

Meeting 2-6.8.15

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PUBLIC MEETING
FOR THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE
PROPOSED TONGUE RIVER RAILROAD

ASHLAND, MONTANA

JUNE 8, 2015

6:00 P.M. MT

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1 MONDAY, JUNE 8, 2015

2 6:32 P.M. MT

3 ASHLAND, MONTANA

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5 JENNIFER PIGGOTT: I'll introduce Ken
6 Blodgett, with the Surface Transportation Board, to
7 provide some comments, before we move into the oral
8 comments.

9 Ken?

10 KEN BLODGETT: Good evening. Thank you for
11 attending today's public comment meeting on the Draft
12 Environmental Impact Statement for the proposed
13 construction and operation of the Tongue River Railroad.

14 My name is Ken Blodgett, and with me tonight
15 is Danielle Gosselin, and we are here representing the
16 Surface Transportation Board's Office of Environmental
17 Analysis.

18 Also seated at the table are Alan Summerville,
19 the project manager for ICF, our third-party contracting
20 team, and Elizabeth Diller. And Jennifer Piggott has
21 already introduced herself, who will act as our
22 facilitator this evening.

23 The Surface Transportation Board is the
24 federal agency responsible for the economic regulation
25 of interstate surface transportation within the

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1 United States and for granting authority for the
2 construction and operation of new rail lines and
3 associated facilities. The board's mission is to ensure
4 that competitive and efficient and safe transportation
5 services are provided to meet the needs of shippers,
6 receivers, and consumers.

7 In all of its decisions, the Surface
8 Transportation Board is committed to advancing the
9 national transportation policy goals established by
10 Congress.

11 The Office of Environmental Analysis, or OEA,
12 is responsible for ensuring that the board is in
13 compliance with the requirements of the National
14 Environmental Policy Act. We fulfill this
15 responsibility through independent environmental review
16 of railroad actions, which require the board's approval.

17 On October 16th, 2012, the Tongue River
18 Railroad Company filed an application with the Surface
19 Transportation Board to construct and operate a rail
20 line from Miles City, Montana, to two endpoints near
21 Ashland.

22 On December 17th, 2012, Tongue River filed a
23 supplemental application in which it identified its
24 preferred routing for the proposed line as the Colstrip
25 Alternative, between Colstrip and Ashland.

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1 The board is the lead agency responsible for
2 preparing the Draft Environmental Impact Statement.

3 Four cooperating agencies worked with the Surface
4 Transportation Board in preparing the Draft
5 Environmental Impact Statement: The
6 Bureau of Land Management, the U.S. Department of
7 Agriculture, the U.S. Army Corps of Engineers, and
8 Montana state agencies.

9 These cooperative agencies all have
10 decision-making authority independent of the Surface
11 Transportation Board and are agencies from which
12 Tongue River Railroad would obtain separate approvals or
13 permits prior to construction.

14 The purpose of today's meeting -- tonight's
15 meeting is for the Surface Transportation Board to
16 receive comments, both oral and written, on a Draft
17 Environmental Impact Statement, which was served and
18 made available for public review and comment on
19 April 17th. The Draft Environmental Impact Statement
20 reflects our analysis of the potential environmental
21 impact that could result from the construction and
22 operation of the proposed rail line.

23 Public involvement is an important component
24 in the environmental review process. Our hope is that
25 the comments we receive tonight will help us -- will

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1 help to ensure that our office fully addresses your
2 concerns and the potential environmental impacts that
3 could result from the construction and operation of the
4 rail line, as well as appropriate mitigation measures.

5 After the public comment period has come to a
6 close, the Office of Environmental Analysis will
7 consider all comments received and address each comment
8 in the Final Environmental Impact Statement, which will
9 present our final conclusions and recommendations for
10 mitigating possible environmental impacts.

11 Issuance of the Final Environmental Impact
12 Statement will complete the board's environmental review
13 process. The board will then make a decision on the
14 proposed rail line construction. In making that
15 decision, the board will consider the entire
16 environmental record, including all public comments, the
17 Draft Environmental Impact Statement, the Final
18 Environmental Impact Statement, and OEA's final
19 recommended environmental mitigation.

20 No project-related construction may begin
21 until the board's final decision has been issued and
22 that decision has become effective.

23 If you haven't already done so, I would
24 encourage everybody to sign in at the entrance to the
25 room. Those who have been identified and indicated that 5

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1 they would like to make a public comment on the Draft
2 EIS at this meeting will be -- which will be recorded by
3 the court reporter -- will be called upon to speak in
4 the order in which they signed in.

5 If you would like to provide a handwritten
6 comment today, comment forms are located over here in
7 the public -- in the comment area, and there's boxes
8 over there to put your comments in. Written comments
9 may also be mailed to the board or submitted
10 electronically on the project Web site,
11 tonguerivereis.com.

12 All oral and written comments will be given
13 equal weight and consideration. In preparing your
14 written comments, we encourage you to be as detailed as
15 possible regarding the content of the Draft
16 Environmental Impact Statement.

17 That concludes my remarks, and I will now turn
18 the floor over to Alan Summerville, who will provide a
19 little more information on the environmental review
20 process.

21 Thank you.

22 ALAN SUMMERVILLE: Good evening.

23 During the open house portion of this meeting,
24 we provided information on the environmental review
25 process and on the project. Now I'd like to take just

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1 about three minutes to summarize that information for
2 those of you who couldn't attend the open house or just
3 provide a recap for those of you who were able to make
4 it.

5 In the meeting brochure and on one of the
6 posters here in the room is a figure depicting the
7 environmental review process.

8 To initiate the scoping process, OEA issued a
9 notification of its intent to prepare an EIS to the
10 public; elected officials; federal, state, and local
11 agencies; tribal organizations; and other potentially
12 interested organizations.

13 OEA issued a draft scope of study and held
14 agency and public meetings to obtain comments on topics
15 that the EIS should analyze and possible alternatives to
16 TRRC's proposed alignment.

17 Interested agencies were invited to
18 participate in the scoping phase by reviewing the draft
19 scope of study, submitting comments in writing, and
20 attending scoping meetings held in the project area.

21 After considering the comments received
22 through the scoping process, the board published a
23 Notice of Final Scope of Study for the EIS in March of
24 2013.

25 Throughout the development of the Draft EIS,

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1 OEA met in person and through teleconferences with
2 federal, state, and local agencies, as well as tribes.
3 OEA prepared the Draft EIS by analyzing the potential
4 environmental impacts of the proposed Tongue River
5 Railroad and the reasonable alternatives, including the
6 "No-Action" alternative.

7 The Draft EIS also addresses the trains -- the
8 impacts of trains traveling to destinations outside the
9 project area, which are also referred to as "downline
10 impacts."

11 Any of the build alternatives could have minor
12 to highly adverse impacts on the following resources:
13 Transportation, greenhouse gases and climate change,
14 noise, biological resources, water resources, visual
15 resources, cultural and historic resources, land
16 resources, geology and soils, socioeconomics, and
17 environmental justice. All other resources would
18 experience negligible impacts.

19 The Draft EIS also includes OEA's preliminary
20 recommendations for environmental mitigation. These
21 mitigation measures will be considered by the board as
22 potential conditions if the board decides to grant TRRC
23 authority to construct and operate a rail line.

24 The Draft EIS was distributed and was made
25 public on April 24th to interested members of the

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1 public, parties of record, elected officials, tribes,
2 and appropriate federal, state, and local officials.
3 OEA provided extensive notification through various
4 means to the project area and downline communities.

5 As Ken stated, the final EIS will consider and
6 respond to all comments received on the Draft EIS and
7 will include any appropriate changes and recommendations
8 for additional mitigation measures. It will also
9 identify OEA's preferred alternative. Completion of the
10 final EIS will be announced to the public through a
11 Notice of Availability published in the Federal Register
12 and by notification to interested parties.

13 At this time, I'd like to hand the meeting
14 back over to our facilitator, Jennifer Piggott, who will
15 go over some ground rules. Then we can begin to hear
16 public comments.

17 Thank you.

18 JENNIFER PIGGOTT: Thanks, Alan.

19 We will now begin the oral comment portion of
20 tonight's meeting.

21 Before we begin, I'd like to go over just a
22 few things.

23 If you haven't already done so, please silence
24 your phones so we don't interrupt the meeting.

25 If you would like to speak and did not sign up ₉

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1 when you arrived at the meeting, please raise your hand
2 so we can get you registered.

3 Is there anyone else wishing to make an oral
4 comment that didn't already sign up?

5 Okay.

6 A court reporter will transcribe your oral
7 comments for use in preparing the Final Environmental
8 Impact Statement. Please do not provide any personal
9 information in your comments that you would not want to
10 see published in the final document.

11 Please speak slowly and clearly so that the
12 court reporter can easily record your comments. Please
13 state your full name and spell it out for the court
14 reporter and indicate if you're representing a group or
15 organization.

16 Each speaker will be allotted three minutes to
17 speak. You do not have to speak for the full three
18 minutes; however, when 30 seconds remains, a yellow card
19 will be displayed, and a red card will be raised when
20 your time has ended.

21 Out of respect for others, we ask that you
22 please honor the three minutes. If you think you have
23 more comments than you can present in the time allotted,
24 please make the most important comments first. If you
25 do not get a chance to voice all of your comments, you

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1 can submit them in writing.

2 If you have a written statement already
3 prepared, you may read it aloud, and we recommend that
4 you also submit it as a written comment.

5 If time permits, at the end of the meeting, we
6 will invite up additional speakers and anyone who did
7 not get a chance to finish their comments.

8 Please feel free to provide comments in either
9 oral or written form. Both types of comments are given
10 the same, equal weight in the final document.

