

# Title 08 DEPARTMENT OF NATURAL RESOURCES

## Subtitle 03 WILDLIFE

### .08 Threatened and Endangered Species

Authority: Natural Resources Article, §§4-2A-01 — 4-2A-09 and 10-2A-01 — 10-2A-09, Annotated Code of Maryland

#### .01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) – (12) (text unchanged)

(13) “Species” means any species of wildlife or plant and reptiles, amphibians, crustaceans, mollusks, and the following finfish: [Acantharchus pomotis,] Acipenser brevirostrum, Acipenser oxyrinchus, Catostomus catostomus, Centrarchus macropterus, Enneacanthus chaetodon, [Etheostoma fusiforme,] Etheostoma sellare, Etheostoma vitreum, Lethenteron appendix, Luxilus chrysocephalus, Margariscus margarita, Notropis bifrenatus, Notropis chalybaeus, Noturus flavus, Pararhinichthys bowersi, Percina bimaculata, Percina notogramma, Percopsis omiscomaycus, or any part, egg, offspring, or dead body of any of them.

(14) – (16) (text unchanged)

#### .04 Endangered Species of Wildlife, Reptiles, Amphibians, Mollusks, Crustaceans, and Finfish.

A. – B. (text unchanged)

C. Except for the smaller range which is indicated in §C(7)(d) and (8)(a) of this regulation, the following wildlife, reptile, amphibian, mollusk, crustacean, and finfish species are considered endangered throughout Maryland:

(1) (text unchanged)

(2) Mollusks:

(a) (text unchanged)

[(b) Triangle floater (*Alasmidonta undulata*);]

[(c)](b) – [(e)](d) (text unchanged)

(3) (text unchanged)

(4) Insects:

(a) *Rusty-patched bumble bee* (*Bombus affinis*):

[(a)](b) – [(r)](s) (text unchanged)

[(s) Compton tortoiseshell (*Nymphalis vaualbum*);]

(t) – (dd) (text unchanged)

(5) – (9) (text unchanged)

#### .05 Endangered Species of Plants.

A. – B. (text unchanged)

C. The following plant species are considered endangered throughout Maryland unless a smaller range is indicated:

(1) – (20) (text unchanged)

[(21) Black-stem spleenwort (*Asplenium resiliens*);]

[(22)](21) – [(45)](44) (text unchanged)

[(46) Short’s sedge (*Carex shortiana*);]

[(47)](45) – [(51)](49) (text unchanged)

[(52) Prickly hornwort (*Ceratophyllum echinatum*);]

[(53)](50) (text unchanged)

[(54) Giant-seed goosefoot (*Chenopodium simplex*);]

[(55) Standley’s goosefoot (*Chenopodium standleyanum*);]

[(56)](51) – [(67)](62) (text unchanged)

(63) *Water pygmyweed* (*Crassula aquatica*);

[(68)](64) – [(82)](78) (text unchanged)

[(83) Small waterwort (*Elatine minima*);]

[(84)](79) – [(91)](86) (text unchanged)

[(92) Hairy willowherb (*Epilobium ciliatum*);]

[(93)](87) – [(118)](112) (text unchanged)

[(119) Small woodland sunflower (*Helianthus microcephalus*);]

[(120)](113) (text unchanged)

(114) *Crested coralroot* (*Hexalectris spicata*);

[(121)](115) – [(153)](147) (text unchanged)

[(154) Cylindric-fruit seedbox (*Ludwigia glandulosa*);]

[(155)](148) – [(159)](152) (text unchanged)

[(160) Carolina anglepod (*Matelea carolinensis*);]

[(161)](153) – [(162)](154) (text unchanged)  
 [(163) Creeping cucumber (*Melothria pendula*);]  
 [(164)](155) (text unchanged)  
 [(165) Pinebarren sandwort (*Minuartia caroliniana*);  
 (166) Appalachian sandwort (*Minuartia glabra*);]  
 [(167)](156) (text unchanged)  
 (157) *Appalachian sandwort* (*Mononeuria glabra*);  
 [(168)](158) – [(180)](170) (text unchanged)  
 [(181) Horse-tail paspalum (*Paspalum fluitans*);]  
 [(182)](171) – [(185)](174) (text unchanged)  
 [(186) Buttercup scorpionweed (*Phacelia covillei*);]  
 [(187)](175) – [(192)](180) (text unchanged)  
 [(193) Leafy pondweed (*Potamogeton foliosus*);]  
 [(194)](181) – [(198)](185) (text unchanged)  
 [(199) Whorled mountainmint (*Pycnanthemum verticillatum*);]  
 [(200)](186) – [(214)](200) (text unchanged)  
 (201) *Pinebarren sandwort* (*Sabulina caroliniana*);  
 [(215)](202) – [(225)](212) (text unchanged)  
 [(226) Veined skullcap (*Scutellaria nervosa*);]  
 [(227)](213) – [(232)](218) (text unchanged)  
 (219) *Prairie goldenrod* (*Solidago rigida*);  
 [(233) Roan Mountain goldenrod (*Solidago roanensis*);]  
 [(234)](220) – [(252)](238) (text unchanged)  
 [(253) Swollen bladderwort (*Utricularia inflata*);]  
 [(254)](239) – [(264)](249) (text unchanged)

