



ITEC NEWS

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ITEC MEMBER TRIBES

Absentee-Shawnee Tribe
Alabama-Coushatta Tribe
Alabama-Quassarte Tribe
Apache Tribe
Caddo Nation
Cherokee Nation
Cheyenne/Arapaho Tribes
Citizen Potawatomi Nation
Comanche Nation
Delaware Nation
Delaware Tribe
Eastern Shawnee Tribe
Fort Sill Apache
Iowa Tribe
Jicarilla Apache Nation
Kaw Nation
Kialegee Tribal Town
Kickapoo Tribe
Kiowa Tribe
Miami Tribe
Modoc Tribe
Muscogee (Creek) Nation
Osage Nation
Otoe-Missouria Tribe
Ottawa Tribe
Pawnee Nation
Peoria Tribe
Ponca Tribe
Pueblo of Laguna
Pueblo of Pojoaque
Pueblo of Santa Clara
Pueblo of Taos
Pueblo of Tesuque
Quapaw Tribe
Sac & Fox Nation
Seminole Nation
Seneca-Cayuga Tribe
Shawnee Tribe
Thlopthlocco Tribal Town
Tonkawa Tribe
Wichita & Affiliated Tribes
Wyandotte Nation
Ysleta del Sur Pueblo
Zuni Tribe

Service Proposes Amending Industry Conservation Plan for the American Burying Beetle

The U.S. Fish and Wildlife Service (Service) announces the availability of a proposed amendment to the American Burying Beetle Industry Conservation Plan (ABB ICP). Originally approved in 2014, the ABB ICP provides the oil and gas industry in Oklahoma a streamlined Endangered Species Act permitting process for activities that may impact the American burying beetle (ABB). Since approval of the ABB ICP, the Service has had significantly fewer than anticipated requests for permits and as a result, only a small fraction of the 32,234 acres of authorized "take" under the ABB ICP have been issued. In the interest of providing industry with greater certainty while continuing to ensure the conservation of the American burying beetle, the Service is proposing to amend the ABB ICP to extend it for three years (through May 20, 2019). Public comments will be accepted until April 7, 2016.



In addition to extending the ABB ICP timeframe, the amendment proposes to: extend the construction period for permitted projects until May 20, 2025; extend operations and maintenance coverage for activities including maintenance of right-of-ways and repairing pipelines until May 20, 2039; and remove requirements that all projects must be completely located within the planning area. The proposed amendment does not change the acres of take authorized under the 2014 ABB ICP and no additional acreage will be impacted. The Service is also announcing the availability of an environmental assessment on the amendment. "Extending the timeframe for the ABB ICP will help ensure that future oil and gas development in Oklahoma has minimal impacts on the American burying beetle," said Dr. Benjamin Tuggle, Southwest Regional Director, U.S. Fish and Wildlife Service.

The ICP covers take of the ABB that is incidental to activities associated with oil and gas exploration and the construction, operation, maintenance, repair and decommissioning of oil and gas pipelines and related well fields in 45 Oklahoma counties. The ICP allows oil and gas operators to proceed with projects in covered counties while conserving the ABB and its habitat.

Under the ICP, restoration activities for the ABB include replacing topsoil, relieving soil compaction, reestablishing vegetation and inspecting and removing invasive species to minimize ABB impacts. Additionally, mitigation is provided through off-site conservation and management of ABB habitat in perpetuity.

During the 30-day public comment period the Service is encouraging the public, industry and scientific community to review and comment on the proposed amendment to the ABB ICP. To ensure consideration, we must receive written comments on or before close of business on April 7, 2016. You may obtain copies of the proposed ABB ICP amendment at <http://www.fws.gov/southwest/es/Oklahoma/ABBICP>. For further information on how to obtain or review copies of these documents, or how to provide comments, see the *Federal Register* notice at <http://www.fws.gov/southwest/index.html>.

