

STATEMENT BY CLINT MCRAE

Law and Order in the Oil & Gas Fields Report

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I operate the family ranch on Rosebud Creek south of Colstrip, Montana. All of the hay-base on my ranch is naturally sub-irrigated, and the aquifers used for watering my cattle are shallow and drawn from underground coal seams. I am a 4th generation rancher and a 2nd generation Northern Plains Resource Council member, and I am currently president of the Rosebud Protective Association, a local affiliate of Northern Plains.

The problem is that state and federal agencies are not doing their jobs to fulfill their public trust responsibilities. The mission statement of the Montana Department of Environmental Quality (DEQ) states:

“To protect, sustain, and improve a clean and healthful environment to benefit present and future generations.”

The mission statement of the Bureau of Land Management (BLM) states:

“Sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.”

Specific problems include:

- The Montana DEQ has failed to enforce water quality standards. Through their own initiative, landowners have shown the Tongue River to be in violation of electrical conductivity and sodium standards for the last two summers, yet the agency has not taken corrective action.
- The Montana Board of Oil and Gas Conservation (BOGC) has an average of 1,381 active wells per inspector. This means an inspector would have the impossible task of inspecting about four wells every day of the year.
- The BLM has approved drilling permits without public comment, and has denied requests for public comment prior to issuing permits.
- The average number of inspections per environmental compliance inspector at the BLM's Miles City Field Office was 22 in FY 2003, whereas the national average was 66.
- The BLM's Miles City Field Office issued no fines or penalties from 1999 to 2003.
- The BLM and Montana BOGC do not track citizen complaints, nor agency responses to complaints.

The solution to these problems is for state and federal agencies to conduct more on-the-ground inspections, issue violations, impose fines, and enforce the laws.

The state and federal agencies need to live up to their mission statements and represent the best interests of the public, not the best interests of the oil and gas industry. The agencies need to ensure that industry does it right.