

EFO Wildlife Committee News

June 2015

On May 26, a [notice of intent](#) was published in the Federal Register for USFWS to perform a Programmatic Environmental Impact Statement (PEIS) that will explore a regulatory process for authorizing incidental take of birds in limited circumstances under the Migratory Bird Treaty Act (MBTA). Scoping meeting will be held in Sacramento, Denver, St. Louis, & Washington, D.C, as well as a national webinar on July 8th. The comment period ends July 27th, 2015. This will be meant to address the increasing problem of avian mortality due to man-made structures. The purpose is to:

- Evaluate potential impacts of authorizing incidental take under the MBTA
- A rulemaking will set standards for each approach of obtaining a incidental take permit

Approaches being considered for incidental take

- General Authorization
 - Establish authorization for certain industries that take actions to protect migratory birds or mitigate take when it's unavoidable
 - This would be what would be used by industry
- Individual permits
 - Would require additional NEPA analysis
 - USFWS does not currently intend to issue any individual permits, only establish the authority to do so
- MOU's with Federal agencies
 - Would insure other Federal agencies strive to mitigate migratory bird take.

Other Activities

ODWC Endangered Species Workshop

On Wednesday May 13th, the Oklahoma Department of Wildlife Conservation (ODWC) held an Endangered Species Workshop at ODWC's Lake Arcadia Conservation Education Building in Edmond, Oklahoma. The focus of the workshop was to provide an overview of US Fish & Wildlife Service (USFWS) current and proposed threatened/endangered species that are affecting or could potentially affect future energy development in Oklahoma. ODWC also requested industry feedback and guidance on which top five species proposed the largest risk to development. This will allow ODWC to focus their efforts.

Sutton Avian Research Center

\$1 million deal boosts Sutton Center as lead prairie grouse research entity. [Tulsa World](#). In a press release issued Friday, the Society of Tympanuchus Cupido Pinnatus Ltd. and the Sutton Center celebrate the arrangement as a landmark deal that will bolster prairie grouse research while perpetuating the legacy of the STCP. In recent years the society expanded its research toward the future for the prairie grouse species, and beyond the single species, oftentimes mirroring research

efforts of the Sutton Center, he said. The organizations have a combined 85-year history of contributing to prairie grouse research.

Articles of Interest

Energy groups on exemption to bat rule. [Law 360](#). The **Independent Petroleum Association of America** and the American Petroleum Institute said in a statement Wednesday that oil and gas development should be exempt from the interim rule prohibiting the incidental disturbance or harm of the bat. **NOTE:** Read IPAA's full statement [HERE](#).

Prairie chicken numbers jumped 25% over past year. [E&E News](#) (sub req'd). The population of a federally threatened grouse in the southern Great Plains grew by about 25 percent over the past year, marking the second consecutive year of significant growth, according to the preliminary results of a helicopter survey. The latest population bump comes more than a year after the Fish and Wildlife Service decided to list the birds as threatened under the Endangered Species Act in Texas, New Mexico, Oklahoma, Kansas and Colorado, where their native grassland and prairie habitat had declined by 84 percent. **NOTE:** [Midland Reporter Telegram](#) also reports.

Service Initiates Status Review For Four Species In AZ, NM, TX, And OK. [U.S. Fish & Wildlife Service](#) (Press Release). The U.S. Fish and Wildlife Service (Service) announces it is initiating status reviews for the Arizona toad, Cascade Caverns salamander, Rio Grande cooter (a turtle) and Alligator snapping turtle in response to a July 2012 petition from the Center for Biological Diversity. The Service has determined the petition presented substantial scientific or commercial information indicating that these species may warrant protection under the Endangered Species Act. **NOTE:** [Gulf Live](#) also reports.

Contact [Rob LeForce](#), Wildlife Committee Chairman, with questions or to sign up for the Wildlife Committee.