#### **.06 Endangered Extirpated Species.**

A. – B. (text unchanged)

C. The following plant species are considered endangered extirpated throughout Maryland:

(1) – (9) (text unchanged)  
 [(10) American barberry (*Berberis canadensis*);]  
 [(11)](10) – [(15)](14) (text unchanged)  
 [(16) French mulberry (*Callicarpa americana*);]  
 [(17)](15) – [(20)](18) (text unchanged)  
 [(21) Water pygmyweed (*Crassula aquatica*);  
 (22) Hazel dodder (*Cuscuta coryli*);]  
 [(23)](19) – [(28)](24) (text unchanged)  
 [(29) Northern witchgrass (*Dicanthelium boreale*);  
 (30) Shaggy crabgrass (*Digitaria villosa*);]  
 [(31)](25) – [(37)](31) (text unchanged)  
 [(38) Hairy alumroot (*Heuchera villosa*);  
 (39) Crested coralroot (*Hexalectris spicata*);  
 (40) Great St. John's-wort (*Hypericum ascyron*);]  
 [(41)](32) – [(43)](34) (text unchanged)  
 [(44) Small-head rush (*Juncus brachycephalus*);]  
 [(45)](35) – [(51)](41) (text unchanged)  
 [(52) Twinflower (*Linnaea borealis*);  
 (53) Florida yellow flax (*Linum floridanum*);]  
 [(54)](42) – [(55)](43) (text unchanged)  
 [(56) Large-flowered Barbara's-buttons (*Marshallia grandiflora*);  
 (57) Old-field milkvine (*Matelea decipiens*);]  
 [(58)](44) (text unchanged)  
 [(59) Thread-like naiad (*Najas gracillima*);]  
 [(60)](45) (text unchanged)  
 [(61) Stout smartweed (*Persicaria robustior*);  
 (62) May grass (*Phalaris caroliniana*);]  
 [(63)](46) – [(64)](47) (text unchanged)  
 [(65) Dwarf plantain (*Plantago pusilla*);]  
 [(66)](48) – [(67)](49) (text unchanged)  
 [(68) American ipecac (*Porteranthus stipulatus*);  
 (69) Richardson's pondweed (*Potamogeton richardsonii*);  
 (70) Flatleaf pondweed (*Potamogeton robbinsii*);]

- [(71)](50) – [(72)](51) (text unchanged)
- [(73) Water-plantain spearwort (*Ranunculus ambigans*);
- (74) Carolina buttercup (*Ranunculus carolinianus*);]
- [(75)](52) – [(84)](61) (text unchanged)
- [(85) Smith’s bulrush (*Schoenoplectus smithii*);]
- [(86)](62) Chaffseed (*Schwalbea americana*);
- [(87) Small skullcap (*Scutellaria parvula*);
- (88) Prairie goldenrod (*Solidago rigida*);
- (89) Rock goldenrod (*Solidago rupestris*);]
- [(90)](63) (text unchanged)
- [(91) Smooth blue aster (*Symphotrichum laeve* var. *concinnum*);]
- [(92)](64) – [(93)](65) (text unchanged)
- [(94)](66) Navel-shape corn-salad (*Valerianaella umbilicata*); and
- [(95)](67) American purple vetch (*Vicia americana*);]
- [(96) New England grape (*Vitis novae-angliae*); and
- (97) Sword bogmat (*Wolffiella gladiata*).]

D. (text unchanged)

E. The following crustacean species is considered endangered extirpated throughout Maryland: Norden’s groundwater [amphipod] *isopod* (*Caecidotea nordeni*).

