



Branch of Enforcement
and Lease Compliance

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Osage Agency
P. O. Box 1539
Pawhuska, OK 74056

FINDING OF NO SIGNIFICANT IMPACT
Osage Nation, Osage County, Oklahoma
Tallgrass Resources, LLC
Environmental Assessment
For Twenty-Three Permits to Drill Applications

Well Name	Quarter, Section, Township, Range	Lease #
202	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
204	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
205	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
206	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
231	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
233	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
234	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
235	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
236	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
240	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
241	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
242	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
243	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
244	NE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
207	NW/4 Sec. 26, Township 24 North, Range 9 East	G06-399-3
208	NW/4 Sec. 26, Township 24 North, Range 9 East	G06-399-3
232	NW/4 Sec. 26, Township 24 North, Range 9 East	G06-399-3
219	SE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
221	SE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
222	SE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
252	SE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
253	SE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0
254	SE/4 Sec. 26, Township 24 North, Range 9 East	G06-399-0

SUMMARY:

Request to approve the above-listed permit to drill applications for the applicant, Tallgrass Resources, LLC, Osage County.

FINDING OF NO SIGNIFICANT IMPACT:

On the basis of the information contained in the Environmental Assessment (EA) and all other information available to me, it is my determination that (1) implementation of the Proposed Action Alternative, Alternative B, will not have significant environmental impacts beyond those already addressed in the EA. Alternative B will have no significant impact on the quality of the human environment. Therefore, in accordance with Section 102 (2) (c) of the National Environmental Policy Act of 1969, as amended, an environmental impact statement is not necessary and will not be prepared.

Based on the analysis contained in the EA, the BIA makes a Finding of No Significant Impact for the Proposed Action. This finding constitutes a determination that the Proposed Action is not a federal action that would result in significant adverse effects to the quality of the human environment; therefore, in accordance with Section 102(2)(c) of the NEPA of 1969, as amended, additional environmental review and preparation of an Environmental Impact Statement (EIS) is not required.

Executive Order 14154, *Unleashing American Energy* (Jan. 20, 2025), and a Presidential Memorandum, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity* (Jan. 21, 2025), require the Department to strictly adhere to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq. Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The Bureau of Indian Affairs verifies that it has complied with the requirements of NEPA, including the Department's regulations and procedures implementing NEPA at 43 C.F.R. Part 46 and Part 516 of the Departmental Manual, consistent with the President's January 2025 Order and Memorandum. The Bureau of Indian Affairs has also voluntarily considered the Council on Environmental Quality's rescinded regulations implementing NEPA, previously found at 40 C.F.R. Parts 1500–1508, as guidance to the extent appropriate and consistent with the requirements of NEPA and Executive Order 14154.

CONTEXT:

Mineral development (i.e., oil and gas) is a long-standing and common land use within Osage County. The United States holds the Osage Mineral Estate in trust for the benefit of the Osage Nation and is responsible for administering the development of mineral resources, including permit approvals that are needed for the BIA to fulfill a portion of its trust responsibility to the Osage Nation and facilitate the development of the mineral estate. The EA evaluated potential impacts to the human environment, for both the No Action Alternative, Alternative A, and the Proposed Action Alternative, Alternative B. Under Alternative A, the proposed approval of drilling permits would not occur, and the resulting lack of potential development of the minerals estate would lead to negative socio-economic impacts to the Osage Nation. The Department of the Interior's authority to implement a "no action" alternative that precludes development is limited. An oil and gas lease grants the lessee the "right and privilege to drill for, mine, extract, remove, and dispose of all oil and gas deposits" in the leased lands, "subject to the terms and conditions incorporated in the lease." Alternative B would allow for the approval of drilling permits and would likely result in positive economic impacts to the Osage. Under both the No Action and the Proposed Action Alternatives, there would be no significant impacts to the environment. Therefore, the decision was made to select the Proposed Action Alternative and to not select the No Action Alternative.

INTENSITY:

The implementation of Alternative B will result in beneficial effects in the form of energy and revenue production for the Osage Nation; however, there will be adverse effects to the environment. Best Management Practices and any applicable Conditions of Approval (COAs) found in Table R-2 in the *Record of Decision for the Osage County Oil and Gas Environmental Impact Statement (ROD)* will be implemented with Alternative B to prevent significant adverse environmental effects.

Alternative B does not pose a significant risk to public health and safety. Relevant scientific literature and professional expertise were used in preparing the EA. The scientific community is reasonably consistent with their conclusions on environmental effects relative to oil and gas development. Research findings on the nature of the environmental effects are not highly controversial, highly uncertain, or involve unique or unknown risks. No environmental issues related to the proposed action were identified and the EA discloses the environmental consequences of the proposed action. Protective measures will be taken to protect air and water quality as outlined in the The Affected Environment and Potential Impacts section of the EA.

There are no cultural or historical resources present that will be adversely affected by the selected alternative. No species listed under the Endangered Species Act or their designated critical habitat will adversely be affected. The selected alternative will not have any anticipated effects that would threaten a violation of Federal law or requirements imposed for the protection of the environment.



Superintendent
Osage Agency
Eastern Oklahoma Region
Bureau of Indian Affairs
U.S. Department of the Interior



Date