization was addressed in a 2008 legal decision that confirmed *threatened* as a subset of *endangered* species.

**This rule change will formally move *threatened* species from the *nongame* list to the list of *endangered* species.**

# Organizational Changes

**32 threatened species will **remain** as *threatened* but appear on the endangered species list**

Common Name	Scientific name
<b><u>Freshwater Mussels (5)</u></b>	
Eastern Lampmussel	<i>Lampsilis radiata</i>
Eastern Pondmussel	<i>Ligumia nasuta</i>
Tidewater Mucket	<i>Leptodea ochracea</i>
Triangle Floater	<i>Alasmidonta undulata</i>
Yellow Lampmussel	<i>Lampsilis cariosa</i>
<b><u>Dragonflies &amp; Damselflies (6)</u></b>	
Banner Clubtail	<i>Hylogomphus apomyius</i>
Brook Snaketail	<i>Ophiogomphus aspersus</i>
Harpoon Clubtail	<i>Phanogomphus descriptus</i>
Kennedy's Emerald	<i>Somatochlora kennedyi</i>
Robust Baskettail	<i>Epitheca spinosa</i>
Superb Jewelwing	<i>Calopteryx amata</i>
<b><u>Butterflies (2)</u></b>	
Checkered White	<i>Pontia protodice</i>
Frosted Elfin	<i>Callophrys irus</i>

Common Name	Scientific name
<b><u>Amphibians (3)</u></b>	
Eastern Long-tailed Salamander	<i>Eurycea l. longicauda</i>
Eastern Mud Salamander	<i>Pseudotriton m. montanus</i>
Pine Barrens Treefrog	<i>Dryophytes andersonii</i>
<b><u>Reptiles (2)</u></b>	
Northern Pinesnake	<i>Pituophis m. melanoleucus</i>
Wood Turtle	<i>Glyptemys insculpta</i>
<b><u>Birds -breeding (10)</u></b>	
American Kestrel	<i>Falco sparverius</i>
Barred Owl	<i>Strix varia</i>
Black-crowned Night-Heron	<i>Nycticorax nycticorax</i>
Bobolink	<i>Dolichonyx oryzivorus</i>
Grasshopper Sparrow	<i>Ammodramus savannarum</i>
Horned lark	<i>Eremophila alpestris</i>
Long-eared Owl	<i>Asio otus</i>
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>
Savannah Sparrow	<i>Passerculus sandwichensis</i>
Yellow-crowned Night-Heron	<i>Nyctanassa violacea</i>
<b><u>Birds -non-breeding (4)</u></b>	
American Kestrel	<i>Falco sparverius</i>
Barred Owl	<i>Strix varia</i>
Long-eared Owl	<i>Asio otus</i>
Yellow-crowned Night-Heron	<i>Nyctanassa violacea</i>



# Endangered Species List

**Conservation  
Status  
changes**





# Endangered Species List

## Super brief count of recommended changes to the endangered list

**There are a total of 5 changes to species** currently listed as Endangered or Threatened that will no longer be E or T. They are bald eagle (breeding), bald eagle (non-breeding), osprey (breeding), red-headed woodpecker (non-breeding), and cattle egret (breeding).

**A total of 27 species\*** will be newly listed as E or T (that is, not currently listed as either E on Endangered list or T on Nongame list).

(\*note that this counts breeding and non-breeding populations of birds separately).



# Endangered Species List

## Recommended changes to Conservation Status of 34 species based on species status assessments

SPECIES GROUPS	Reduced conservation concern			Increased conservation concern				
	E to T	E to SC, S or U	Total	T to E	S or SC to T or E	U to T or E	nl to T or E	Total
Bees	-	-	-	-	-	-	1	1
Butterflies	-	-	-	1	6	-	4	11
Freshwater Fish	-	-	-	-	-	-	4	4
Amphibians	1	-	1	-	-	-	-	-
Reptiles	-	-	-	1	1	1	-	3
Birds (breeding)	1	1	2	-	4	-	1	5
Birds (non-breeding)	-	-	-	1	1	-	-	2
Land Mammals	1	-	1	-	-	4	-	4
TOTAL	3	1	4	3	12	5	10	30