11 Finally, this portion of the public meeting
12 allows you to provide comments that will be transcribed.
13 OEA will not answer questions or respond to comments
14 during this portion of the meeting. OEA will respond to
15 comments in the Final Environmental Impact Statement.
16 This will allow as much time as possible for members of
17 the public to comment.

18 I will now call up the first speaker, which is
19 June Persons.

20 JUNE PERSONS: Good evening. My name is
21 June Persons. J-u-n-e, P-e-r-s-o-n-s.

22 I'll preface this by stating to you right up
23 front that this is not directly addressing the
24 Draft EIS, but I'm speaking as a member of my community.

25 We're a property owner on Otter Creek. I have₁₁

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1 a master's degree from MSU Bozeman. I've lived and
2 worked in this area for 15-and-a-half years.

3 I'm against the building of Tongue River
4 Railroad and its partner, the Otter Creek Coal Mine.

5 The truth is that the proposed project is
6 simply not needed and would result in major
7 environmental and aesthetic degradation to this area.
8 It would cause air and noise pollution, fire hazard in
9 an area regularly gutted by fires already, and would
10 require the theft by condemnation of private properties
11 for no public good.

12 One would have to wonder why this project is
13 being pushed. This project holds no real benefit for
14 the community, the state, or our country. The railroad
15 is entwined with the proposed Otter Creek Coal Mine,
16 which has multiple troubles and issues of its own.

17 There's no expected net gain in jobs
18 associated with the mine and, in fact, it's expected
19 that opening the Otter Creek Coal Mine would result in
20 the closure of existing local mines along with the loss
21 of existing jobs.

22 The railroad is simply one more instance of
23 the megawealthy seeking to run roughshod over the
24 interests of the less powerful in order to further their
25 own financial gain, to the detriment of the communities 12

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1 involved and the environment. Building this railroad
2 would be a tragedy and a detriment to our community and
3 our way of life.

4 Thank you for your time.

5 JENNIFER PIGGOTT: Thank you for your
6 comments.

7 Our next speaker is Mildred Red Cherries.

8 MILDRED RED CHERRIES: My name is Mildred Red
9 Cherries. I am a member of the Cheyenne tribe. I came
10 here to oppose the railroad, and I have -- I don't think
11 there's need for coal. Everybody is turning to green
12 energy.

13 And, like June said, it's got a lot of
14 negative impact on our land and the people here that are
15 concerned, that live here.

16 You know, we can't take on a big corporation
17 because we don't have the resources, but it feels like
18 we're being -- this is kind of being shoved down our
19 throat.

20 And I would like -- you know, this board
21 has -- probably hasn't heard about the Cheyenne that
22 lived on that side of the river, and they were moved
23 over to this side. So that land is still our land over
24 there. And one day, we're going to take it back, and we
25 don't want that railroad on our land.

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1 That's all I have to say for now.

2 JENNIFER PIGGOTT: Thank you for your
3 comments.

4 Our next speaker is Steve Gilbert.

5 STEVE GILBERT: I'm Steve Gilbert from Helena,
6 here, representing myself.

7 For 25 years, I worked as a biologist -- I
8 worked as a biologist in Southwest Montana -- Southeast
9 Montana. I have written parts of EISSs. I have done
10 baseline studies supporting those EISSs.

11 This is a monumentally bad EIS. It's
12 4,000 pages of fluff.

13 For this go-around, I reviewed the fish and
14 the wildlife. Fish is easy to deal with quickly,
15 because there was no fisheries survey done. There was
16 habitat work done. Then, with a little black magic and
17 prestidigitation, we came out with a fish report.

18 I have never in my life heard about a
19 fisheries study done without fish being handled. There
20 was no aquatic biology, no macroinvertebrate studies.
21 It's a fish report about something, but it isn't fish.

22 Basically, what we have here is 4,000 pages
23 that we could say represent 100 sow's ears in an attempt
24 to make a silk purse. What we have is a 100-ear sow's
25 ear purse, no silk.

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1 The wildlife, similar. We have statements in
2 there saying, well, there were five wolves sighted near
3 Miles City in 1899. 1899? What does that mean? Why is
4 that in there?

5 There were two groups of sage grouse. One
6 group had two birds; another group had four.

7 We hear that the helicopter landed and the
8 biologists got out, and they couldn't tell the
9 difference between a sage grouse track and a sharp bell
10 grouse track. That tells me they've never had either in
11 their hand. I don't get it.

12 All the way through there, we have statements
13 talking about the potential impacts which, if you read
14 them, look pretty darn severe. They are all dismissed
15 with a hand wave and saying something along the lines
16 of, This is not a problem.

17 There were no special areas done or special
18 habitats discovered or important species that will be
19 affected over the period of time that this -- which is
20 forever. That's how long these railroads run.

21 Once again, I'm just stunned that this can
22 pass as a Draft EIS. It is the most incredible waste of
23 paper and time for important people who are trying to
24 raise cows to have to review. I just am -- basically
25 just kind of makes me shake.

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1 What we have here basically is a piece of
2 junk. We could have trained 15 chimpanzees for
3 25 minutes, and it would produce a better document.

4 JENNIFER PIGGOTT: Thank you for your
5 comments.

6 Our next speaker is Art Hayes.

7 ART HAYES: Art Hayes, Jr., H-a-y-e-s.

8 I live in Birney, Montana. I'm not supposed
9 to ask questions, but I'm going to ask one.

10 Where can I find proof that this is a
11 common-carrier railroad? Does it have the power of
12 eminent domain? I don't think it does.

13 I look at CloudBee Industries [verbatim] or
14 CloudBee Coal [verbatim]. Went to the State of Montana
15 to build a similar railroad to a coal mine in Wyoming.
16 They had to come back through a piece of state land
17 because they did not have the power of the eminent
18 domain.

19 I can see no difference between that railroad
20 serving that one mine and this railroad serving the
21 Otter Creek Mine.

22 The other lines they have listed here are mere
23 fantasies.

24 The Monaco [phonetic] Mine is defunct. It
25 never was viable. It had a permit. It couldn't sell

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1 the coal, and it wasn't a logical mining plan.

2 The Canyon Creek Mine, listed in the EIS for
3 the Canyon Mine, or whatever it is, says Mr. Martin --
4 and Mr. Martin told me the other day that that railroad
5 will not be built on his place.

6 Thank you.

7 JENNIFER PIGGOTT: Thank you for your
8 comments.

9 Our next speaker is Jessie Ignacio.

10 UNIDENTIFIED SPEAKER: She's not here.

11 JENNIFER PIGGOTT: Oh, sorry. Jessie Ignacio?
12 Okay. We'll move on to the next speaker.

13 Our next speaker is Brad Sauer.

14 BRAD SAUER: It's Sauer, like sauerkraut,
15 S-a-u-e-r, and I'm pretty sure you've heard all the
16 jokes, but hopefully you won't hear any new ones.

17 I'm a resident of the county here.

18 This is not a document of high quality. It
19 leaves much room for doubt and confusion. It lacks the
20 due diligence required of a site-specific NEPA document
21 by not including the vast amount of available local
22 information.

23 Most EISs have only three or four
24 alternatives, including a no-action. Why does this one
25 have so many?

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1 Most EISS have a preferred alternative
2 selected by the deciding agency, not the company.
3 Putting forward the company's selected alternative gives
4 one the wrong impression. It makes me wonder who you
5 may work for.

6 There's lots of room for questions on all the
7 topics covered by the EIS. I'm going to focus on fire.

8 Railroads cause a number of fires. That's
9 documented. But that's not really the issue. The issue
10 is how accessible are the available fuels to a started
11 fire and then how resistant is the start to control.
12 This isn't addressed in the document.

13 What fire regime and condition classes are
14 present? What fuel models are involved on the site?
15 How will these fuel models change with the exclusion of
16 grazing and farming? In other words, the fuel will
17 build up within the right-of-way. And how will that be
18 mitigated? The -- excuse me -- where are the fire
19 behavior predictions, and which program was used?

20 What are the values at risk? What are the
21 communities at risk? How do the existing geography and
22 prevailing weather conditions affect fire spread at
23 locations of likely ignitions which are mentioned in the
24 document? What are your fire-management objectives?
25 What are your fire-management strategies? How will the

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1 railroad, should it be built, affect staffing levels of
2 local fire agencies, and who will pay for additional
3 staffing?

4 How will the supposed fire management plan
5 that's mentioned fit with other available fire
6 management plans? Where is the record of consultation
7 with county fire ordinances and agency fire management
8 officers? Who prepared your fire management
9 information, and what are their credentials, and where
10 is the reference for this?

11 Let's see. Fire history. Why is there only
12 four years of fire history, and why was a program
13 relative to fire in Oregon used as opposed to local
14 information and local fire plans?

15 JENNIFER PIGGOTT: Sir --

16 BRAD SAUER: Montana has been called the last
17 best place. This might be the last best valley in that
18 place. Please show the respect that this place, the
19 peoples who live here, their time and cultures, homes,
20 and livelihoods deserve by taking this document back to
21 where you came from, taking a little longer, doing a
22 good job, and bring us at least a passable job to look
23 at when you come back.

24 Thank you.

25 JENNIFER PIGGOTT: Thank you for your

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1 comments.

2 Our next speaker is Roger Sprague.

3 ROGER SPRAGUE: My name is Roger Sprague,
4 S-p-r-a-g-u-e.

5 I'm a local rancher here. My family's been
6 here since 1881, before there were railroads completed
7 to the state of Montana. We got by without railroads
8 then and can continue without this one very easily.

