January 6, 2020

Osage County Oil and Gas EIS
BIA Osage Agency
Attn: Superintendent Robin Phillips
P.O. Box 1539
Pawhuska, OK 74056

Re: **Osage County Oil and Gas Draft Environmental Impact Statement**

Dear Ms. Phillips:

I am a rancher and landowner in Osage County. While I have no desire to hurt the oil and gas industry or the Osage tribe and its headright holders, it is clear that existing regulations and enforcement do not provide adequate environmental protection in Osage County. Oil and gas development has scarred our land, polluted the surface and ground water, sickened and killed livestock, and hurt my business and property values.

I strongly support updating and implementing the Enhanced Resource Protections outlined in Alternative 4 of the Draft Environmental Impact Statement. I believe these protections will allow oil and gas development to be done more cleanly and safely, and in an environmentally sound manner which will benefit everyone: landowners, oil producers and the Osage tribe.

While Alternative 4 is a good start as outlined in the draft, it is important that it include the following provisions:

a) Best Management Practices (BMPs) must be incorporated into the Conditions of Approval (COAs) in order to make them enforceable, rather than merely suggested guidelines.
b) We need a list of the BMPs which are mentioned in Alternative 4. These should be compared to the BMPs listed in the BLM's gold book, and the more protective measures should be used.
c) There should be requirements for producers to execute surface damage agreements with landowners prior to first entry on land.
d) There must be requirements for producers to remediate surface damage caused by oil and gas activities, and requirements to restore the land back to tall grass prairie once oil and gas operations on the lease have ceased.
e) There must be enforceable limits and standards governing remediation of brine and petroleum contamination of soil and water.
f) Clean Water Act Compliance must be established to protect surface and ground water from pollution from oil and gas development.
g) Water wells near oil and gas activities must be tested and monitored for pollution.
h) There must be enforceable limits and standards governing venting and flaring of H2S gas.
i) Any environmental protection requirements must be properly overseen and enforced by the government. **BMPs, COAs or any regulations without adequate oversight and enforcement are meaningless, as we have seen in the past.**

Additional COAs and enhanced environmental protections should always apply in sensitive environmental areas in Osage County. These sensitive environmental areas should include any ranch and farm land that is enrolled in federal or state conservation programs designed to improve soil, water, plant, animal, air, wildlife and related natural resources on agricultural land. Taxpayer money is being spent in these programs to improve the environment, and the BIA's rules should support these efforts. These programs include, but are not limited to, the following:

a) Environmental Quality Incentives Program (EQIP)
b) Conservation Stewardship Program (CSP)
c) BLM Wild Horse Pasture Facilities
d) Wetlands Reserve Program (WRP)
e) Conservation Reserve Program (CRP)
f) CRP Grasslands
g) All sensitive water supply streams, lakes and aquifers

My family makes its living through the natural resources found in Osage County, and we must protect the unique and endangered tall grass prairie and our ground and surface water for the benefit of future generations by implementing strong environmental protections – otherwise we risk causing irreparable and irreversible harm to our land and environment.

Thank you for your consideration of these comments.

Yours truly,

Shirley Kelly
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