# Endangered Species List

## Recommended changes to Conservation Status of 34 species

Species	Scientific name	Species	Scientific name	Species	Scientific name
<b><u>REDUCED CONSERVATION CONCERN</u></b>		<b><u>INCREASED CONSERVATION CONCERN</u></b>		<b><u>INCREASED CONSERVATION CONCERN</u></b>	
<b><u>Amphibians:</u></b>		<b><u>Insects:</u></b>		<b><u>Reptiles:</u></b>	
Cope's Gray Treefrog	<i>Dryophytes chrysoscelis</i>	<b><u>Bees:</u></b>		Green Sea Turtle	<i>Chelonia mydas</i>
<b><u>Birds (breeding):</u></b>		<b><u>Butterflies:</u></b>		Eastern Copperhead	<i>Agkistrodon contortrix</i>
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Acadian Hairstreak	<i>Satyrium acadica</i>	Northern Scarletsnake	<i>Cemophora coccinea copei</i>
Peregrine Falcon	<i>Falco peregrinus</i>	Common Roadside-Skipper	<i>Amblyscirtes vialis</i>	<b><u>Birds (breeding):</u></b>	
<b><u>Land Mammals:</u></b>		Dotted Skipper	<i>Hesperia a. attalus</i>	Barn Owl	<i>Tyto alba</i>
Bobcat	<i>Lynx rufus</i>	Gray Comma	<i>Polygonia progne</i>	Eastern Meadowlark	<i>Sturnella magna</i>
		Georgia Satyr	<i>Neonympha areolatus</i>	Kentucky Warbler	<i>Geothlypis formosa</i>
		Hoary Elfin	<i>Callophrys polios</i>	King Rail	<i>Rallus elegans</i>
		Leonard's Skipper	<i>Hesperia leonardus</i>	Saltmarsh Sparrow	<i>Ammospiza caudacuta</i>
		Northern Metalmark	<i>Calephelis borealis</i>	<b><u>Birds (non-breeding):</u></b>	
		Pepper and Salt Skipper	<i>Amblyscirtes hegon</i>	Black Rail	<i>Laterallus jamaicensis</i>
		Myrina Fritillary	<i>Boloria m. myrina</i>	Golden-winged Warbler	<i>Vermivora chrysoptera</i>
		Two-spotted Skipper	<i>Euphyes bimacula</i>	<b><u>Mammals:</u></b>	
		<b><u>Fish:</u></b>		<b><u>Land Mammals:</u></b>	
		Atlantic Sturgeon	<i>Acipenser oxyrinchus</i>	Eastern Small-footed Myotis	<i>Myotis leibii</i>
		Bridle Shiner	<i>Notropis bifrenatus</i>	Northern Myotis	<i>Myotis septentrionalis</i>
		Ironcolor Shiner	<i>Notropis chalybaeus</i>	Little Brown Myotis	<i>Myotis lucifugus</i>
		Slimy Sculpin	<i>Cottus cognatus</i>	Tricolored Bat	<i>Perimyotis subflavus</i>

N.J.A.C. 7:25-4.13



# Endangered Species List

## **REDUCED** Conservation Status for 4 species on the endangered list

Species	Scientific name	Proposed status change
<b><u>REDUCED CONSERVATION CONCERN</u></b>		
<b><u>Amphibians:</u></b>		
Cope's Gray Treefrog	<i>Dryophytes chrysoscelis</i>	E to T
<b><u>Birds (breeding):</u></b>		
Bald Eagle	<i>Haliaeetus leucocephalus</i>	E to SC (br), T to S (non-br)
Peregrine Falcon	<i>Falco peregrinus</i>	E to T (br)
<b><u>Land Mammals:</u></b>		
Bobcat	<i>Lynx rufus</i>	E to T