9 Well, the railroad, as near as I can tell from
10 this -- from the documents that have been put out, which
11 are very sketchy, so many alternatives and they keep
12 changing that we don't know exactly where they're going
13 to go with it, even where the alternative's going to go
14 with it, very sketchy -- shows nothing about county road
15 realignments on there. So how do we know where those
16 county roads are going to be? That affects me, because
17 although it does not cross my land, it's going to come
18 within a mile of my house and may cut off my access to a
19 county road, which is my only access of my property.
20 So, you know, I have questions about that.

21 Also, Brad mentioned fire. Fire's a big
22 concern. If you guys look around the country here and
23 see what happened a couple years back, that was a mile
24 away from the railroad. Railroads are a big fire
25 starter in this country. See them all over the hills

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1 wherever you go. And my house is a mile away from that
2 railroad. Middle of the night, there can be no warning
3 when the fire comes and burns my house, my property, my
4 livelihood.

5 How's that going to be mitigated? What do you
6 do to help that? Are you going to patrol the roads all
7 the time, watching for fires to be triggered; for the
8 cause?

9 Also, I have property on both sides of the
10 road, not exactly connected to the railroad, but I have
11 property both sides. I get cattle back and forth across
12 and equipment back and forth across. How is that going
13 to be addressed? Will you put overpasses in for me?
14 Underpasses in for me? What are you going to do about
15 those types of things?

16 So it's not just the people of which land you
17 will go across and the people whose land you will try to
18 take away from them for the benefit of a large
19 corporation. It's also going to affect some of us in
20 residual areas that are just a little ways away from the
21 property.

22 There's a lot of things that the analysis just
23 skipped over. They didn't come and talk to us locals.
24 Nobody came to talk to me. Nobody came to talk to any
25 of us about a lot of things, like vegetation, the fire, 21

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1 the archeological thing. We have a lot of artifacts in
2 the area. None of your people ever came and talked to
3 me. They didn't want to know. They don't know -- want
4 to know what's here. They don't care about what's here.
5 They just want to push this thing through and throw the
6 wool over us, and we're going to stop it.

7 So thank you for your time.

8 JENNIFER PIGGOTT: Thank you for your
9 comments.

10 Our next speaker is James Nick Mullins.

11 JAMES NICK MULLINS: Thank you. My name's
12 Nick Mullins, and I'm actually from Kentucky.
13 Originally from Southwestern Virginia. I'm a
14 fourth-generation coal miner. My grandfather, my
15 great-grandfather, they were all coal miners. Whenever
16 they do EISs and they look at different projects to
17 bring in economic prosperity, they talk a lot about
18 jobs. But it's been my experience and experience of my
19 grandfather's that the jobs aren't always there.

20 There may be plenty of coal, but that doesn't
21 necessarily mean that the coal markets are going to be
22 up. We have seen boom and bust and boom and bust. And
23 this caused us so many issues.

24 Right now, Eastern Kentucky, they have half
25 the amount of coal miners they had three years ago.

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1 People are having to move out of the areas in droves. I
2 have a lot of friends who are working at the coal mines.
3 Alpha Natural Resources, they're getting ready to, well,
4 I'm afraid, go bankrupt. They're getting warning
5 letters from the stock exchange because they've fallen
6 so low in their stock prices.

7 You know, people like to think that railroads
8 and mines bring money, bring jobs, bring opportunities
9 to communities, but they don't. Appalachia, the
10 coal-producing counties, are typically the poorest
11 counties within their respective states. My home
12 county, Dickenson County, McCone County, they're the
13 poorest.

14 In Eastern Kentucky, southern West Virginia,
15 where coal mining is the largest, in their areas, we
16 found that they've actually ranked within the top 50
17 poorest counties in the U.S.

18 So we look at the environmental impacts of
19 these issues, and we think, What's better, jobs or the
20 environment?

21 Well, I can tell you that the jobs don't last,
22 but the environmental impacts do. We had a spring that
23 we'd used for four generations. After the mine behind
24 it turned to acidic mine drainage, now my children can't
25 be -- can't use that water. You know, we've lost our

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1 only clean source of water.

2 So we have to look at the bigger picture and
3 look at the long term. You know, if it's about jobs,
4 don't count on it. Just don't count on it.

5 Thank you.

6 JENNIFER PIGGOTT: Thank you for your
7 comments.

8 Our next speaker is Derf Johnson.

9 Am I saying that right?

10 DERF JOHNSON: Yeah.

11 My name's Derf Johnson. That's spelled
12 D-e-r-f, Johnson. I'm here representing Montana
13 Environmental Information Center. I'm a staff attorney
14 with them. And we are unequivocally opposed to the
15 construction of the railroad and the Otter Creek Mine.

16 This railroad is not for public interest; it's
17 going to condemn private property in the path of our
18 agricultural economy here in Montana, pollute our water,
19 pollute our air, contribute to climate change, all so
20 that we can ship coal to Asia.

21 Coal markets are in decline. Not even five
22 years ago, coal represented only 50 percent of the
23 baseline -- of base load of power in the United States.
24 Now it's gone to 37 percent. There is a reason for
25 that. It's dirty. It's becoming more expensive. Other₂₄

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1 energy sources are competing at face value. Our coal is
2 not immune from this. They're not financially stable.

3 There's a headline recently, Arch Coal takes
4 on debt structure negotiation. They're hovering close
5 to 50 cents a share right now. The New York Stock
6 Exchange just noticed them that they're going to be
7 delisted if they fail come up to with a plan, and
8 bankruptcy is clearly in the cards.

9 The EIS -- the Draft EIS also suggests that
10 Otter Creek will help displace existing coal, whatever
11 that means.

12 Who is going to lose their job here in
13 Montana? Which coal miners? Does that mean that even
14 miners at Rosebud will lose their jobs? Does that mean
15 that the Absaloka Mine will have reduced output or will
16 discontinue operations? Absaloka Mine, two-thirds of
17 their general budget depends upon coal production. A
18 recent Harvard study noted how important it was. Here's
19 a quote: "While critical to the economic
20 self-sufficiency if not survival of the Crow Nation,
21 coal is also important to Big Horn County. The entire
22 region's income, employment, and government budgets will
23 hinge critically on whether or not the Crow Nation's
24 coal can continue to be mined and developed."

25 We're talking about a major hit to a sovereign, 25

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1 nation. With that, I would ask that you reject this.

2 JENNIFER PIGGOTT: Thank you for your
3 comments.

4 Our next speaker is Hank Coffin.

5 HANK COFFIN: Glad to be here. And the first
6 thing I want to do is I got a copy of the preamble of
7 the Constitution of the State of Montana.

8 It starts out: "We the people of Montana,
9 grateful" -- I'll say that again.

10 "We the people of Montana are [verbatim]
11 grateful to God for the quiet beauty of our state, the
12 grandeur of our mountains, the vastness of our rolling
13 plains, and desiring to improve the quality of life,
14 equal of opportunity and to secure the blessings and
15 liberty for this and future generations do adorn and
16 establish this" -- "do ordain and establish this
17 constitution."

18 This constitution is in effect in the State of
19 Montana.

20 It also goes on to state that corporations
21 can't overrun in this state like they do other states,
22 eminent domain. We have the right.

23 I turn around and look here. I see no state
24 representative in here whatsoever.

25 Your demonstration of what you do is by your

26

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1 heart. People, take account. The only person I see in
2 here is our county commissioner and a deputy sheriff
3 from Rosebud County.

4 The ballpoint pens will come out because they
5 have industry what they feel about the people of the
6 state of Montana and Southeastern Montana.

7 We have fought this thing for 30 years, won it
8 three times in court, and it's still backing up. And
9 the Surface Board of Transportation, I kind of put the
10 blame on you that the Surface Board of Transportation is
11 bringing it up again.

12 You have already stated there will be no end
13 date to this. They could have 20 years in the future
14 for this railroad. We're saying they won't have, and
15 we're saying that tonight.

16 The other thing: You're going to cut our
17 roads into access for our houses. This thing has taken
18 our heritage away from us. There is great heritage up
19 here along this Ashland/Tongue River area. That's
20 Indian culture and white man culture.

21 My wife is Sioux Indian on her mother's side.
22 Her dad's side, she's Northern Cheyenne and registered
23 as a Northern Cheyenne. Her property is up there with
24 me. We have rock formations and cliffs up there that
25 have been part of the Indian culture. That is our

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1 heritage. That is our culture. They will come through
2 and take all of that out. It's already on your map.

3 The other thing is when it comes through,
4 there's the ICF came through, gave a report, and they
5 told my wife and me in person, we're standing there
6 together, There is nothing of significance here.
7 Nothing. False. It was proved different.

8 The other thing -- I'll stop in a second --
9 when it cuts the roads in two, cuts our farmland in two,
10 cuts our telephone wire in two, cuts our emergency
11 medical services in two, where is that coming from? How
12 will that be? Return this.

13 JENNIFER PIGGOTT: Thank you for your
14 comments.

15 Our next speaker is Kitte Coffin.

16 KITTE COFFIN: My name is Kitte Coffin. I'm a
17 landowner in this area. The Tongue River Railroad is
18 planning to cross our land, and I'm in opposition to
19 that for many reasons. Some are personal, and some are
20 from my tribal perspective.

21 And when you're to the 30 seconds, don't
22 bother holding it up, because I'm going to talk till I'm
23 done. This is our meeting.

24 The first thing I want to address is there's a
25 lot of noise with trains. And from what I understand, 28

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1 they are planning to take eight trains out of the
2 Otter Creek Mine area daily. That doesn't mention how
3 many trains empty have to come back daily to keep the
4 eight trains going out. Somebody can do the math on
5 that. It doesn't take too much if you know how to do
6 the math. Figure it out for us.

