

From: [nellie.meashintubby](#)
To: [Gee, Randy](#)
Subject: PROPOSED WITHDRAWAL AND RECONSIDERATION OF OCTOBER 1, 2020 SAFETEA DECISION AND OPPORTUNITY FOR COMMENT
Date: Thursday, December 30, 2021 9:42:45 PM

Good evening Mr. Randy Gee,

As a Choctaw tribal citizen who resides on the Choctaw reservation in McAlester, OK, I am concerned that the State of Oklahoma was granted control over environmental quality in Indian Country. Environmental quality is an essential aspect of our overall well-being, our tribal lands, and the impact upon tribal citizens.

Indian Country located in Oklahoma was excluded from Oklahoma's environmental regulatory program prior to the EPA's decision in October 2020. Thus, the EPA retained authority to directly implement environmental regulatory programs in most Indian Country in Oklahoma. The federal environmental statutes administered by the EPA may be implemented by eligible Indian tribes, with the EPA retaining oversight authority. Tribes can submit program applications to EPA, and EPA approves the programs where they meet applicable statutory and regulatory programmatic requirements. EPA retains oversight authority over specific tribal implementing activities and the adequacy of the tribe's regulatory program.

The states generally lack relevant regulatory jurisdiction in Indian Country, and the EPA typically does not include Indian Country from approvals of environmental regulatory programs by states. Indian tribes can apply to EPA for eligibility and approval to manage regulatory programs under federal environmental statutes administered by EPA. Approved tribal environmental programs generally apply to areas that qualify as Indian Country. EPA can administer environmental regulatory programs in Indian Country when an approved tribal program is not present.

The Choctaw reservation is federal land that the tribe or the federal government should manage. As a sovereign nation, the tribe retains regulatory authority over its lands in Indian Country, and it is in the best interest of the tribe and the citizens for environmental regulatory programs to be managed by the tribe. The federal government has a trust obligation to protect the tribes from the states.

I respectfully request that the October 1, 2020 SAFETEA decision be withdrawn and tribes be allowed to govern environmental regulatory programs on reservations lands in Indian Country.

Yakoki!

Nellie Meashintubby