



National Association of Conservation Districts

September 12, 2016

Public Comments Processing
Division of Policy, Performance, and Management Programs
U.S. Fish and Wildlife Service, MS: BPHC
5275 Leesburg Pike
Falls Church, VA 22041-3803

Submitted via Federal eRulemaking Portal: <http://www.regulations.gov>

Re: Request for Extension of Comment Period on the U.S. Fish and Wildlife Service Proposed Endangered Species Act Compensatory Mitigation Policy; (Docket No. FWS-HQ-ES-2015-0165)

Director Ashe:

The National Association of Conservation Districts (NACD) respectfully requests an extension to the deadline for public comments on the proposed U.S. Fish and Wildlife Service (the Service) Compensatory Mitigation Policy published in the Federal Register on September 2, 2016. As further explained below, **NACD respectfully requests that the Service extend the comment period by an additional forty-five (45) days, to Thursday, December 1, 2016.**

The Services' Proposed Compensatory Mitigation Policy is a significant re-orientation of how the FWS will approach the identification, valuation and determination of compensatory mitigation requirements. This re-orientation requires a comprehensive analysis, and deliberation prior to commenting. The Service has set a public comment deadline of Monday, October 17, 2016. A meaningful review cannot be undertaken in the limited forty-five (45) day window for comments and information submittals that has been set by the Service. Accordingly, in order to provide for meaningful participation by the public and the development of an adequate administrative record, an extension of the public comment period is warranted to allow the public, states and other federal, state or local agencies to provide meaningful comment on the scope and impacts of the proposed revisions to the Proposed Policy.

NACD additionally, requests that the Service make a determination on the comment extension well in advance of the current deadline of October 17, 2016 to afford stakeholders the opportunity to adequately prepare comments for the Service. By delaying a decision on extension until shortly before the October 17th deadline or reopening the comment period after the deadline passes, the Service forces the public to put thoroughness aside in order to get their comments in on time. This fails the point of the public comment process, which is to provide the Service with well thought out comments and as much public input as possible.

NACD looks forward to the decisions and hopes that the Service provide additional time for a thorough review of the Proposed Policy and grants a forty-five day extension of the public



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comment period on *the U.S. Fish and Wildlife Service's Proposed Endangered Species Act Compensatory Mitigation Policy (Docket No. FWS-HQ-ES-2015-0165)*.

Sincerely,

Lee D. McDaniel

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NACD President