7 The other thing that I want to address is the
8 noise of trains. The noise on trains is, as someone
9 else mentioned this morning, 60 decibels. In this
10 valley, the loudest thing that we hear -- and we get
11 excited when we hear it, and we all run and look -- is a
12 fire siren or the sheriff's car siren. We normally can
13 hear our crickets. Normally, we can hear the birds, all
14 of the birds. Not just one, you know, one or two, but
15 all of the birds in this area. We can hear coyotes howl
16 at night. We hear wolves howl in the night. We hear
17 mountain lions in this area.

18 I know that none of you hear that kind of
19 stuff in the city, but if a train runs through here,
20 we're not going to be able to hear those things anymore.
21 And most of us that live here and are here representing
22 today, representing our own families, we live here
23 because we want to. We want the quiet. We want the
24 peace. We want the clean air. We want the clean water.
25 And we're not willing to give it up without a fight.

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1 Now, for myself, the noise is going to be
2 detrimental. It's going to affect the rest of my life.
3 I have Meniere's disease, which has been already --

4 I don't care. Put that thing down. You can
5 document that, too.

6 The Meniere's disease causes me to have
7 dizziness if I hear sounds that are too loud. The rest
8 of my life is going to be changed. I don't want to
9 stagger around, hugging the toilet, puking days on end
10 because of the trains that are planning to run through
11 and over the top of our property. I don't want that.

12 No. I will not stop. This is our meeting.
13 How dare you.

14 JENNIFER PIGGOTT: Ms. Collins, we just want
15 to give everyone else who signed up the opportunity to
16 speak.

17 KITTE COLLINS: You told me I was the last
18 one.

19 JENNIFER PIGGOTT: No, ma'am, I have about ten
20 more people after you.

21 UNIDENTIFIED SPEAKER: Let her speak.

22 KITTE COLLINS: It's fine.

23 JENNIFER PIGGOTT: Thank you for your
24 comments.

25 Our next speaker is Alaina Buffalo Spirit.

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1 ALAINA BUFFALO SPIRIT: (Speaking in native
2 language.)

3 JENNIFER PIGGOTT: Thank you for your
4 comments.

5 Our next speaker is Ann King.

6 ANN KING: Good evening. My name is Ann King.
7 I am an art specialist at Northern Cheyenne Tribal
8 Schools in Busby, Montana. I have taught there for
9 35 years. I came to the reservation in 1975. My
10 husband and I have raised four children, and we have
11 also three grandchildren.

12 There is something very special and unique
13 about this part of the country. I came here from the
14 Midwest. I moved here 1975. The air quality then was
15 pristine. Cleaner than clean. And I guess I was blown
16 away by the area here.

17 Coming from the Midwest, it seemed empty. I
18 was used to seeing trees everywhere, but the area here
19 grew on me, and I became part of the land, and the land
20 became part of me. The natural beauty of resources are
21 beyond immense. The untouched qualities in this country
22 are priceless.

23 But my greatest concern is not about the
24 specter of increased air and water pollution, the almost
25 certain curtailment of the abilities of emergency

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1 vehicles to arrive at their destinations due to stoppage
2 by the train, the increased traffic, the infiltration of
3 outsiders, people coming.

4 I heard so much about the Balkans. I've been
5 hearing -- I've never been up there, but I've heard
6 it's -- gets pretty bad, and there's human trafficking
7 and all kind of ugly, horrible things.

8 But what I mostly -- and also the desecration
9 of historic, spiritual, Native American cultural
10 artifacts. I have a degree in art, but I also have a
11 lot of background in anthropology and sociology, things
12 like that. So the cultural things are very important.

13 My husband's father was the Northern Cheyenne
14 tribal historian, James D. King, Sr., and I learned so
15 much from him and his wife, Lillian.

16 I am adamantly opposed to the development and
17 execution of the Otter Creek Coal Mine and the
18 Tongue River Railroad. Our precious Mother Earth and
19 the air, according to most climate scientists, cannot
20 sustain life at more than 350 parts per million of
21 carbon.

22 When I began following this about seven years
23 ago, the Earth was at 392 parts per million, and I'm
24 told now that we're between 400 and 403. We are not
25 slowing down. We're gaining. We are living on borrowed₃₂

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1 time. The last thing that our world needs now is
2 another coal mine being constructed and run.

3 Our extended communities here may not have
4 riches and money and materials, but we are rich in
5 connections and love for one another, and we have deep
6 respect and care for the land and reverence for our
7 Mother Earth. Our land, air, and water is worth more
8 than any paycheck can ever provide. What is good about
9 all the money in the world if we cannot have clean air
10 to breathe and clean water to drink?

11 Our world must transition to renewable
12 resources. Many countries already have. The
13 proposition of the construction of the Tongue River
14 Railroad and proposed subsequent transfer of coal
15 through the Northwest is adamantly opposed by
16 communities all across the lines. And that coal, even
17 though sold in transportation markets, will still be
18 burned and will drift back to the North American
19 continent.

20 JENNIFER PIGGOTT: Ma'am --

21 ANN KING: Besides, China is currently due --
22 there are areas that are actually coming down in their
23 coal development.

24 We need human beings to have a paradigm change
25 between the sustainability and care for one another and 33

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1 our precious environment. Profit and gain through
2 antiquated -- antiquated technologies of burning fossil
3 fuels will be the death of our world.

4 Please, I implore you to take no action on the
5 Tongue River Railroad.

6 Thank you.

7 JENNIFER PIGGOTT: Thank you for your comment.

8 Our next speaker is Alexis Bonogofsky.

9 ALEXIS BONOGOFSKY: My name is
10 Alexis Bonogofsky. A-l-e-x-i-s, B-o-n-o-g-o-f-s-k-y.

11 So I just want to ask how many people here
12 have had a chance to read all 4,000 pages of this Draft
13 EIS? I don't even know what we're commenting on. We
14 have a comment period of 60 days. We get done with the
15 60 days. You ask us for substantive comments on 4,000
16 pages. Now, there are some of us who are paid to read
17 that. I still haven't made it through 4,000 pages.

18 What I do know is that Northern Cheyenne Tribe
19 was only mentioned 27 times in the index. In 4,000
20 pages, that's how much they think that the tribe is
21 going to be impacted by the railroad.

22 The Amish community was mentioned in a
23 paragraph. That railroad is going to go right through
24 their place or right next to it. Do you think that's
25 not going to impact them? It isn't even worth

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1 commenting on.

2 This document is crap. It is like the people
3 who wrote it never even came out here, and they don't --
4 this is a process for you guys. You check it off, and
5 then you move on. For people who live here, it's
6 infuriating. I don't even know why we're doing this.
7 Arch Coal's almost bankrupt. There's no market for this
8 coal. People have lives. We would like to move on with
9 them.

10 Thank you.

11 JENNIFER PIGGOTT: Thank you for your
12 comments.

13 Our next speaker is Jenny Harbine.

14 JENNY HARBINE: I'm Jenny Harbine,
15 H-a-r-b-i-n-e. I'm an attorney with Earth Justice, in
16 Bozeman, Montana.

17 The STB has a choice to say no to Arch Coal
18 and no to the railroad and avoid all of the impacts of
19 the people here.

20 The impact I want to talk to you about is
21 climate change. There's scientific consensus that to
22 avoid the most catastrophic impacts of climate change,
23 we have to keep warming to within 2 degrees Celsius of
24 preindustrial temperatures. And that's no easy task.

25 A January 2015 study published in the journal 35

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1 Nature said to accomplish this imperative, we have to
2 keep nearly all fossil fuels that are still in the
3 ground in the ground. And most importantly, this
4 includes coal.

5 We of the United States have control of only a
6 small fraction of those decisions, whether to exploit
7 unused fossil fuels. In every single one of those
8 cases, we have to make the right decision, or we're
9 consigning our children and our grandchildren to the
10 devastating impacts of climate change. In
11 Eastern Montana, that means more extreme events like
12 heat waves, droughts, wildfire. And climate change
13 jeopardizes this region's already threatened water
14 resources and the health and prosperity of the people
15 who live here.

16 Now, Arch Coal wants to mine one and a half
17 billion tons of coal. And to put this in perspective,
18 that amount is equal to the amount of coal pulled out of
19 all coal mines in Montana in the 45 years between 1968
20 and 2013. Make no mistake: This project is huge.

21 And by giving the Otter Creek Coal Mine access
22 to markets, the Tongue River Railroad causes those
23 impacts. But the Draft EIS predicts only a small
24 increase in greenhouse gas emissions as a result of this
25 mine. And according to the announcement, coal mining

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1 from Otter Creek will largely displace coal mining from
2 other Powder River Basin mines.

3 So they say carbon emissions will be nearly
4 zero. This is wrongheaded for a number of reasons.

5 First, all of this coal has to stay in the
6 ground -- not just coal from Otter Creek, but coal from
7 existing mines in the Powder River Basin -- if we're to
8 avoid the worst climate change impacts.

9 Even if we accept the theory that mining
10 Otter Creek will simply perpetuate status quo carbon
11 emissions, the science tells us that continuing the
12 status quo is unacceptable, and the final EIS should
13 acknowledge that a decision to proceed with the
14 Tongue River Railroad and Arch Coal's plans to pick up
15 Otter Creek is a decision to permit these impacts.

16 We are urging STB to show the same courage
17 that the people in this room have shown for 30 years and
18 say no to Arch and say no to this railroad.

19 JENNIFER PIGGOTT: Thank you for your
20 comments.

21 Our next speaker is Joseph Littlebird.

22 JOSEPH LITTLEBIRD: I'd just like to say good
23 evening.

24 (Speaking in native language.)

