



Rosebud
Conservation
District

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December 18, 2012

Ken Blodgett
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

RE: Environmental Filing, Docket NO. FD 30186

Ken,

The Rosebud Conservation District (RCD) is a political subdivision of state government. The RCD is governed by a board that consists of 7 supervisors; 5 elected and 2 appointed by the city of Colstrip. Montana Conservation Districts have certain responsibilities and authorities under Montana state law.

The RCD has been entrusted by the state of Montana to implement the Natural Streambed and Land Preservation Act of 1975 also known as the "310 Law." Any private individual or corporation proposing to undertake a project or construction activity in a perennial stream must first apply for a permit from the local conservation district. In the permitting process, conservation district supervisors, Montana Department of Fish, Wildlife, and Parks and US Army Corp of Engineers personnel inspect the site of the project with the applicant to ensure it is completed in a fashion that maintains the natural integrity of the stream system.

Several of the proposed Tongue River Railroad potential alternative routes are near or cross a stream or river. We request that when designing your project and before construction you receive all required federal, state and local permits including the 310 permits for any work that will be done on or near a streambed or riverbank. A copy of the "Rosebud Conservation District 310 Model Rules" is also attached with this comment.

Please feel free to contact us with any questions or concerns you may have.

Thank you,

RCD Board of Supervisors

Doug McRae, RCD Chair
Steve Lackman, RCD Vice Chair
Dave Davenport, RCD Treasure
Don Youngbauer, RCD Supervisor

Alan Mereness, RCD Supervisor
Dennis Kenney, RCD Supervisor
Bonnie Prince, RCD Supervisor

Prepared by Bobbi L Vannattan, RCD Administrator