

To: John Tubbs, Director, Department of Natural Resources and Conservation  
Tom Livers, Director, Department of Environmental Quality  
Jeff Hagener, Director, Department of Fish, Wildlife and Parks

From: Governor Steve Bullock

Re: Protecting state waters and associated state resources from future pipeline spills

Date: February 13, 2015

Montana has, for the second time in 4 years, suffered another oil spill in the Yellowstone River due to a ruptured oil pipeline. I fully intend to utilize all means available to me to ensure that those responsible for these spills are held accountable, the environment is cleaned up, and that we do everything we can to avoid another oil spill into Montana waters.

In regard to taking preventive action, I am directing your agencies to jointly review and determine the state's authority to place conditions on the siting of both existing and future easements for pipelines that cross our navigable waters, in order to protect our priceless rivers, riverbeds, and fish and wildlife.

I am concerned that some of the methods employed for pipeline crossings, such as trenching (as opposed to directional drilling or other more advanced and protective techniques) are inadequate. In addition, I am concerned that the present level of federal monitoring of river bed conditions is not comprehensive enough to ensure that the state's resources are protected.

Specifically, the agencies should advise me regarding the extent to which the state's authorities to protect health, safety and welfare, water quality, fish and wildlife, and state land resources, provide the necessary tools to achieve these ends.

In addition, since pipelines crossing navigable waterways require easements from the state, I am requesting an analysis of the state's ability to utilize contractual obligations to accomplish these objectives.

Please provide a response to me no later than February 25, 2015.