25 I'm from here; my great-grandfather is from

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1 here; my grandpa, Joe Littlebird.

2 You know, this is very upsetting. It's not
3 right. You listen to a lot of sincere issues, and I
4 just want to thank you for letting me speak.

5 You know, I'm upset, but at the same time, I'm
6 sad. You look out at all these people in here, their
7 livelihoods, their lands, their homes. And I ask that
8 this board, whoever they are, whoever sits on this
9 board, I ask you guys to come out here, visit with these
10 people, come night-fishing with me tonight, come
11 experience where we're from.

12 This is very beautiful land. This is
13 Northern Cheyenne land. This is Cheyenne land. Right
14 now, all of us right here, right now, we're sitting on
15 Cheyenne land. This is part of our reservation.

16 I'm going to do what I can to help support and
17 protect my people and the people they bring us.

18 My good friend, Kurt Rainey [phonetic], I've
19 known him my whole life. I know his family. And I
20 just -- you know, I don't get to see him very often.
21 But looking at those maps back there, that's ridiculous.
22 These are very caring people, and my heart goes out to
23 them, and I ask the board to please show some sincerity.

24 I don't want my kids growing up next to a
25 railroad. I have a right to speak to you guys like

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1 this. I served my country. I gave this country
2 seven-and-a-half years of the military,
3 eleven-and-a-half years involved in law enforcement.
4 For this, don't forget what these people have said
5 before me.

6 It's sad. My heart goes out to each and every
7 one of these people that are being affected. And I
8 think -- I thank you guys for letting me speak tonight.

9 JENNIFER PIGGOTT: Thank you for your
10 comments.

11 Our next speaker is Jessie Ignacio.

12 JESSIE IGNACIO: (Speaking in native
13 language.)

14 Good evening. My name is Jessie Ignacio, and
15 I am here to oppose the railroad.

16 I've thought long and hard about what I want
17 to say. And yesterday I went to Rosalie Black Horse's
18 graduation. She graduated from LaSalle University, and
19 they talked about education, to pursue it and never
20 stop, and we're supposed to be the future.

21 My generation and these kids here, they're
22 supposed to be the generation. So what are you teaching
23 them by telling them that it's okay to strip people of
24 their land, their entire way of living; but, oh, it's
25 okay for the rest of the world?

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1 Is that going to be put in our history books,
2 this meeting that we're having right here, or is it just
3 going to be another massacre for the history books that
4 are never written?

5 This is not okay. It's not okay universally,
6 it's not okay religiously, and it's not okay for
7 anyone's way of life. You expect people to work for
8 this when we could be using our resources the way
9 Germany does, with solar paneling and windchimings.
10 They live literally under hills and mounds, and they
11 generate their own power.

12 And you're telling me this is the only
13 resource that we have for energy?

14 How many of you have degrees in what you are
15 about to do and take on? How many of you have actually
16 looked into this, that's going to make it last for the
17 next seven generations, when it can barely last five
18 years?

19 You know, I've looked into these coal
20 magazines. They're in decline, and they're going to
21 continue to go in decline. This isn't taking on a new
22 [indiscernible]. It's just like Native Americans. They
23 go through a phase. Pretty soon, everyone wants to be
24 Native American. You know why that is? It's because
25 we're proud of our heritage. We're proud of where we

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1 come from. We didn't just give up. We're still here.

2 There are people who don't even know that
3 Native Americans exist anymore. How about that?

4 Don't we have freedom of speech, or are you
5 limiting us to that? It's in the Constitution, if you
6 want to look it up.

7 But what I have to say is these people are
8 talking from their hearts, their experiences, and their
9 way of life, of living. You can't just take that away.
10 Listen to what they've had to say today.

11 Thank you.

12 JENNIFER PIGGOTT: Thank you for your
13 comments.

14 Our next speaker is Clint McRae.

15 CLINT McRAE: Good evening. My name is
16 Clint McRae, M-c, capital R, little a, little e.

17 My family and I ranch on Rosebud Creek, and
18 the ranch borders on the Tongue River.

19 Our operations face two alternatives: The
20 Colstrip alternative and the Tongue River alternative,
21 which is originally only 9 miles.

22 I want to start out this evening by saying the
23 Environmental Impact Statement is 4,000 pages long. All
24 of the volumes stacked on top of one another is over a
25 foot high and weighs 20 pounds. It's a boat anchor.

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1 That's all it's good for.

2 On the Colstrip alternative, in which we're
3 impacted, we're looking at 9 miles, including moving a
4 county road over onto our place, which would take more
5 of our groundwater production than the railroad claims
6 in the EIS.

7 I get three minutes for facing this for
8 30 years? It's an insult. But I'm going to keep it to
9 three minutes because you're going to listen to what I
10 have to say.

11 I have read this document. I am not done with
12 it yet, but I'm going to get specific.

13 First of all, Section 15-25 of socioeconomics
14 on the Colstrip alternative claims that agricultural
15 losses would reach \$188,960 per year. I figured it out,
16 and it's \$4,500 per mile per year that every one of us
17 would lose. Are we going to be compensated for that?
18 Is Arch Coal going to pay us every year \$4,500 a mile?
19 Is the Tongue River Railroad Company or is the
20 Burlington Northern going to pay us that \$4,500?

21 The statement was made in the draft, "No
22 solution," and that is the purpose of the draft is to
23 spell out the mitigation, and it was not done.

24 Second under socioeconomic, a claim on the
25 Colstrip alternative, one residence will be displaced.

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1 Where is that residence? Who owns it? Will the
2 Burlington Northern, Arch Coal, or Tongue River Railroad
3 pay for that? I'm assuming it's going to be one of the
4 Amish houses that the railroad goes right through the
5 middle of it. How are you going to compensate that?

6 Has anybody from the Office of Environmental
7 Analysis, Surface Transportation Board, the Tongue River
8 Railroad company, Burlington Northern, or any of the
9 other myriads that put information into this document,
10 have they talked to the owners? Have they visited with
11 them? The answer is no. Again, that mitigation for
12 that house, that residence, being done should be covered
13 in this document, and it was not.

14 Also in the Colstrip alternative, 9.3-12, it
15 says that they would permanently close nine wells on
16 this alternative. Where are they? What kind of wells
17 are they? Are they residence or livestock wells? We
18 don't know. Who owns them? Will the Tongue Railroad
19 Company, the Burlington Northern pay to replace these
20 wells? Will they pay to replace the well on either side
21 of the railroad track because they're going to have
22 water on both sides? That's not mitigated in that
23 document and should be.

24 It's your duty under NEPA to do it, and it was
25 not done.

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1 The other issue with these nine wells, every
2 other alternative out there is going to have impacted
3 wells too. If the Burlington Northern or the other
4 groups involved would redrill this well, the problem is
5 the water rights on that well do not transfer to the new
6 well. That is allowing the Tongue River Railroad
7 Company, Burlington Northern, the Arch Coal to impact
8 our water rights, which is a Montana statute. That is a
9 violation of our property rights, it's a violation of
10 Montana law, and it is not mitigated on this document.

11 These issues that I have raised tonight are
12 no -- you know, any other issues than these that I've
13 raised for the "No-Action" alternative. You did not do
14 your job. It was done in haste, and it's not worth the
15 paper it's written on. It is a tragic failure.

16 And for these reasons, I implore you to choose
17 the "No-Action" alternative until you can do a better
18 job.

19 Thank you.

20 JENNIFER PIGGOTT: Thank you for your
21 comments.

22 Our next speaker is Elise [sic] Wick.

23 Sorry, ma'am, that's probably Elsie.

24 ELSIE WICK: Good evening. My name is

25 Elsie Standing Elk Wick. My people marched into the

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1 Birney area, So'taa'eo'o from Oklahoma, and there they
2 settled. So I was raised in the So'taa'eo'o way. The
3 So'taa'eo'o people are the keepers of the hat, our
4 sacred hat. And when I married my husband, he was a
5 German. My mother told me, Because of the marriage, you
6 have to follow a male role too. These issues are made
7 concerning important issues. You have to be there.

8 And I've always done that. Sometimes it got
9 me in trouble, but I went ahead and did things. And
10 then hearing the people here, my mother and father would
11 tell the stories about the heart nurturers, and all of
12 the ranchers would help them out. They were always
13 grateful for that, and it grieves my heart to hear all
14 these elaborate plans.

15 In Cheyenne way, we say (Speaking in native
16 language), which means you're going to do something to
17 them. Just walk over them. And that's really bad.
18 We're very spiritual people.

19 As I said, the So'taa'eo'o are the hat
20 keepers. And in one of my prayers about a year ago, I
21 have a guy that comes to me, Cheyenne elder Owen Pass
22 [phonetic]. He told me, and I still get scared what he
23 told me, he said, There is something bad coming. It's
24 going to be hard on you people.

25 And then this railroad is discussed. And my 45

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1 way of thinking is that maybe he is warning us; he was
2 warning me to tell my people, my relatives. And I did.
3 But when he first told me, I was so scared. I don't
4 want no harm to come to my people. I don't want any
5 harm to come to these hard-working people. We all live
6 here.

7 Maheel [phonetic] used to say to my people,
8 You're the keepers of the land. Pray for it all.

9 And I do that. I pray for the land, the
10 people, truck drivers that go by every day. I pray for
11 them too. And I pray for the people across the seas, as
12 Joey mentioned.