The Service listed the ABB as Endangered under the Endangered Species Act in 1989. Once found throughout the eastern U.S., the ABB is currently known to exist in only eight states (South Dakota, Nebraska, Kansas, Oklahoma, Texas, Arkansas, Rhode Island and Massachusetts), which represents about five percent of its historic range.

About Zika Virus Disease



Zika virus disease (Zika) is a disease caused by Zika virus that is spread to people primarily through the bite of an infected *Aedes* species mosquito. The most common symptoms of Zika are fever, rash, joint pain, and conjunctivitis (red eyes). The illness is usually mild with symptoms lasting for several days to a week after being bitten by an infected mosquito. People usually don't get sick enough to go to the hospital, and they very rarely die of Zika. For this reason, many people might not realize they have been infected. Once a person has been infected, he or she is likely to be protected from future infections.

Zika virus was first discovered in 1947 and is named after the Zika forest in Uganda. In 1952, the first human cases of Zika were detected and since then, outbreaks of Zika have been reported in tropical Africa, Southeast Asia, and the Pacific Islands. Zika outbreaks have probably occurred in many locations. Before 2007, at least 14 cases of Zika had been documented, although other cases were likely to have occurred and were not reported. Because the symptoms of Zika are similar to those of many other diseases, many cases may not have been recognized.

In May 2015, the Pan American Health Organization (PAHO) issued an alert regarding the first confirmed Zika virus infection in Brazil and on Feb 1, 2016, the World Health Organization (WHO) declared Zika virus a public health emergency of international concern (PHEIC). Local transmission has been reported in many other countries and territories. Zika virus likely will continue to spread to new areas.

Specific [areas with ongoing Zika virus transmission](http://www.cdc.gov/zika/geo/index.html) (<http://www.cdc.gov/zika/geo/index.html>) is ongoing are often difficult to determine and are likely to change over time. If traveling, please visit [the CDC Travelers' Health site](#) for the most updated travel information.

Symptoms

Most people infected with Zika virus won't even know they have the disease because they won't have symptoms. The most common symptoms of Zika are fever, rash, joint pain, or conjunctivitis (red eyes). Other common symptoms include muscle pain and headache. The incubation period (the time from exposure to symptoms) for Zika virus disease is not known, but is likely to be a few days to a week.

See your healthcare provider if you are pregnant and develop a fever, rash, joint pain, or red eyes within 2 weeks after traveling to a place where Zika has been reported. Be sure to tell your health care provider where you traveled.

The illness is usually mild with symptoms lasting for several days to a week after being bitten by an infected mosquito. People usually don't get sick enough to go to the hospital, and they very rarely die of Zika. For this reason, many people might not realize they have been infected.

Zika virus usually remains in the blood of an infected person for about a week but it can be found longer in some people.

Once a person has been infected, he or she is likely to be protected from future infections.

Diagnosis

The symptoms of Zika are similar to those of [dengue](#) and [chikungunya](http://www.cdc.gov/chikungunya/index.html) (<http://www.cdc.gov/chikungunya/index.html>), diseases spread through the same mosquitoes that transmit Zika.

See your healthcare provider if you develop the symptoms described above and have visited an area where Zika is found.

If you have recently traveled, tell your healthcare provider when and where you traveled.

Your healthcare provider may order blood tests to look for Zika or other similar viruses like dengue or chikungunya.

Treatment

There is no vaccine to prevent or medicine to treat Zika infections.

Treat the symptoms:

Get plenty of rest.

Drink fluids to prevent dehydration.

Take medicine such as acetaminophen (Tylenol®) or paracetamol to relieve fever and pain.

Do not take aspirin and other non-steroidal anti-inflammatory drugs.

If you are taking medicine for another medical condition, talk to your healthcare provider before taking additional medication.

If you have Zika, [prevent mosquito bites](http://www.cdc.gov/zika/prevention/index.html)(<http://www.cdc.gov/zika/prevention/index.html>) for the first week of your illness.

