

United States Senate

WASHINGTON, DC 20510

July 18, 2012

The Honorable Hillary Rodham Clinton
Secretary
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Clinton:

We write to request a narrowly-tailored scope of the Supplemental Environmental Impact Statement (SEIS) being prepared by the Department of State for the revised application submitted by TransCanada in May for a Presidential Permit for the Keystone XL pipeline. We believe that the Department should focus on new information and changes in the route, not reevaluate the work of the previously finalized Environmental Impact Statement.

The Keystone XL pipeline will pass through the Bakken, a booming area of Montana oil production. This formation now supplies the U.S. with nearly a million barrels of oil per day, the second largest play in the U.S. This pipeline provides an opportunity to create jobs, bring more American crude oil online, and strengthen our rural economy. We are afraid that this opportunity is slipping with continued delays of the Keystone XL pipeline.

As the Department pointed out in its notice of intent to prepare the SEIS, the Administration previously evaluated potential impacts resulting from construction, operation, and maintenance of the full pipeline from the Canadian border to Texas. The Final Environmental Impact Statement was issued nearly a year ago, following three years of analysis under and the National Environmental Policy Act and the National Historic Preservation Act.

We were encouraged by President Obama's decision in March to direct federal agencies to prioritize permitting of the southern segment of the pipeline. The President also directed agencies more generally to accelerate approval of vital energy infrastructure. With the improvement in the routing of the Nebraska segment, the Department can demonstrate its commitment to the President's directive by limiting the scope of its latest SEIS to the proposed new route through the state of Nebraska.

The new planned route is the only significant new circumstance or information relevant to environmental concerns bearing on your national interest determination. The Department has already reviewed the other reasonably foreseeable impacts of the pipeline. Combined with respectful treatment of private property and property owners and strong pipeline safety standards, a scope limited to the State of Nebraska is appropriate for making the national interest determination.

Thank you for your consideration, and we look forward to your decision about the scope of the SEIS.

Sincerely,



Max Baucus
United States Senator



Jon Tester
United States Senator