13 I would say no to this, and I know that my
14 people, the ones that are gone, they would be appalled.

15 Thank you.

16 JENNIFER PIGGOTT: Thank you for your
17 comments.

18 Our next speaker is Otto Braided Hair.

19 OTTO BRAIDED HAIR: (Speaking in native
20 language).

21 Thank you.

22 JENNIFER PIGGOTT: Thank you for your
23 comments.

24 Our next speaker is Vanessa Braided Hair.

25 VANESSA BRAIDED HAIR: (Speaking in native

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1 language).

2 Good evening. My name is Vanessa Braided
3 Hair, V-a-n-e-s-s-a, B-r-a-i-d-e-d, second word,
4 H-a-i-r.

5 I am Northern Cheyenne. And I guess the
6 point -- the issue I want to bring to the floor is the
7 issue of the homestead descendants. There hasn't been
8 any justice brought to this.

9 And to give you a little bit of history, when
10 the Northern Cheyenne thought they were done fighting --
11 and apparently we still are fighting for peace against
12 Manifest Destiny -- they were given the opportunity to
13 homestead in the Otter Creek Valley and, actually, from
14 Decker all the way to Miles City, and my ancestors
15 believed that they were at peace.

16 And at the turn of the century, you know, that
17 quickly changed. My grandmother, my grandparents, they
18 were forcibly removed by gunpoint by the federal
19 government and told to move onto the reservation across
20 on the other side of the Tongue River.

21 And that going through as much trauma as we
22 have from the Sand Creek Massacre of 1864 to our
23 ancestors being kept in Nebraska in lieu of bringing us
24 home, you know, we've all, I would say from Colorado to
25 here, our ancestors fled. It's out there. And it's sad₄₇

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1 that we still have to fight today.

2 Broken promises by the federal government.

3 So, you know, we have this mistrust. We don't trust you
4 because what has happened to us. So why would we trust
5 you now? Why would we trust Arch Coal? Why would we
6 trust BNSF? Why would we trust any of you? And so I
7 believe that this injustice to my ancestors needs to be
8 dealt with first before you look into a mine or a
9 railroad or ports.

10 And I don't care if I have 30 seconds left.

11 You're on my reservation. You're going to listen to me.

12 So there's a lot of work being done right now.
13 You have no idea, and maybe you may have an idea. Look
14 what's happening across the world. Look at all these
15 different businesses divesting from fossil fuel. You
16 know, Jessie Ignacio just recently said that, you know,
17 there's solar and there's wind. We know this. So why
18 are we continuing this madness? Why are people's lives
19 being put on the line?

20 You know, our community is going to be
21 devastated if a mine and a railroad was to open up. You
22 know, I don't even have children, and I have to think
23 about do I want to bring them into this world? Do I
24 want to subject them to what the government has done to
25 us, you know? And I have to live with that historical

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1 trauma.

2 JENNIFER PIGGOTT: Ma'am --

3 VANESSA BRAIDED HAIR: I do.

4 JENNIFER PIGGOTT: Ma'am, we have two more
5 speakers after you. Let us call them up, and then --

6 VANESSA BRAIDED HAIR: And I know everybody
7 here -- would you guys stay a little bit longer?

8 JENNIFER PIGGOTT: We'll call you back up
9 later.

10 UNIDENTIFIED SPEAKER: Let her speak.

11 VANESSA BRAIDED HAIR: I just want to say one
12 more thing. There's many of us that are joining from
13 the Dakota all the way to the West Coast to the Lummi to
14 down south, the Apache. We're all joining together, up
15 to the Canadian tribes, and we're going to fight you.
16 We're not going to stop.

17 JENNIFER PIGGOTT: Thank you for your
18 comments.

19 Our next speaker is Otto Braided Hair III.

20 OTTO BRAIDED HAIR III: Hello.

21 (Speaking in native language).

22 My name is Otto Braided Hair, from the
23 Northern Cheyenne Reservation. I don't have anything
24 prepared. I'm going to talk from my heart.

25 I come from a very ceremonial and

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1 society-driven family, ones that fought and died for
2 this land, ones that are still going to fight to the
3 death for this land. You are meddling with lives that
4 don't belong to you. You are jeopardizing our younger
5 generations, threatening our culture. We have too many
6 wars amongst ourselves already. We don't want any more.

7 We want to mend, because each one of us are
8 Northern Cheyenne people. We all carry a scar,
9 identical scar, still mending. And what you want to do
10 here isn't good for us.

11 I found out, being off the reservation for
12 five years, how much nontribal members care about our
13 way of life. That's why you don't see some of them
14 here, because they're for it, and that's another war
15 that we're fighting.

16 Let us heal, or we'll show you the true
17 meaning of staking ourselves to this land, and you'll
18 find out the true power of the Northern Cheyenne. Aho.

19 JENNIFER PIGGOTT: Thank you for your
20 comments.

21 Our next speaker is Adriann Killsnight.

22 ADRIANN KILLSNIGHT: Good evening. My name is
23 Adriann Killsnight. My name is Black Bird Woman.

24 I'm a descendent of Chief Little Wolf. I'm a
25 mother, daughter, granddaughter. And in addition, I'm a ^a50

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1 trained scientist, conservationist, and concerned tribal
2 member of the Northern Cheyenne Tribe.

3 And there's so many -- there are just numerous
4 concerns that I have as a trained scientist. There's so
5 many impacts, detrimental impacts to our air, our land,
6 our water, our wildlife, our people, our culture. You
7 know, all these are important to my people, our
8 resources, our cultural and our natural resources.

9 And what I don't understand is that there's no
10 market value. It's going down for coal. And I work
11 in -- I've worked in our natural resources for quite
12 some time, in the air field, wildlife, cultural
13 resources. And I see so many -- there's -- the way I
14 view it is it's gross negligence not to take all our
15 concerns into consideration. It's gross negligence.
16 Excuse me.

17 Just kind of lost my train of thought.

18 My -- I guess my concern as a parent, as a
19 mother is I worry about my children, my grandchildren,
20 my nieces, my nephews, and my other daughter. And she's
21 5 years old. And what is she going to look at when she
22 grows up?

23 The value of this place, I know it -- it's
24 hard for us to explain and say the value that we have
25 here. But it is -- it's something innate, and it's hard₅₁

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1 to explain, and it's hard for me to be up here, because
2 I'm a quiet person. I'm pretty sure I keep to myself.
3 But it's my duty and responsibility now to be up here
4 and tell you that I am in opposition to Arch Coal and
5 the railroad.

6 Thank you for your time.

7 JENNIFER PIGGOTT: Thank you for your
8 comments.

9 Our next speaker is Mike Scott.

10 MIKE SCOTT: My name is Mike Scott, and I'm
11 here on behalf of the Sierra Club. I'm going to be
12 attending a few of these meetings, so I'm going to pick
13 several topics to discuss at each one.

14 Tonight what I wanted to point out is serious
15 flaws in the methodology of the approach of this study.

16 Sierra Club hired an expert to do some
17 follow-up work regarding archeological surveys that were
18 conducted in the Tongue River Valley and along the
19 Rosebud. We had suspected that these surveys were being
20 conducted in a way that missed a lot of the cultural
21 resources that were there. Without going into too many
22 details tonight, what I will say is we actually found
23 that was very much so.

24 What this calls into question is not whether a
25 site was here and it was missed or a site was there and 52

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1 was mislabeled. What it actually calls into question is
2 the methodology of whether or not this Surface
3 Transportation Board has the correct information at hand
4 to make a decision.

5 I believe they do not. I believe that our
6 assessment of the methodology of the archeological work
7 also causes us to -- or it causes a need for us to
8 review the methodology of all of the work.

9 We've heard from expert biologists tonight who
10 pointed out that the fisheries study was about
11 something, but it wasn't fish. This is a serious,
12 serious problem because, as you've heard this evening,
13 this document that you've prepared, the decisions you
14 will make based on it, affects real human beings. These
15 people here just want to be left alone.

16 When I first got into this line of work almost
17 ten years ago, the first thing I did was review an EIS
18 for the Tongue River Railroad. This time, we're headed
19 in a different direction. This threat has been hanging
20 over people's heads long enough. This project is going
21 nowhere.

22 You know, as it's been pointed out several
23 times tonight, coal markets are absolutely crashing.
24 Norway just divested. It's the largest sovereign wealth
25 fund in the world. Several days ago, they just divested₅₃

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1 from coal specifically. It's not only a financial
2 decision they're making; it's a moral one. We cannot
3 continue to allow this to happen. We cannot continue to
4 end our world.

5 Thank you.

6 JENNIFER PIGGOTT: Thank you for your
7 comments.

8 At this time, is there anyone who has not
9 signed up to speak?

10 UNIDENTIFIED SPEAKER: I signed up.

11 JENNIFER PIGGOTT: Is there anyone who hasn't
12 signed up to speak who would like to?

13 UNIDENTIFIED SPEAKER: I signed up.

14 JENNIFER PIGGOTT: Sir, would you like to
15 finish your comments?

16 UNIDENTIFIED SPEAKER: Well, would it be all
17 right?

18 JENNIFER PIGGOTT: I was going to ask in the
19 order in which -- we had to end comments, but if you'd
20 like to go first.

21 WALLACE McRAE: My name is Wallace McRae,
22 spelled the same as my son, big M, little C, big R,
23 little A, little E.

24 I don't have a statement. I have a question.

25 Is anybody here under the employ of the

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1 Tongue River Railroad? I find the answer to my question
2 significant. People that are employed by the two
3 billionaires that are promoting this railroad don't feel
4 any need to be here, but they are being represented even
5 though they aren't here. They're being represented by
6 people from Washington, D.C., who have no concept
7 whatsoever of Northern Cheyenne culture, of Amish
8 culture, of the Code of the West. They don't know which
9 end of a cow eats grass, but they're representing the
10 railroad every damn step of the way, and that is wrong.

