

Advocacy Recommends FWS and NMFS Extend the Comment Period for Three Rules Revising Endangered Species Act Regulations

On June 23, 2023, the Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) published three proposed rules titled “[Endangered and Threatened Wildlife and Plants; Revision of Regulations for Interagency Cooperation](#),” “[Endangered and Threatened Wildlife and Plants; Listing Endangered and Threatened Species and Designating Critical Habitat](#)” and “[Endangered and Threatened Wildlife and Plants; Regulations Pertaining to Endangered and Threatened Wildlife and Plants](#).” These rules propose multiple changes to Endangered Species Act regulations. The Office of Advocacy (Advocacy) has filed a request asking for a 60-day extension of the public comment period for these proposed rules.

Advocacy is concerned that given the breadth of issues covered by these proposed rules, the current comment period will not be sufficient to allow small entity stakeholders to provide meaningful feedback in what amounts to a single comment period for three separate, but closely related, proposed rules.

Advocacy urges the agencies to extend the public comment period for each of the proposed rules by at least 60 days to allow for small entities to participate more meaningfully in these rulemaking processes. Doing so will allow each of the proposals to receive the attention it deserves from the regulated community.

A complete copy of Advocacy’s letter to the agencies is available online.

For more information, please contact Assistant Chief Counsel Nick Goldstein at (202) 772-6948 or by email at nick.goldstein@sba.gov.

