Francis Craig

From: mosby.halterman@bia.gov on behalf of EIS, Osage County Oil and Gas <osagecountyoilandgaseis@bia.gov>
Sent: Friday, February 21, 2020 12:39 PM
To: Katie Patterson; Francis Craig
Subject: Fwd: [EXTERNAL] New Draft EIS Comment

Mosby Halterman
Regional Environmental Scientist
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From: **Tina R. Allen** <tina.r.allen@comcast.net>
Date: Fri, Feb 21, 2020 at 11:30 AM
Subject: [EXTERNAL] New Draft EIS Comment
To: <osagecountyoilgaseis@bia.gov>

Mr. Mosby Halterman
Supervisory Environmental Specialist
telephone: 918-781-4660
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BIA Eastern Oklahoma Regional Office
PO Box 8002, Muskogee, OK 74402

Dear Mr. Halterman:

For some time, I have been reviewing the new Draft EIS. From a Federal Statutory point of view, involving the 1906 Allotment Act and its subsequent amendments, the order of precedence is established first and foremost in the Trust beneficiaries (Headright Owners) of the Osage Minerals Estate (OME) Trust and what must be done to protect, preserve and defend the right to obtain oil and gas income from every possible square inch of Osage County for distribution to the beneficiaries as per the fiduciary duty and obligation owed by the Secretary of the Interior to us. And to do everything possible to foster, develop and enhance oil and gas production for the benefit of the Trust beneficiaries which is the mandate inherent in the provisions of the 1906

Allotment Act and its subsequent amendments. The 566 page EIS document is both untenable and undoable due to the layering on and on and on of stipulations that are burdensome in the extreme and at times conflicting, therefore, simply not possible out in in the Osage oil field, making any new oil and gas business difficult at best and impossible at worst.

Taking a look at the big picture and the TERA/TEDO Rule, the NEPA regulations, the new Draft EIS, the ABB regulations, the CFRs with entirely different editions now applying to one aspect of doing business in the Osage or another; none of this has any possibility for success with the Osage Nation government and its Code that is more representative of a rule of custom rather than a rule of law because with few exceptions, it is a body of legislation passed and signed by the Chief without penalties contained within it. How can the Bureau or the Secretary of the Interior be prepared to transfer an oil and gas operation already so burdensomely laden with existing rules and now, new rules, new regulations, new environmental statements and so on and so forth and expect that the Osage Nation government will have the ability to cope or even expect a successful outcome? At some point this all becomes mind boggling and whether it's intentional or unintentional; attempting to turn over the Osage Mineral Estate to the Osage Nation government with the only possibility of failure within a few short years under the suggested multi-layered regulatory environment, effectively illegally running the Osage Minerals Estate into the ground with an already existing burdensome regulatory environment PRIOR TO THE TRANSFER and dumping all these new regulations right, left and center onto the Osage Minerals Estate with the expectation that anyone anywhere could manage a positive outcome is obtuse to say the least.

Watching what has taken place since 2011 after the settlement of the Highest Posted Price lawsuit and the subsequent "tsunami" associated with one set of regulations for this, that and the other, it begs a question or two. It appears that you all have gotten down on your hands and knees with your foreheads to the ground in supplication in the effort to beg us to sue you in Federal Court for destroying the Osage Minerals Estate with one large set of regulations after another, after another, after another. If this is your intent, I am certain that the Osage Headright owners will be happy to accommodate you in this regard. Is this indeed your actual intent? If not, I would set this most recent 566 page example of the onslaught of destructive regulatory documents up on a shelf somewhere and start over or better yet don't start again at all. The land owners have no fiduciary relationship to you as do the beneficiaries of the OME Trust. Please to keep this in mind before putting into effect this latest horrific version of the Environmental Impact Statement from 2019.

Sincerely,

Tina R. Allen
Osage Minerals Estate Trust Beneficiary