11 JENNIFER PIGGOTT: Thank you for your
12 comments.

13 JESSIE IGNACIO: I just have one question.

14 As Ann King pointed out before, the air here
15 was pristine once. Was once the water too? And if we
16 take that away and replace it with coal, are you going
17 to ground that up and make us drink it when there's no
18 more water too?

19 JENNIFER PIGGOTT: Kitte Coffin, would you
20 like to finish your comments?

21 KITTE COFFIN: Do I have to say my name again?

22 JENNIFER PIGGOTT: No, ma'am.

23 KITTE COFFIN: Thank you.

24 I guess probably the best thing to do would be
25 to move on to the archeological survey that was done

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1 across our property. My husband stayed on top. Our
2 property is on a big slope. We have top land and bottom
3 land. Our son has land on the top, who is the
4 Navy Seal, and he's gone. Can't defend his land. And
5 my sister-in-law is in the center in Billings. She
6 can't defend her land either. She's in the bottom.

7 One of the homes that's going to be railroaded
8 out is my sister-in-law's land at the base of the hill,
9 not too far from here. And there's no mention of her,
10 her home being displaced. Nowhere in the EIS. I
11 looked. I even called our attorney about it.

12 I e-mailed the McRae family about it. I
13 e-mailed Mark Fix about it. Nobody could find anything.
14 And that's upsetting to me, because my sister-in-law is
15 69 years old, already retired, and has no means to build
16 a new home. And the land that's going to be left to her
17 is the corner -- she has 20 acres -- the corner of one
18 part and the other corner on the other end. I know it's
19 not enough to build. Any land in places where the land
20 terrain is so severe, there's no way to put a home
21 there.

22 The archeological survey that was done by ICF
23 across our property, we showed them several places that
24 were significant tribal sites. When the Draft EIS came
25 out, we weren't even mentioned. We had nothing of any

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1 significance on our site. But I can take you this day
2 and show you. I can pull a map up back here and point
3 to you several sites.

4 There's been, as what was mentioned before,
5 another survey done, which I have in my hand, and I
6 intend to distribute it to everybody I can get it out
7 to. Newly discovered sites. There is one probable
8 burial site and one stone site, parentheses, AF,
9 discovered in this area, Area 7.

10 This area is on lands owned by Hank Coffin and
11 Kirk Green. Hank Coffin was informed that no cultural
12 resources were found on his land, even when he offered
13 to show the ICF crew leader the sites he knew were
14 there. Kirk Green tried to show sites to the ICF crew
15 leader. One of them was a box burial, and he was told
16 that they, the ICF, did not know what a box burial was
17 and would not deal with it.

18 When the second ICF -- survey was done, lo and
19 behold, our property is TCP, tribal cultural property.
20 So the document is sent out as a big lie from the
21 get-go. That land that we live on that belongs to my
22 husband and I right now is tribal cultural property.
23 Rightfully, it belongs to the Sioux Nation and the
24 Northern Cheyenne Tribe.

25 Shame on you for not doing your homework and

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1 for not doing a good job for us. You misrepresented us
2 as a people here. Shame on you.

3 Shame on you as human beings. Shame on you
4 for positioning your hold that is supposed to represent
5 us. You're trying to devastate us as a people in this
6 area, and you don't give a hoot. Shame on you.

7 I pray you reap what you're sowing.

8 JENNIFER PIGGOTT: Vanessa Braided Hair, would
9 you like to finish your comments?

10 VANESSA BRAIDED HAIR: I'll finish in
11 Lame Deer.

12 JENNIFER PIGGOTT: Okay.

13 Is there anyone else who wishes to speak?
14 Sir?

15 My name is Mexican Cheyenne.

16 JENNIFER PIGGOTT: Can you can you please
17 spell your name, sir.

18 MEXICAN CHEYENNE: M-e-x-i-c-a-n,
19 C-h-e-y-e-n-n-e.

20 You know, I just want to make some
21 observations here.

22 Do you feel welcome here right now? Tell me
23 the truth. I kind of have a feeling you don't. Well,
24 you are welcome here. We as Cheyenne people welcome
25 you.

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1 But the hard part about this is that what some
2 of these people made a reference to is you didn't do
3 your homework about how we live, where we come from, and
4 all the area that we range and roam and hunt and camp,
5 fought battles with other tribes. And you don't show
6 respect for our people.

7 You have these signs here. You put them up.
8 Tell us to stop talking. It's not how we treat our
9 people. When somebody has something to say, you listen.
10 That's how our people work. They respect one another.

11 And you come here, and you don't know anything
12 about our culture and where we -- what we did, how we
13 lived, other than what you hear in storybooks and our
14 history books. And then you come here and want to sell
15 us this.

16 And this memo -- the rich people, they sent
17 you. That's who you're working for. You're not here
18 for us. You're not here to listen to what we feel about
19 our home.

20 I was going to come here today and talk to you
21 about what our ancestors, what our spiritual life is all
22 along this river and all the way up Otter Creek,
23 Broadus, South Dakota; about these plants, these
24 animals, these insects, the earth, the water.

25 But they told me, Don't do that. Don't do

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1 that unless your heart's in the right place.

2 I came in this door over here. I see
3 policemen, security guards. This is our homeland. Did
4 you do any of your research about this place where
5 you're going to have this? Did you? Did you know these
6 people were going to be here to treat us and not welcome
7 us on our own homeland? Did you know that? Because
8 that's the way we feel.

9 Did you know the history about this place,
10 where you haven't sat, all the abuse that occurred over
11 the -- over almost 100 years now; our ancestors, our
12 grandparents, what they went through when they went to
13 school here?

14 It's hard for people to come back here to this
15 place right where we're standing, but these are the
16 things that happened to our people. This is the trauma.
17 This is our life.

18 So when you come here, you need to understand
19 how we talk about the Mother. We care about the Mother.
20 We listen. Today, I can't talk to you from my heart
21 because I came in, I came in angry. I came in angry
22 because of the way we got treated by our own and in our
23 own home. So I can't do that today. But when you come
24 to Lame Deer, maybe I'll have some time to talk to you
25 from my heart so you hear me, so you hear what these

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1 things out here that you see when you go out, when you
2 leave this place.

3 You can look around and say, Man, it's really
4 pretty here. All these things, the things they
5 mention -- the animals that live here, all these
6 precious and important things to us -- some of them we
7 use in our ceremonies; some of them we thank for our
8 food, for our survival. We still survive on some of
9 that stuff today.

10 So you're just going to see beauty, but it's
11 far more than that. It's something that you can't
12 replace once it's gone, once you let those things and
13 that greed come in here and take everything. You will
14 take the animals, and you will take the richness of the
15 soil and the water. You will pollute the air,
16 everything. So this is what we're faced with. This is
17 what I'm going to tell you today. There is a lot here,
18 a lot here that you don't see, a lot that you need to be
19 educated about.

20 So when you're in Lame Deer, maybe I'll get a
21 chance to talk to you again, talk to you about what our
22 ancestors, the sacred ones out there, are going to want
23 you to know. But they told me, said, Don't say those
24 things unless your heart is in the right place, because
25 they have to hear it from your heart. Their heart has

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1 to hear it, not the brain.

2 Everything you're hearing today on brain
3 stuff, brain matter, brain education, you leave and walk
4 out of here, you forget about it. You just listen to
5 that thing over there. That's what speaks for you.

6 So maybe on Thursday, I can talk to you again.
7 But I'll tell you what our ancestors are saying about
8 you coming here, because your heart has to hear it
9 before you're here, and I'm hoping you're ready for
10 that.

11 Thank you.

12 JENNIFER PIGGOTT: Thank you for your
13 comments.

14 In the back, sir, did you have some comments?

15 MATT JONES: Good evening. My name is
16 Matt Jones, and I am here tonight on behalf of the
17 Tongue River Railroad Company. And I just want to say
18 that we will be attending all of the meetings, and we
19 appreciate the opportunity to listen to the comments.
20 So thank you.

21 JENNIFER PIGGOTT: Thank you for your
22 comments.

23 Ma'am?

24 JONI WILLARD: Good evening. My name is
25 Joni [phonetic] Willard. I'm Northern Cheyenne, and I

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1 live in Lincoln, Montana. This is my first meeting.
2 And when I come in, I took some time to read your guys'
3 meeting protocols. And, like Tom, the thing that
4 concerned me is that I had never opened your document
5 once, not even one page. Never even seen it.

6 The thing is that I stood there, and I read
7 your protocols, like I said. And it contradicted
8 everything below that; what you guys had listed for it
9 contradicted that.

10 You guys can go back out there and read it if
11 you want. You guys wrote it. But what I also want to
12 say is this: That I don't think I'd waste my time
13 reading 4,000 more words of anything you guys had to
14 read -- or write, and the reason why is because your
15 actions tonight, you know, that's all I needed to see.

16 And like Tom said, I felt that way too. So
17 when I come here to these meetings, it's going to be
18 here to support, you know, everybody here behind me
19 because, like you said, the way you guys behave to
20 people, what you guys bring to us, we sit here. We have
21 that respect for you.

22 In turn, you might try that. You might feel
23 good about yourselves the way we do.

24 And that's all I want to say. So thank you.

25 JENNIFER PIGGOTT: Thank you for your

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1 comments.

2 Would anyone else like to provide -- ma'am?

3 AMBER GOUGH: I just want to say this is my
4 biggest fear, getting in front of people and speaking.

5 JENNIFER PIGGOTT: Can you get a little closer
6 to the microphone.

7 AMBER GOUGH: I just want to say this is my
8 biggest fear, but I feel like what I have to say is
9 important. I'm not from here. I just got married to my
10 husband, Otto Braided Hair III, and I plan on starting
11 my family here. I came here to start a life with him.
12 I love their culture, and I want my kids, my children,
13 my future children to be able to grow up here in this
14 culture and on their homelands, on our homelands, these
15 people's homelands. And I just wanted to say I support
16 the Cheyenne efforts, and I completely support them, and
17 I oppose the railroad and the mine. Thank you.