N.J.A.C. 7:25-4.13





# Endangered Species List

## INCREASED Conservation Status for 30 Species

Species	Scientific name	Proposed status change
<b><u>INCREASED CONSERVATION CONCERN</u></b>		
<b><u>Insects:</u></b>		
<b><u>Bees:</u></b>		
Rusty-patched Bumble Bee	<i>Bombus affinis</i>	nl to E (+federal)
<b><u>Butterflies:</u></b>		
Acadian Hairstreak	<i>Satyrrium acadica</i>	nl to E
Common Roadside-Skipper	<i>Amblyscirtes vialis</i>	nl to T
Dotted Skipper	<i>Hesperia a. attalus</i>	SC to T
Gray Comma	<i>Polygonia progne</i>	nl to T
Georgia Satyr	<i>Neonympha areolatus</i>	SC to T
Hoary Elfin	<i>Callophrys polios</i>	SC to T
Leonard's Skipper	<i>Hesperia leonardus</i>	SC to T
Northern Metalmark	<i>Calephelis borealis</i>	SC to E
Pepper and Salt Skipper	<i>Amblyscirtes hegon</i>	nl to T
Myrina Fritillary	<i>Boloria m. myrina</i>	T to E
Two-spotted Skipper	<i>Euphyes bimacula</i>	SC to T
<b><u>Fish:</u></b>		
Atlantic Sturgeon	<i>Acipenser oxyrinchus</i>	nl to E
Bridle Shiner	<i>Notropis bifrenatus</i>	nl to E
Ironcolor Shiner	<i>Notropis chalybaeus</i>	nl to E
Slimy Sculpin	<i>Cottus cognatus</i>	nl to T

Species	Scientific name	Proposed status change
<b><u>INCREASED CONSERVATION CONCERN</u></b>		
<b><u>Reptiles:</u></b>		
Green Sea Turtle	<i>Chelonia mydas</i>	T to E
Eastern Copperhead	<i>Agkistrodon contortrix</i>	SC to T
Northern Scarletsnake	<i>Cemophora coccinea copei</i>	U to T
<b><u>Birds (breeding):</u></b>		
Barn Owl	<i>Tyto alba</i>	SC to T
Eastern Meadowlark	<i>Sturnella magna</i>	SC to T
Kentucky Warbler	<i>Geothlypis formosa</i>	SC to T
King Rail	<i>Rallus elegans</i>	nl to E
Saltmarsh Sparrow	<i>Ammodramus caudacuta</i>	SC to T
<b><u>Birds (non-breeding):</u></b>		
Black Rail	<i>Laterallus jamaicensis</i>	T to E
Golden-winged Warbler	<i>Vermivora chrysoptera</i>	SC to E
<b><u>Mammals:</u></b>		
<b><u>Land Mammals:</u></b>		
Eastern Small-footed Myotis	<i>Myotis leibii</i>	U to E
Northern Myotis	<i>Myotis septentrionalis</i>	U to E
Little Brown Myotis	<i>Myotis lucifugus</i>	U to E
Tricolored Bat	<i>Perimyotis subflavus</i>	U to E

# Nongame Wildlife List

Recommended  
changes to  
species on the  
Nongame list



# Nongame Wildlife List

## Summary of 115 recommended changes to nongame species list at N.J.A.C. 7:25-4.17

Species Group	“New” (not previously listed - nl)				Increased Conservation Concern	Reduced conservation concern				“Neutral” change in conservation concern				Deleted
	nl to S	nl to U	nl to SC	total	S to SC	T to S	T to SC	SC to S	total	S to U	U to S	U to SC	total	total
Crayfish & Fairy Shrimp	-	-	1	1	-	-	-	-	-	-	-	-	-	-
Butterflies	-	-	9	9	-	-	-	-	-	-	-	-	-	-
Freshwater Fish	-	-	6	6	-	-	-	-	-	-	-	-	-	-
Amphibians	-	2	-	2	2	-	-	1	1	-	1	1	2	-
Reptiles	-	-	1	1	2	-	-	-	-	1	6	3	10	-
Birds (breeding)	2*	-	-	2	8	1	1	6	8	3	-	-	3	-
Birds (non-breeding)	4	1	1	6	6	1	1	7	9	-	-	1	1	1
Land Mammals	-	1	-	1	-	-	-	-	-	-	12	5	17	1
Marine Mammals	-	-	-	-	-	-	-	-	-	-	4	2	6	10
<b>Total</b>	<b>6</b>	<b>4</b>	<b>18</b>	<b>28</b>	<b>18</b>	<b>2</b>	<b>2</b>	<b>14</b>	<b>18</b>	<b>4</b>	<b>23</b>	<b>12</b>	<b>39</b>	<b>12</b>

The List of Regulated Nongame Wildlife includes native species with a conservation status of SC, S, or U – Special Concern, Stable/Secure, or Undetermined/Unknown.

This table does not include species moving to or from list of endangered species (E to S, SC, or U) that were included in previous tables.