F. The following insect species are considered endangered extirpated throughout Maryland:

- (1) – (3) (text unchanged)
- [(4) Piedmont clubtail (*Gomphus parvidens*);]
- [(5)] (4) Skillet clubtail ([*Gomphus*] *Gomphurus ventricosus*);
- (5) *Piedmont clubtail* (*Hylogomphus parvidens*);
- (6) (text unchanged)
- (7) Tawny crescent [spot] (*Phyciodes batesii*);
- (8) – (9) (text unchanged)

G. – H. (text unchanged)

I. The following bird species are considered endangered extirpated throughout Maryland:

- (1) – (4) (text unchanged)
- (5) *Red-cockaded woodpecker* (*Dryobates borealis*);
- [(5)](6) – [(6)](7) (text unchanged)
- [(7) Red-cockaded woodpecker (*Picoides borealis*);]
- (8) – (10) (text unchanged)

J. (text unchanged)

#### **.07 Threatened Species of Wildlife, Reptiles, Amphibians, Mollusks, Crustaceans, and Finfish.**

A. – B. (text unchanged)

C. The following species are considered to be threatened throughout Maryland unless a smaller range is indicated:

(1) *Mollusks*:

- (a) *Triangle floater* (*Alasmidonta undulata*); and
- (b) *Yellow lance* (*Elliptio lanceolata*);

[(1)](2) *Insects*:

- [(a) Great purple hairstreak (*Atlides halesus*);]
- [(b)](a) – [(g)](f) (text unchanged)

[(2)](3) *Finfish*:

- [(a) Flier (*Centrarchus macropterus*);]
- [(b)](a) (text unchanged)
- [(c)](b) *American brook lamprey* (*Lethenteron appendix*); and
- [(d) Pearl dace (*Margariscus margarita*); and]
- [(e)](c) (text unchanged)

[(3)](4) (text unchanged)

[(4)](5) *Birds*:

- (a) (text unchanged)
- (b) *Red knot* (*Calidris canutus rufa*);
- [(b)](c) *Nashville warbler* ([*Oreothlypis*] *Leiothlypis ruficapilla*); and
- [(c)](d) (text unchanged)

[(5)](6) (text unchanged)

#### **.08 Threatened Species of Plants.**

A. – B. (text unchanged)

C. The following plant species are considered threatened throughout Maryland unless a smaller range is indicated:

(1) – (12) (text unchanged)

- (13) *Giant-seed goosefoot* (*Chenopodium simplex*)  
 [(13)](14) – [(29)](30) (text unchanged)  
 (31) *Carolina anglepod* (*Matelea carolinensis*);  
 [(30)](32) (text unchanged)  
 [(31) Michaux's stitchwort (*Minuartia michauxii*);]  
 [(32)](33) – [(33)](34) (text unchanged)  
 (35) *Horse-tail paspalum* (*Paspalum fluitans*);  
 (36) *Coville's phacelia* (*Phacelia covillei*);  
 [(34)](37) (text unchanged)  
 [(35) Black-fruit mountain-ricegrass (*Piptatherum racemosum*);]  
 [(36)](38) – [(44)](46) (text unchanged)  
 (47) *Whorled mountainmint* (*Pycnanthemum verticillatum*);  
 [(45)](48) – [(48)](51) (text unchanged)  
 (52) *Michaux's stitchwort* (*Sabulina michauxii*);  
 [(49)](53) – [(53)](57) (text unchanged)  
 (58) *Veined skullcap* (*Scutellaria nervosa*);  
 [(54)](59) – [(70)](75) (text unchanged)

**.09 Species in Need of Conservation.**

A. – B. (text unchanged)

C. The following species are considered to be in need of conservation throughout Maryland unless a smaller range is indicated:

- (1) Mollusks:  
 (a) (text unchanged)  
 (b) *Appalachian springsnail* (*Fontigens bottimeri*);  
 [(b)](c) – [(c)](d) (text unchanged)
- (2) (text unchanged)
- (3) Insects:  
 (a) – (c) (text unchanged)  
 [(d) Rapids clubtail (*Gomphus quadricolor*);  
 (e) Sable clubtail (*Gomphus rogersi*); and]  
 [(f)](d) (text unchanged)  
 (e) *Rapids clubtail* (*Phanogomphus quadricolor*); and  
 (f) *Sable clubtail* (*Stenogomphurus rogersi*);
- (4) Finfish:  
 [(a) Mud sunfish (*Acantharchus pomotis*);  
 (b) Swamp darter (*Etheostoma fusiforme*); and]  
 (a) *Flier* (*Centrarchus macropterus*);  
 (b) *Pearl dace* (*Margariscus margarita*); and  
 (c) (text unchanged)
- (5) – (6) (text unchanged)
- (7) Birds:  
 (a) Saltmarsh sparrow ([*Ammodramus caudacutus*] *Ammodramus caudacutus*);  
 (b) Henslow's sparrow ([*Ammodramus*] *Centronyx henslowii*);  
 (c) Northern harrier (*Circus [cyaneus] hudsonius*);  
 (d) – (l) (text unchanged)
- (8) (text unchanged)