

Billing Code: 4310-55

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R2-ES-2014-NXXX]

[FXES11130200000-145-FF02ENEH00]

Receipt of Incidental Take Permit Applications for Participation in the Oil and Gas Industry Conservation Plan for the American Burying Beetle in Oklahoma

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications; request for public comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for incidental take of the federally listed American burying beetle (ABB) resulting from activities associated with geophysical exploration (seismic), development, extraction, or transport of crude oil, natural gas, and/or other petroleum products and construction, maintenance, operation, repair, and decommissioning of oil and gas pipelines and well field infrastructure within 45 counties in Oklahoma, under the

approved *Oil and Gas Industry Conservation Plan Associated with Issuance of Endangered Species Act Section 10(a)(1)(B) Permits for the American Burying Beetle in Oklahoma* (ICP). These individual oil and gas companies have applied for an Endangered Species Act (ESA) permit for incidental take associated with activities covered in the ICP and agree to comply with the terms and conditions of the ICP and associated permit.

DATES: To ensure consideration, written comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may obtain copies of these applications and submit comments by one of the following methods. Please refer to the respective permit number for each application when requesting documents or submitting comments. You may also request copies of the ICP and Environmental Assessment, but we are not accepting comments on these final, approved documents.

- *U.S. Mail:* U.S. Fish and Wildlife Service, Division of Endangered Species – Section 10 Permits, P.O. Box 1306, Room 6034, Albuquerque, NM 87103.
- *Electronically:* ABB_ICP@fws.gov

FOR FURTHER INFORMATION CONTACT: Marty Tuegel, Branch Chief, Environmental Review, P.O. Box 1306, Room 6034, Albuquerque, NM 87103; 505-248-6651.

SUPPLEMENTARY INFORMATION: Under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), this notice advises the public that we, the Service, have analyzed the impacts to the human environment related to the issuance of incidental take permits (ITPs) under ESA section 10(a)(1)(B) to oil and gas companies (Applicants) who agree to the conditions in the ICP. The ICP is a habitat conservation plan (HCP) that will address take of the ABB (*Nicrophorus americanus*) that is incidental to covered activities associated with oil and gas development, including geophysical exploration (seismic) and the construction, operation, maintenance, repair, and decommissioning of oil and gas pipelines and well field infrastructure, and also includes measures necessary to minimize and mitigate impacts to the covered species and their habitats to the maximum extent practicable. Issued ITPs will be in effect from the date of issuance for a period of 20 years, 24 months for construction and/or up to 20 years of operation, maintenance, repairs, and decommissioning pursuant to the ICP. The ICP Planning Area covers 45 Oklahoma counties, including Adair, Atoka, Bryan, Carter, Cherokee, Choctaw, Cleveland, Coal, Craig, Creek, Delaware, Garvin, Haskell, Hughes, Johnson, Kay, Latimer, Le Flore, Lincoln, Love, Marshall, Mayes, McClain, McCurtain, McIntosh, Murray, Muskogee, Noble, Nowata, Okfuskee, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Rogers, Seminole, Sequoyah, Tulsa, Wagoner and Washington counties.

Activities associated with the construction, operation, maintenance, repair, and decommissioning of oil and gas pipelines and related well field activities as described in the ICP were developed through a collaborative effort between the Service, oil and gas

companies in Oklahoma, and other stakeholders. To meet the requirements of a section 10(a)(1)(B) ITP, the Applicant would agree to the conditions in the ICP, which describes the conservation measures to minimize and mitigate for incidental take of the covered species to the maximum extent practicable.

Applications Available for Review and Comment

We invite local, State, Tribal, and Federal agencies, and the public to comment on the following applications. Please refer to the appropriate permit number (e.g., Permit No. TE-123456) when requesting application documents and when submitting comments.

Documents and other information the applicants have submitted with these applications are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552).

Permit TE-XXXXXX

Applicant: Company Name, Company home City, State.

Applicant requests a new permit for oil and gas upstream production, including geophysical exploration (seismic) and construction, maintenance, operation, repair, and decommissioning of oil and gas well field infrastructure within.

Permit TE-XXXXXX

Applicant: Company Name, Company home City, State.

Applicant requests a new permit for oil and gas midstream production, including construction, maintenance, operation, repair, decommissioning, and reclamation of oil and gas gathering, transmission, and distribution pipeline infrastructure within Oklahoma.

Permit TE-XXXXXX

Applicant: Company Name, Company home City, State.

Applicant requests a new permit for oil and gas energy development, including construction, maintenance, operation, repair, decommissioning, and reclamation of oil and gas gathering, transmission, and distribution pipeline, and well field infrastructure within.

Public Availability of Comments

Written comments we receive become part of the public record associated with this action. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. We will not consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

We provide this notice under section 10(c) of the Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6).

Date: _____

Printed Name of Signer

Regional Director

Southwest Region