# Nongame Wildlife List

## ADDITION of 28 new Species to the *nongame species list*

Species	Scientific name	Current Status	Proposed Status
<b><u>NEW TO LISTS</u></b>			
<b><u>Crayfish/Fairy Shrimp:</u></b>			
Eastern Fairy Shrimp	<i>Eubbranchipus holmanii</i>	nl	SC
<b><u>Butterflies:</u></b>			
Baltimore Checkerspot	<i>Euphydryas phaeton</i>	nl	SC
Compton Tortoiseshell	<i>Nymphalis I-album</i>	nl	SC
Dusted Skipper	<i>Atrytonopsis hianna</i>	nl	SC
Eyed Brown	<i>Lethe eurydice</i>	nl	SC
Hickory Hairstreak	<i>Satyrium caryaevorus</i>	nl	SC
Monarch	<i>Danaus plexippus</i>	nl	SC
Northern Oak Hairstreak	<i>Satyrium favonius ontario</i>	nl	SC
Rare Skipper	<i>Problemata bulenta</i>	nl	SC
Sleepy Duskywing	<i>Erynnis brizo</i>	nl	SC
<b><u>Fish:</u></b>			
American Brook Lamprey	<i>Lethenteron appendix</i>	nl	SC
Blackbanded Sunfish	<i>Enneacanthus chaetodon</i>	nl	SC
Comely Shiner	<i>Notropis amoenus</i>	nl	SC
Mud Sunfish	<i>Acantharchus pomotis</i>	nl	SC
Northern Hog Sucker	<i>Hypentelium nigricans</i>	nl	SC
Shield Darter	<i>Percina peltata</i>	nl	SC

Species	Scientific name	Current Status	Proposed Status
<b><u>NEW TO LISTS</u></b>			
<b><u>Amphibians:</u></b>			
Green Treefrog	<i>Dryophytes cinereus</i>	nl	U
Mid-Atlantic Coast Leopard Frog	<i>Lithobates kauffeldi</i>	nl	U
<b><u>Reptiles:</u></b>			
Northern Diamond-backed Terrapin	<i>Malaclemys t.terrapin</i>	nl	SC
<b><u>Birds (breeding):</u></b>			
Mississippi Kite*	<i>Ictinia mississippiensis</i>	nl*	S
Royal Tern*	<i>Thalasseus maximus</i>	nl*	S
<b><u>Birds (nonbreeding):</u></b>			
Audubon's Shearwater	<i>Puffinus lherminieri</i>	nl	S
Black Tern	<i>Chlidonias niger</i>	nl	S
Bicknell's Thrush	<i>Catharus bicknelli</i>	nl	SC
King Rail	<i>Rallus elegans</i>	nl	U
Nelson's Sparrow	<i>Ammospiza nelsoni</i>	nl	S
Sandwich Tern	<i>Thalasseus sandvicensis</i>	nl	S
<b><u>Land Mammals:</u></b>			
Eastern Pygmy Shrew	<i>Sorex hoyi</i>	nl	U

N.J.A.C. 7:25-4.17



# Nongame Wildlife List

## INCREASED Conservation Status for 18 Species - *Special Concern*

Species	Scientific name	Current Status	Proposed Status
<b><u>Amphibians:</u></b>			
Eastern Cricket Frog	<i>Acris crepitans</i>	S	SC
Spotted Salamander	<i>Ambystoma maculatum</i>	S	SC
<b><u>Reptiles:</u></b>			
Eastern Hog-nosed Snake	<i>Heterodon platirhinos</i>	S	SC
Rough Greensnake	<i>Opheodrys aestivus</i>	S	SC
<b><u>Birds – breeding:</u></b>			
Bank Swallow	<i>Riparia riparia</i>	S	SC
Blue-winged Warbler	<i>Vermivora cyanoptera</i>	S	SC
Chimney Swift	<i>Chaetura pelagica</i>	S	SC
Field Sparrow	<i>Spizella pusilla</i>	S	SC
Green Heron	<i>Butorides virescens</i>	S	SC
Prairie Warbler	<i>Setophaga discolor</i>	S	SC
Purple Martin	<i>Progne subis</i>	S	SC
Rose-breasted Grosbeak	<i>Pheucticus ludovicianus</i>	S	SC
<b><u>Birds - nonbreeding:</u></b>			
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	S	SC
Canada Warbler	<i>Cardellina canadensis</i>	S	SC
Olive-sided Flycatcher	<i>Contopus cooperi</i>	S	SC
Ruddy Turnstone	<i>Arenaria interpres</i>	S	SC
Rusty Blackbird	<i>Euphagus carolinus</i>	S	SC
Saltmarsh Sparrow	<i>Ammodramus caudacuta</i>	S	SC