During the first week of infection, Zika virus can be found in the blood and passed from an infected person to a mosquito through mosquito bites.

An infected mosquito can then spread the virus to other people.

<http://www.cdc.gov/zika/about/index.html>



Cherokee Nation Environmental Programs Underground Storage Tank Program

The underground storage tank program here at Cherokee Nation Environmental Programs operates under the Inter-Tribal Environmental Council (ITEC). It is through the Inter-Tribal Environmental Council that the program can offer a variety of services to tribes that are members of ITEC. Currently the UST program services 21 tribes and 38 facilities across New Mexico, Oklahoma, and Texas.

The UST program offers compliance assistance and training to these 21 tribes and 38 facilities. This includes:

- A visit to the tribe's UST facility annually to perform a compliance assistance inspection.
- A detailed report of the compliance issues that were observed and steps to take to remediate these issues.
- Answers to UST related questions or provide contractor information to the tribe.
- On-site owner and operator training for the people who operate the UST facility.

The UST program will also assist your Tribe with the planning and installation of a new station or investigate stations that the Tribe may be interested in purchasing. Along with that ITEC will monitor tank installs and removals to ensure they are done properly and by regulation.

If there are any questions regarding the UST Program please contact:

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Protections Finalized for Threatened Northern Long-Eared Bats

January 13, 2016

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In an effort to conserve the northern long-eared bat, the U.S. Fish and Wildlife Service has announced a final rule today that uses flexibilities under section 4(d) of the Endangered Species Act (ESA) to tailor protections to areas affected by white-nose syndrome during the bat's most sensitive life stages. The rule is designed to protect the bat while minimizing regulatory requirements for landowners, land managers, government agencies and others within the species' range.

"The overwhelming threat to the northern long-eared bat is white-nose syndrome," said Service Director Dan Ashe. "Until there is a solution to the white-nose syndrome crisis, the outlook for this bat will not improve. This rule tailors regulatory protections in a way that makes sense and focuses protections where they will make a difference for the bat."

The Service listed the northern long-eared bat as threatened under the ESA in April 2015 and established an interim 4(d) rule following drastic population declines caused by white-nose syndrome in the eastern and midwestern United States. This deadly disease continues to spread westward and wreak havoc on cave-dwelling bats. In November 2015, presence of the fungus that causes white-nose syndrome was confirmed in the 30th state – Nebraska.

The final 4(d) rule for the northern long-eared bat removes prohibitions that would otherwise be in place on "incidental take" of the bat in areas of the country not affected by white-nose syndrome. Incidental take includes harm, harassment or mortality that occurs incidental to an otherwise lawful activity, such as clearing trees for a construction project.

In areas of the country impacted by white-nose syndrome, incidental take is prohibited if it occurs within a hibernation site for the northern long-eared bat. It is also prohibited if it results from tree removal activities within a quarter-mile of a hibernaculum or from activities that cut down or destroy known occupied maternity roost trees, or any other trees within 150 feet of that maternity roost tree, during the pup-rearing season (June 1 through July 31). Occupied roost trees may be removed when necessary to address a direct threat to human life and property. In other cases, a permit for incidental take may be needed.

Under the final rule, intentionally harming, harassing or killing the northern long-eared bat is prohibited throughout the species' range, except for removal of northern long-eared bats from human structures, and when necessary to protect human health and safety.

Hundreds of federal, state and tribal agencies, international governments, non-profit organizations, and academic institutions have coordinated an international response to address white-nose syndrome through research, disease monitoring and management, conservation, and outreach. The U.S. has invested more than \$45 million in public and private funding, and progress has been made in addressing the disease.

“We are beginning to see glimmers of hope in the battle against white-nose syndrome,” Ashe said. “In just eight years, this disease, previously unknown to science, has been identified and its cause understood. A solution could soon be within our grasp. Now is the time to get all hands on deck to pull together to fight this primary threat. Our final rule is designed to ensure we focus our energies where they will do the most good for this imperiled species while avoiding unnecessary regulation.”

