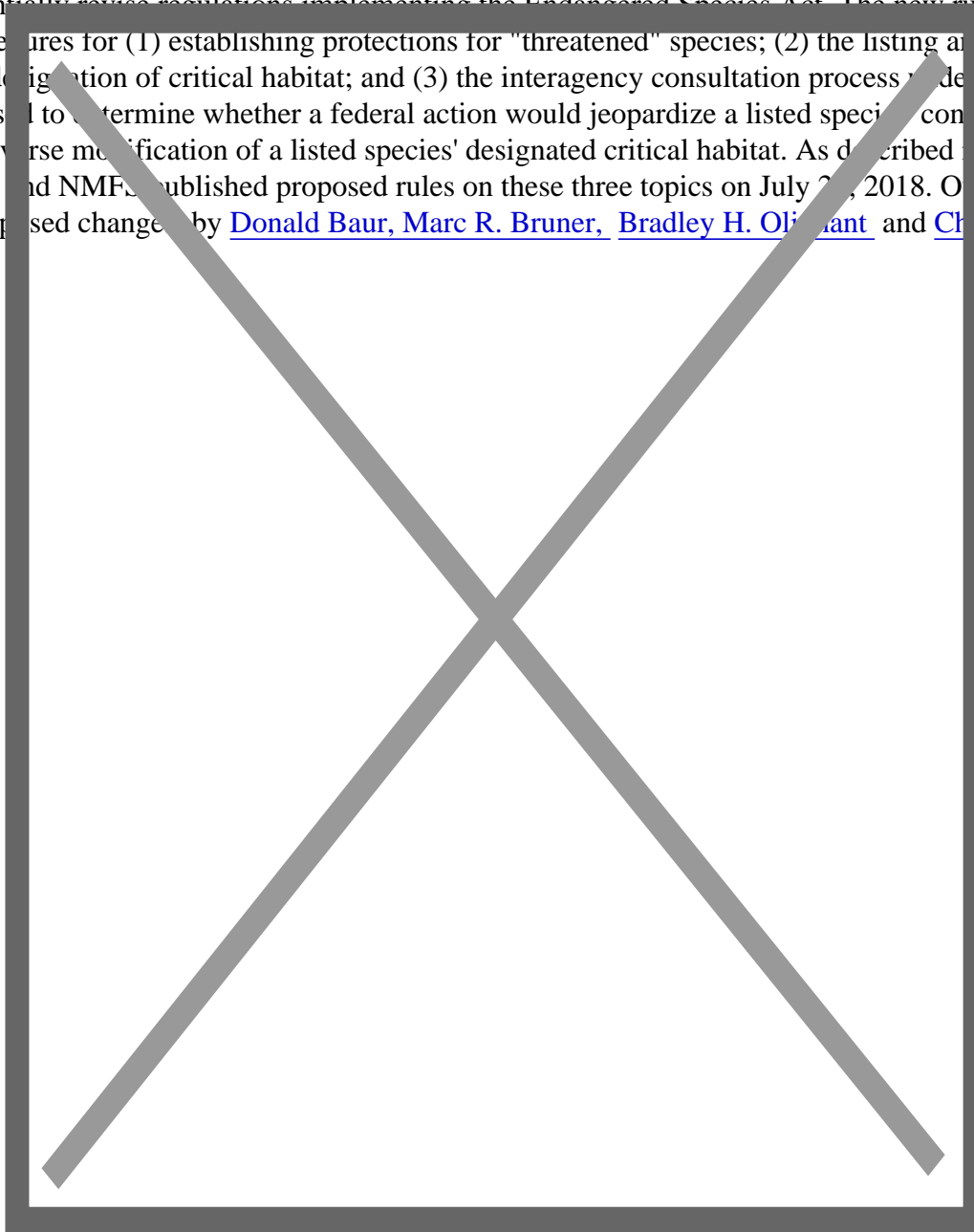


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August 30, 2019

Federal Agencies Issue Major Changes to Endangered Species Act Regulations

The U.S. Fish and Wildlife Service and National Marine Fisheries Service has issued a set of three new final rules that substantially revise regulations implementing the Endangered Species Act. The new rules 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 ESA, which is used to determine whether a federal action would jeopardize a listed species' continued existence or result in an adverse modification of a listed species' designated critical habitat. As described in our [prior update](#), the FWS and NMFS published proposed rules on these three topics on July 27, 2018. Our complete report on the proposed changes by [Donald Baur](#), [Marc R. Bruner](#), [Bradley H. Olmstead](#) and [Christian Termyn](#) is



available [here](#).