# Nongame Wildlife List

## REDUCED Conservation Status for 18 Species

Species	Scientific name	Current Status	Proposed Status
<b><u>Amphibians:</u></b>			
Fowler's Toad	<i>Anaxyrus fowleri</i>	SC	S
<b><u>Birds (breeding):</u></b>			
Blue-headed Vireo	<i>Vireo solitarius</i>	SC	S
Cattle Egret	<i>Bubulcus ibis</i>	T	SC
Cooper's Hawk	<i>Accipiter cooperii</i>	SC	S
Hooded Warbler	<i>Setophaga citrina</i>	SC	S
Nashville Warbler	<i>Leiothlypis ruficapilla</i>	SC	S
Northern Parula	<i>Setophaga americana</i>	SC	S
Osprey	<i>Pandion haliaetus</i>	T	S
Worm-eating Warbler	<i>Helmitheros vermivorum</i>	SC	S
<b><u>Birds (non-breeding):</u></b>			
Bald Eagle	<i>Haliaeetus leucocephalus</i>	T	S
Cattle Egret	<i>Bubulcus ibis</i>	SC	S
Common Nighthawk	<i>Chordeiles minor</i>	SC	S
Gray-cheeked Thrush	<i>Catharus minimus</i>	SC	S
Northern Goshawk	<i>Accipiter gentilis</i>	SC	S
Peregrine Falcon	<i>Falco peregrinus</i>	SC	S
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	T	SC
Sharp-shinned Hawk	<i>Accipiter striatus</i>	SC	S
Whimbrel	<i>Numenius phaeopus</i>	SC	S



# Nongame Wildlife List

## NEUTRAL change in Conservation Status for 39 Species

Species	Scientific name	Current Status	Proposed Status	Species	Scientific name	Current Status	Proposed Status
<b><u>Amphibians:</u></b>				<b><u>Land Mammals:</u></b>			
Eastern Spadefoot	<i>Scaphiopus holbrookii</i>	U	SC	Big Brown Bat	<i>Eptesicus fuscus</i>	U	SC
Four-toed Salamander	<i>Hemidactylium scutatum</i>	U	S	Eastern Chipmunk	<i>Tamias striatus</i>	U	S
<b><u>Reptiles:</u></b>				Eastern Mole	<i>Scalopus aquaticus</i>	U	S
Eastern Musk Turtle	<i>Sternotherus odoratus</i>	U	S	Eastern Red Bat	<i>Lasiurus borealis</i>	U	SC
Eastern Mud Turtle	<i>Kinosternon s. subrubrum</i>	S	U	Northern Hoary Bat	<i>Lasiurus cinereus</i>	U	SC
Eastern Ratsnake	<i>Pantherophis alleghaniensis</i>	U	S	Cinereus shrew	<i>Sorex cinereus</i>	U	S
Northern Red-bellied Cooter	<i>Pseudemys rubriventris</i>	U	S	Meadow Jumping Mouse	<i>Zapus hudsonius</i>	U	SC
Eastern Smooth Earthsnake	<i>Virginia v. valeriae</i>	U	SC	Meadow Vole	<i>Microtus pennsylvanicus</i>	U	S
Common Five-lined Skink	<i>Plestiodon fasciatus</i>	U	S	North American Porcupine	<i>Erethizon dorsatum</i>	U	S
Little Brown Skink	<i>Scincella lateralis</i>	U	SC	North American Red squirrel	<i>Tamiasciurus hudsonicus</i>	U	S
Northern Black Racer	<i>Coluber c. constrictor</i>	U	S	Northern Short-tailed Shrew	<i>Blarina brevicauda</i>	U	S
Northern Red-bellied Cooter	<i>Pseudemys rubriventris</i>	U	S	[Pine]Woodland Vole	<i>Microtus pinetorum</i>	U	S
Smooth Greensnake	<i>Opheodrys vernalis</i>	U	SC	Silver-haired Bat	<i>Lasioncycteris noctivagans</i>	U	SC
<b><u>Birds (breeding):</u></b>				Southern Red-backed Vole	<i>Clethrionomys gapperi</i>	U	S
Dark-eyed Junco	<i>Junco hyemalis</i>	S	U	Southern Flying Squirrel	<i>Glaucomys Volans</i>	U	S
White-throated Sparrow	<i>Zonotrichia albicollis</i>	S	U	Star-nosed Mole	<i>Condylura cristata</i>	U	S
Yellow-rumped Warbler	<i>Setophaga coronata</i>	S	U	White-footed Deermouse	<i>Peromyscus leucopus</i>	U	S
<b><u>Birds (nonbreeding):</u></b>				<b><u>Marine Mammals:</u></b>			
Eastern Whip-poor-will	<i>Antrostomus vociferus</i>	U	SC	Bottlenose dolphin	<i>Tursiops truncatus</i>	U	SC
				Gray Seal	<i>Halichoerus grypus</i>	U	S
				Harbor porpoise	<i>Phocoena phocoena</i>	U	SC
				Harbor seal	<i>Phoca vitulina</i>	U	S
				Harp seal	<i>Pagophilus groenlandicus</i>	U	S
				Hooded seal	<i>Cystophora cristata</i>	U	S