18 My name is Amber Gough, G-o-u-g-h.

19 JENNIFER PIGGOTT: Thank you for your
20 comments.

21 Sir?

22 STEVE GILBERT: I have just a couple more
23 things in reflection on the wildlife portion of this
24 document.

25 JENNIFER PIGGOTT: Sir, can you state your

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1 name again.

2 STEVE GILBERT: Steve Gilbert.

3 I spoke with my good friend,

4 Dr. Daniel Fletcher, who's the recently retired head of
5 Montana -- University of Montana Wildlife Department. I
6 said, Dan, would you mind reviewing the wildlife section
7 for me?

8 He read through it, and his --

9 UNIDENTIFIED SPEAKER: Use the Mike, Steve.

10 STEVE GILBERT: If I may quote Dan, he said he
11 sums up his view of the document by saying it was a lot
12 of pages saying almost nothing. I found that
13 interesting. Then I dug into the document a little bit.

14 For starters, there is 881,732 acres in the
15 4-mile study area. That's -- and then there's
16 485,150 acres of the ground survey. That's 758 square
17 miles. I asked Ken what he thought about a document
18 that spent nine months, nine months looking at
19 758,000 -- or, yeah, 758 square miles.

20 How long should a study be done that could
21 appropriately reflect the quality of the wildlife
22 issues? He said four or five years.

23 I worked on a wildlife study, the Upper Tongue
24 River Valley. I spent a week, a month, for seven and a
25 half years to appropriately document the wildlife use on ⁶⁵

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1 less than 50 square miles.

2 You found 758 square miles, all you had to do
3 was put in nine months of effort. It's just -- I am
4 speechless.

5 And you go on by saying over and over again
6 how the impacts will be actually what I would call
7 tremendous, followed by statements that say, Wait a
8 minute; there's really nothing lost here. There's
9 really nothing special. It's not a big deal. So we'll
10 push on.

11 If you're going to do an EIS that represents
12 the interests of the wildlife or the fisheries and these
13 people do a good job, okay, nine months? I'm sorry.
14 That doesn't cut it.

15 JENNIFER PIGGOTT: Thank you for your
16 comments.

17 Would anyone else like to provide oral
18 comments this evening?

19 Sir, in the back?

20 KENNETH MEDICINE BOWL: Well, you made a
21 mistake about giving me this mic, because I'm going to
22 take a few minutes, maybe a few hours, to say what I
23 have to say.

24 And first of all, to the Surface
25 Transportation Board, hello, my name is Kenneth Medicine₆₆

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1 Bowl. I am a descendent of the Otter Creek Homestead,
2 and I make my home in the beautiful Tongue River Valley.

3 The law governing the process for
4 environmental studies declares the options be narrowed
5 down. The vagueness of the alternatives and lack of
6 discussion of the Tongue River Railroad's impact on our
7 unique lifestyle here in the Tongue River Valley,
8 Otter country as well.

9 The document rarely mentions livestock. And
10 some places along the route, they will cut off livestock
11 from the river water.

12 There's also the matter of increased rail
13 volume and the production of greenhouse gases from the
14 mined coal. The government's environmental study
15 suggested a coal ship from Otter Creek Well actually
16 lowered greenhouse gases and that a number of coal
17 trains on BNSF's main line won't increase much.

18 The government environmental study suggests
19 the Colstrip from Otter Creek Well -- I already said
20 that -- lowered greenhouse gasses, and the number of
21 coal trains on BNSF's main line won't increase much.
22 Maybe I needed to say that twice.

23 Both assumptions are made based on mining
24 these mines, shipping less coal, which would make room
25 on the tracks for Otter Creek coal.

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1 The government study also suggested
2 Otter Creek coal is cleaner than Wyoming coal from the
3 Powder River Basin. Otter Creek will put cleaner coal
4 in furnaces, not only the United States, but also Asia,
5 by way of northwest coal ports. As far as I know,
6 there's only one coal port proposal left to be
7 considered. All the others have been denied.

8 Arch Coal is referring all questions about the
9 railroad to its partner, BNSF. BNSF last week said all
10 conclusions of the environmental study are the
11 government's, not Tongue River, Incorporated. So it is
12 unknown whether BNSF agreed with these studies'
13 conclusions.

14 However, BNSF has indicated previously that
15 the Colstrip route would be a preferred route. A
16 railroad has a predetermined number of trains. Otter
17 Creek would be put on the main line.

18 Talking about coal production, Otter Creek
19 mines produce 40 million tons a year. That production
20 volume would equate to approximately four loaded trains
21 per day -- or eight trains, totaling four returning to
22 the mine empty.

23 The Tongue River Railroad wants to condemn our
24 land. This suggested our homes are of no value; our
25 unique ways of life have no significance.

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1 The Tongue River Railroad has been on the
2 speculative list for the past 100 years. It's not going
3 anywhere. It's not in the public's need. To use
4 eminent domain to condemn and isolate miles of family
5 ranch land, the goal to take a railroad, will sever
6 pastures, spread weeds, start fires, tear up traditional
7 Native American sites, destroy wildlife, habitat, and
8 more.

9 Our unique ecology of life should never be put
10 in harm's way. Right now, the way this environmental
11 impact study that has a rating of 5 Pinocchios.

12 You guys are supposed to be experts. I never
13 saw one of you come out to see what is out here.

14 Asia is going renewable. We should be too.
15 Leave that coal in the ground where it belongs.

16 Thank you.

17 JENNIFER PIGGOTT: Thank you for your
18 comments.

19 Would anyone else like to provide an oral
20 comment this evening?

21 UNIDENTIFIED SPEAKER: I just have an
22 announcement. We have food out here, hamburgers and hot
23 dogs.

24 JENNIFER PIGGOTT: Sir?

25 HANK COFFIN: The ICF met with me and my wife 69

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1 face-to-face on our property. They told us there was
2 nothing significant on that property. There is a lot
3 significant up there. There is a rock formation up
4 there that the Sioux and the Cheyenne have used as a
5 prayer rock in their ceremonies. My wife and I use it
6 too. There is a God of creation in the Most Living High
7 God, and that's the one that we pray to. That rock
8 formation's still there. It's been there before the
9 Sioux and the Cheyenne ever came into this country too.

10 Science says that that kind of stuff and that
11 cliff and the bench that's natural below it and then the
12 slack cliff below that, totaling of over 60 feet from
13 the top to the bottom, is going to come off with a
14 dynamite blast.

15 Science has said on all the other stuff that
16 you see things like that, and they show it on TV, that
17 it was 10 million years ago that it was made, and we're
18 going to destroy it with five dynamite blasts and a
19 bulldozer? I don't think so. Not while I'm on that
20 property.

21 Thank you.

22 JENNIFER PIGGOTT: Thank you for your
23 comments.

24 Ma'am?

25 MILDRED RED CHERRIES: What do you want to

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1 hear?

2 I just had a comment --

3 JENNIFER PIGGOTT: Can you state your name.

4 MILDRED RED CHERRIES: My name is Mildred Red
5 Cherries. I have a comment on eminent domain.o

6 We have a saying in our tribe. Our old people
7 told us (Speaking in native language). We're just here
8 to take up for you. One day, we're not going to be
9 here. We're going to be walking around, looking.
10 You'll be like orphans. You'll be looking for a place
11 to stay, and you'll have nowhere to go.

12 That means a lot, because I feel that way for
13 these ranchers and these people that you're going to
14 displace.

15 Put yourself in their shoes. Maybe you have a
16 heart. Go back to wherever you come from, and you stay
17 there. Take that study and throw it away. We don't
18 need that over here.

19 JENNIFER PIGGOTT: Thank you for your
20 comments.

21 Would anyone else like to provide an oral
22 comment this evening?

23 Ladies and gentlemen, thank you for your
24 participation. I'm going to turn the microphone back
25 over to Ken for a few last words.

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1 Ken?

2 KEN BLODGETT: Hi. I would just like to thank
3 everybody for attending this evening's meeting. We do
4 greatly appreciate your interest and your participation
5 in the environmental review process. So I really do
6 thank you for coming this evening. I know people come a
7 long way, and it's late at night, we know. But we do
8 hear everything you guys say.

9 So additional comments can continue to be
10 provided through August 24th. You can provide them in
11 writing to the board's Web site, electronically, on the
12 project Web site tonguerivereis.com. The period has
13 been extended to August 24th for public comment.

14 So that concludes this evening's meeting.

15 We'll be holding the next meeting tomorrow in
16 Miles City, at 2:00 p.m., at the Miles City Community
17 College.

18 So thank you.

19 (Whereupon, the proceeding
20 concluded at 8:30 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MONTANA)
) ss.
COUNTY OF)

I, Emily K. Niles, Certified Court Reporter,
do hereby certify:

That I reported in shorthand (Stenotype) the
proceedings had in the above-entitled matter at the
place and date indicated.

That I thereafter transcribed my said
shorthand notes into typewriting, and that the
typewritten transcript is a complete, true and accurate
transcription of my said shorthand notes to the best of
my skill and ability.

IN WITNESS WHEREOF, I have set my hand in my
office in the County of Gallatin, State of Montana, this
day of , 2015.

EMILY K. NILES, CCR #2794
Notary Public in the State of Montana
Residing in Bozeman, Montana
My Commission expires: January 16, 2019

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