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Endangered Species Act/Energy: U.S. Fish and Wildlife Service Requests Public Comment on Environmental Assessment/Amended Oil and Gas Industry Conservation Plan for the American Burying Beetle in Oklahoma

Arkansas Environmental, Energy, and Water Law Blog

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The United States Fish and Wildlife Service ("FWS") issued a March 8th Federal Register Notice asking for public comment on an Environmental Assessment ("EA") that evaluates the impact of a draft amendment to the Oil and Gas Industry Conservation Plan ("ICP") for incidental take of the federally listed (Endangered Species Act) American burying beetle resulting from oil and gas activities. See 81 Fed. Reg. 12113.

The EA being undertaken pursuant to the National Environmental Policy Act.

FWS states that the original ICP was approved on May 21, 2014. The proposed amendment to the ICP will extend by 3 years the periods for signup, submission of individual project plans, project construction and ICP/permit duration. The amendment also provides date-certain deadlines, which FWS believes will reduce confusion and simplify tracking for both permittees and the agency.

The FWS also notes that there is no change to the covered species, total amount of take authorized, for the planning area. The planning area consists of 45 counties in Oklahoma. It further notes that individual oil and gas companies would continue to apply for Endangered Species Act permits for incidental take and agree to comply with the terms and conditions of the ICP.

[Click here to download a copy of the Federal Register Notice.](#)