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OKLAHOMA
DEPARTMENT OF WILDLIFE CONSERVATION

P.O. Box 53465 Oklahoma City, OK 73152 (405) 521-3851

December 27, 2019

Osage County Oil and Gas EIS
BIA Osage Agency
Attn: Superintendent
PO Box 1539
Pawhuska OK 74056

Dear Superintendent,

The Oklahoma Department of Wildlife Conservation (ODWC) is submitting written comments in response to the request to provide comment on the Osage County Oil and Gas Draft Environmental Impact Statement that was published in the Federal Register on November 22, 2019. ODWC owns 26,918 surface acres in Osage County, the purpose in owning and managing this property is the management, protection, and enhancement of wildlife resources and habitat for the scientific, educational, recreational, aesthetic, and economic benefits to present and future generations of citizens and visitors to Oklahoma.

Alternative 1 – No action would not be in the best interests of the ODWC's mission or those who use wildlife management areas. As a state agency ODWC is required to adhere to the provisions of the Oklahoma Administrative Code, Title 800:30-3-1 through 8 for mineral exploration and production on State owned land in Osage County. ODWC has struggled with an open line of communication with the lessee regarding the use of the wildlife management area when it comes to oil and gas drilling. This communication is critical to lessee safety and the safety of those using the wildlife management area. There are many safety factors to be considered like prescribed burning, hunting seasons and Greater Prairie Chicken booming grounds. ODWC through signed surface damage agreements with lessee have required lessee to bury pipelines, enclose tank batteries and production equipment with dikes and fencing to keep out wildlife, livestock and people, require noise mufflers to reduce noise and in the case of abandoned sites remove equipment and restore the well site to its approximate original condition with little success. ODWC has requested assistance from the BIA in resolving issues with lessees to no avail.

Alternative 2 – Emphasize Oil and Gas Development would also not be in the best interests of the ODWC's mission or those who use wildlife management areas. ODWC is not sure how successful this will be if a large portion of the surface is privately or non-tribal owned. The best management practices are just that best management practices. The ability to waive the conditional of approval under this alternative and leave the decision to the lessee does not provide protection to the surface owner. There would little enforcement power and do not have fines associated with environmental damage.

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Alternative 3 – Hybrid Development of High- and Low-Density Development Sections is a better alternative than one or two. Although it may not be the ideal alternative it does protect cultural sites and required lessee to comply with site-specific conditions designed to protect listed sensitive areas. This alternative does include an enforceable component.

Alternative 4 – Enhanced Resource Protection. ODWC supports the proposed Alternative 4.This alternative provides the most protection and conservation of water and habitat resources, especially those resources located on State Wildlife Management Area, US Army Corps of Engineers lakes and Tallgrass Prairie Preserve. This alternative also minimizes the impacts of oil and gas activity to air quality, fish, wildlife and migratory birds. It also minimizes ground disturbance that could slow the spreading on invasive plants and allow for increased prescribed fire to be used on the landscape for vegetation management. This alternative would enhance wildlife management area users by reducing the noise and visual impacts of unsightly oil and gas equipment left strewn on well sites currently. This alternative provides enforcement and protection of sensitive area and their importance would go a long way in serving wildlife resources and habitat for future generations of Oklahoman.

Sincerely,

J.D. Strong
Director

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