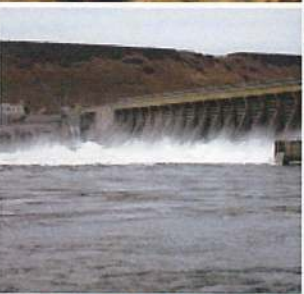
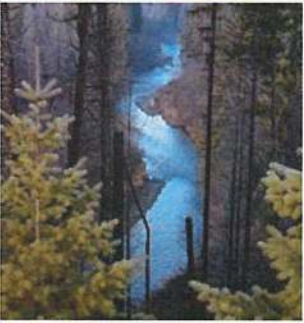


Listing and Critical Habitat -- 50 CFR 424

- Joint rulemaking with National Marine Fisheries Service
- Creates a regulatory framework for the phrase “foreseeable future”
- Clarifies that the standard for listing and delisting of species is the same
- Clarifies when designation of critical habitat is not prudent
- Reinstates the rule that areas occupied by the species will be considered first when designating critical habitat
- Clarifies when an unoccupied area would be considered essential for the conservation of the species



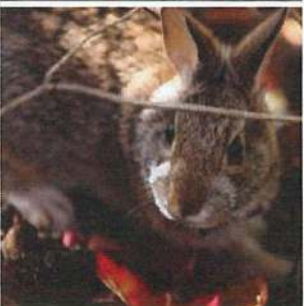


Interagency Cooperation – 50 CFR 402

- Joint rulemaking with National Marine Fisheries Service.
- Revises the definition of “destruction or adverse modification.”
- Clarifies “effects of the action.”
- Eliminates the need to reinitiate consultation on certain land management plans upon listing of a new species or designation of new critical habitat.
- Clarifies that measures included in a proposed action or reasonable and prudent alternative to mitigate the effects of a the action need not be held to a higher standard of certainty than other portions of the action.
- Includes other provisions to improve and streamline the consultation process.

Interagency Cooperation – 50 CFR 402

- In addition, seeks comment on potentially:
 - limiting the scope of consultation to only the activities, areas, and effects within the jurisdictional control and responsibility of the regulatory agency
 - establishing a deadline for informal consultation
 - clarifying that the Services may conduct a single consultation, resulting in a single biological opinion, for Federal agency actions affecting species that are under the jurisdiction of both Services
 - clarifying the circumstances upon which Federal agencies are not required to consult



Threatened Species Prohibitions – 50 CFR 17

- Rescinds the current default regulation that automatically applies the prohibitions for endangered species to threatened species
- Species listed as threatened in the future will all have species-specific rules tailored to what prohibitions are necessary and advisable for that species
- Current threatened species will keep existing protections
- These changes will align the Fish and Wildlife Service with the National Marine Fisheries Service practice