# Nongame Wildlife List

## REMOVAL from Nongame List for 11 Species

### TO BE REMOVED FROM LIST

Species	Scientific name	Current Status	Proposed Status
<b><u>Birds - nonbreeding:</u></b>			
Wilson's Phalarope	<i>Phalaropus tricolor</i>	S	nl
<b><u>Marine Mammals:</u></b>			
Beluga Whale	<i>Delphinapterus leucas</i>	U	nl
Blainsville's Beaked Whale	<i>Mesoplodon densirostris</i>	U	nl
Clymene Dolphin	<i>Stenella clymene</i>	U	nl
Cuvier's Beaked Whale	<i>Ziphius cavirostris</i>	U	nl
Dwarf Sperm Whale	<i>Kogia simus sima</i>	U	nl
Gervais' Beaked Whale	<i>Mesoplodon europaeus</i>	U	nl
Killer Whale	<i>Orcinus orca</i>	U	nl
Melon-headed Whale	<i>Peponocephala electra</i>	U	nl
Pygmy Sperm Whale	<i>Kogia breviceps</i>	U	nl
True's Beaked Whale	<i>Mesoplodon mirus</i>	U	nl

# Nongame Wildlife List

Other  
changes





# Amendments to Definitions

**“List of endangered species”** means the list of wildlife indigenous to New Jersey determined to meet the statutory definition of an endangered species. The list of endangered species includes species assigned a conservation status of “endangered” and species assigned a conservation status of “threatened,” as defined in this section.

**“List of regulated nongame species”** means the list of wildlife indigenous to New Jersey that meet the statutory definition of a nongame species ..... Species included on this list may be assigned the conservation statuses of Secure-stable (S), Special Concern (SC), or Undetermined (U).

**“Threatened”** (T) means the conservation status assigned to a species or subspecies of wildlife included on the list of endangered species (N.J.A.C. 7:25-4.13(b)) for which the Department has determined the prospects of survival .... in the State are likely within the foreseeable future to become in jeopardy.

**“Indigenous”** means a species of wildlife living within its natural range and regularly and predictably occurring within the State.



# Listing by Notice Federal Species

- \* A new subsection (c) at N.J.A.C. 7:25-4.13 would address the way DEP adds species to the list of endangered species that have been added to the Federal list (ESA) but are not currently included on the State list:

*Any species Federally listed as E or T pursuant to the Endangered Species Act (ESA) and indigenous to New Jersey that is not currently on the State list of endangered species shall be added by the Department to the list by Notice of Administrative Change and assigned a State conservation status equivalent to the Federal status (that is, E or T).*



# Timeline

- DEP will propose amendments by end of 2023
- Notice of the rule proposal will be posted on the DEP website ([www.nj.gov/dep/rules](http://www.nj.gov/dep/rules)) with instructions on how to provide comments
- 60-day public comment period
- To be added to the “Listing Rule” email notice list, please email [Nongame@dep.nj.gov](mailto:Nongame@dep.nj.gov) with your request

## Input Welcome

### Comments welcome!

Please email comments, questions, and suggestions to [Nongame@dep.nj.gov](mailto:Nongame@dep.nj.gov). Use “Listing Rule” in the subject line.