Under the ESA, the Service may implement rules under section 4(d) for species listed as threatened. Such rules enable the Service to tailor the Act’s protections to those needed most to conserve the species, while reducing the regulatory burden by relaxing prohibitions where and when it fits with the species’ conservation needs.

The agency used the best available scientific and technical information, provided through more than 40,000 comments solicited during its interim 4(d) rule, to ensure it was basing this final rule on the best information available.

The Service will continue to monitor northern long-eared bat populations to ensure its threatened listing accurately reflect its status, as required by the ESA. These efforts include actively monitoring northern long-eared and other cave-dwelling bats using winter surveys of hibernation areas and conducting periodic reviews of the population to ensure its current listing status as threatened is appropriate.

As white-nose syndrome continues to affect this species, the bat’s status may decline to the point that it becomes endangered. In that event, the Service would publish a new proposal requesting public input. If the bat were to be listed as endangered in the future, the 4(d) rule would no longer apply, and all regulatory prohibitions under the ESA would take effect. This means that most intentional and incidental take throughout the range of the northern long-eared bat would be prohibited unless permitted.

In the United States, the northern long-eared bat is found from Maine to North Carolina on the Atlantic Coast, westward to eastern Oklahoma and north through the Dakotas, reaching into eastern Montana and Wyoming.

Bats are critical to our nation’s ecology and economy, eating tons of insects nightly and providing a natural benefit to farmers and foresters. Some research estimates that bats provide at least \$3 billion annually in economic value.

The final rule appears in the *Federal Register* on January 14, 2016 and takes effect on February 16, 2016. For more information on the special rule for the northern long-eared bat, go to <http://www.fws.gov/midwest/endangered/mammals/nleb/index.html>. For information on white-nose syndrome, go to <https://www.whitenosesyndrome.org/>

http://www.fws.gov/news/ShowNews.cfm?ref=protections-finalized-for-threatened-northern-long-eared-bats-&_ID=35436



IN THE DIRECTORS CORNER:

By—Jenifer Heminokeky

Fort Sill Apache Tribe Environmental Programs

Where is the Fort Sill Apache Tribe Community located?

The Fort Sill Apache Tribe is located 2 miles North of the town of Apache in Southwest Oklahoma.

How many community members are served by the Environmental Department?

Our program serves approximately 1000+ community members, including tribal members who reside in the area and the community of Apache.

How long have you been the Environmental Director?

I have been the Director of Environmental Programs for approximately 5 and a half years.

What are the primary environmental concerns that affect your tribal community?

Some of the primary concerns that affect our community are indoor air quality, ambient air quality, drought and flooding, erosion and protection of land resources, limited groundwater resources, solid waste dumping, and recycling.

As an Environmental Tribal Director tell us what you enjoy most about your work?

I enjoy the people I work with every day and the support we have from our tribal administration and leadership for our efforts.

What are some of your future plans for your tribe's environmental programs to address tribal environmental needs or concerns?

Some of the future plans for our program includes: conducting a groundwater inventory, establishing an air quality program, expanding our 106 water quality program to monitor



IBRP Wants Your Sites

The ITEC Brownfields Response Program (IBRP) is here to help you. In order to do a better job at that, ITEC needs your help gathering site information. Staff is currently making a master list of all the possible Brownfields sites within the ITEC member tribe's service areas. If your tribe has a site that may be a potential Brownfields site, ITEC wants to know about it. Tribes are the ideal information source for the inventory since they are the most familiar with their own communities. Even if you are not sure what qualifies as a Brownfields site, send ITEC the site information and we can help determine if it is one. This is an ongoing list; so feel free to send site information to us now as well as in the future. For more details, please contact Sheila Sevenstar-Horn at ssevenstar@cherokee.org 918-453-5108.