

## COMMISSION MEETING AGENDA BRIEFING

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Meeting Date: March 20, 2026

Agenda Number: \_13\_

Presenter: Kirk Patten

Corroborator: \_\_N/A\_\_

Agenda Title: Initial discussion of the Biennial Review of State Listed Threatened or Endangered Species (17-2-40 NMSA 1978)

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### 1. Summary of Agenda Item

The Department will request that the Commission approves the initiation of the 2026 Biennial Review of state listed threatened or endangered species pursuant to the Wildlife Conservation Act (17-2-40 NMSA 1978).

### 2. Background Information

The Biennial Review of state listed threatened or endangered species is required under the Wildlife Conservation Act (17.2.37 - 17.2.46 NMSA 1978). Based on the best available information, Department biologists determine for each listed species whether its status should be 'uplisted' from threatened to endangered, 'downlisted' from endangered to threatened, or remain unchanged from the previous review period. Adding or removing species to or from the state list is a separate process that falls outside the scope of the review process.

### 3. Strategic Plan References and Possible Impacts of Agenda Item

The Biennial Review process as presented to the Commission meets the Conservation Services Program Objective 10 of the Department's Strategic Plan: FY 2019 – FY 2023.

### 4. Considerations Regarding Duplications and/or Conflicts with Existing Rules or Statutes

None

### 5. Description and Summary of Public Involvement Process and Results

Upon receiving approval from the Commission to initiate the 2026 Biennial Review, the Department will advertise a 90-day open public comment period throughout the state and on the Department website. At the close of this comment period, the Department will submit its draft Biennial Review document to the Commission and request approval to open a 14-day period for public comment on the draft. The 14-day comment period will be advertised in the same manner as the initial 90-day period. Following the close of the 14-day comment period, the Department will submit its final draft to the Commission for approval.

### 6. Suggested Motion

"Move to approve the initiation of the 2026 Biennial Review process of state listed threatened or endangered species."