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Major Changes Proposed to Endangered Species Act Regulations

The U.S. Fish and Wildlife Service and National Marine Fisheries Service recently published three proposed rules that would make major revisions to the regulations implementing portions of the Endangered Species Act. The proposed rules would change the criteria and procedures for (1) establishing protections for "threatened" species; (2) the listing and delisting of species and the designation of critical habitat; and (3) the interagency consultation process under Section 7 of the Endangered Species Act, which is used to determine whether a federal action would jeopardize a listed species' continued existence or result in an adverse modification of the species' designated critical habitat. Our complete report on the proposed changes, by [Donald Baur, Marc R. Bruner, William G. Malley, Bradley H. Oliphant and Laura Godfrey Zagar](#) is available [here](#).



