

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
9014 EAST 21st STREET
TULSA, OKLAHOMA 74129

FINDING OF NO SIGNIFICANT IMPACT

APPROVAL OF THE AMENDED AMERICAN BURYING BEETLE
OIL AND GAS INDUSTRY CONSERVATION PLAN
AND ISSUANCE OF MULTIPLE SECTION 10(a)(1)(B) PERMITS
FOR INCIDENTAL TAKE OF THE
AMERICAN BURYING BEETLE (*Nicrophorus americanus*)
RESULTING FROM OIL AND GAS ACTIVITIES
WITHIN THE 45-COUNTY PLAN AREA IN OKLAHOMA

An environmental assessment (EA) and Amended American Burying Beetle Oil and Gas Industry Conservation Plan (ICP) have been prepared to continue to support the issuance of multiple section 10(a)(1)(B) permits (Permits) for incidental take of the federally listed endangered American burying beetle (*Nicrophorus americanus*, ABB). The May 21, 2014, Finding of No Significant Impact is incorporated herein by reference.

Preferred Alternative

The proposed alternative is approval of the amendment to the ICP as written, subsequent issuance of multiple permits for incidental take of the ABB within the Planning Area during the 25-year term of the ICP, and implementation of the ICP as proposed. Incidental take would continue to be limited to a cumulative total (from all permits issued under the ICP) of 32,234 acres (0.16 percent of the 19,612,333 acres of ABB habitat within the Plan Area) of ABB habitat. Actions covered under the ICP may result in take of the ABB associated with activities including, but not limited to exploration, development, extraction and transport and/or distribution of crude oil, natural gas, and other petroleum products.

Background and Public Participation

A Notice of Availability of the draft EA and draft amendment to the ICP was published in the *Federal Register* on March 8, 2016 (81 FR 1900). The public comment period ended on April 7, 2016.

We received 1 set of comments during the 30-day public comment period. A summary of the comments we received on the ICP, EA, and associated documents and how we addressed them is included as Appendix B in the final EA.

Finding of No Significant Impact for the Amended American Burying Beetle Oil and Gas Industry Conservation Plan

Determination

The Service recognizes that there will be impacts to the human environment from construction activities permitted under the amended ICP. However, based upon information contained in the EA, ICP, and supporting data in Service files, we have determined that this action is not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102 (2)(c) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an Environmental Impact Statement on the proposed action is not warranted.

It is my decision to approve the amended ICP and, where applicants meet all requirements in the ICP, subsequently issue section 10(a)(1)(B) permits for geophysical exploration (seismic), development, extraction, or transport of crude oil, natural gas, and/or other petroleum products, and maintenance, operation, repair, and decommissioning of oil and gas pipelines and well field infrastructure within ABB habitat in Oklahoma.

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Southwest Region

Date