



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

May 15, 2019

Director Daniel Eichinger
Department of Natural Resources
Executive Division
P.O. Box 30028
Lansing, Mich. 48909

Dear Director Eichinger,

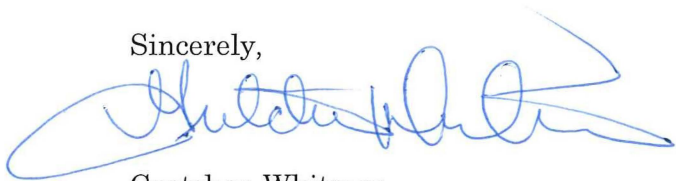
The Great Lakes are Michigan's greatest natural resource. As you are aware, utility infrastructure runs along the bottomlands of the Straits of Mackinac, including a four-mile stretch of dual pipelines operated by Enbridge Energy Company as part of its Line 5 oil pipeline. One of the greatest threats to the Great Lakes is an anchor striking these dual pipelines, rupturing the pipelines and causing catastrophic harm to the surrounding environment and all who depend on it. This threat is only heightened by the fact that, due to erosion of the land on which these dual pipelines originally lay, considerable portions of the pipelines are now largely suspended above the surface of the bottomlands of the Straits, and therefore all the more susceptible to being hit or hooked by a passing anchor.

The reality and immediacy of this threat was made clear in April 2018 when an anchor, dragged unawares by a vessel, struck and damaged the dual pipelines, as well as other utility infrastructure within the Straits. In response, the Department of Natural Resources issued an emergency rule temporarily creating a restricted anchor and vessel equipment zone in the Straits. The United States Coast Guard subsequently created a permanent Regulated Navigation Area. These measures were an important first step, but did not address the core threat exemplified by the April 2018 incident: an inadvertent anchor strike

The risk posed by future incidents of this sort is significant and unacceptable, and requires immediate action. Therefore, by the authority vested in the Department of Natural Resources under Part 801, Marine Safety, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, I direct the Department to promulgate rules requiring specified vessels to take affirmative action to verify that their anchors and other equipment are secured immediately prior to passing through the Straits. Given the risk to public health, safety, and welfare at issue, I further direct the Department to issue these rules on an emergency basis under MCL 24.248.

Thank you for your assistance and shared commitment to the protection and preservation of our Great Lakes.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gretchen Whitmer', with a large, sweeping flourish at the end.

Gretchen Whitmer
Governor of the State of Michigan