

Meeting 1-6.9.15

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

MILES CITY, MONTANA

JUNE 9, 2015

2:29 P.M. MT

Meeting 1-6.9.15

TUESDAY, JUNE 9, 2015

2:29 P.M. MT

MILES CITY, MONTANA

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02:29:50 5 JENNIFER PIGGOTT: Well, I would say please
02:29:51 6 take your seats, we're about to begin, but you're
02:29:54 7 already there.

02:29:54 8 So we're about to begin the public meeting,
02:29:57 9 and then we'll move into the oral comment portion of the
02:30:00 10 afternoon.

02:30:02 11 First, I'd like to introduce Mr. Ken Blodgett,
02:30:03 12 with the Surface Transportation Board, and he's going to
02:30:06 13 provide some opening remarks and some comments on the
02:30:08 14 project.

02:30:09 15 Ken?

02:30:12 16 KEN BLODGETT: Thank you.

02:30:15 17 Let me know if you can't hear me.

02:30:18 18 Can everybody hear me okay?

02:30:20 19 Anyway, good afternoon, and thank you all for
02:30:24 20 coming this afternoon. My name is Ken Blodgett, and
02:30:28 21 with me is Danielle Gosselin, and we are here this
02:30:31 22 afternoon representing the Surface Transportation
02:30:33 23 Board's Office of Environmental Analysis.

02:30:38 24 Also with me this eve -- this afternoon is
02:30:41 25 Alan Summerville, the project manager for ICF

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02:30:44 1 International. That is our third-party contracting team
02:30:48 2 working on the environmental review, with
02:30:51 3 Elizabeth Diller, and Jennifer Piggott, who is going to
02:30:54 4 be acting as our moderator this afternoon.

02:31:01 5 The Surface Transportation Board is a federal
02:31:03 6 agency responsible for the economic regulation of
02:31:07 7 interstate surface transportation within the
02:31:10 8 United States and for granting authority for the
02:31:13 9 construction and operation of new rail lines and
02:31:18 10 associated facilities. The Surface Transportation
02:31:21 11 Board's mission is to ensure that competitive,
02:31:26 12 efficient, and safe transportation services are provided
02:31:29 13 to meet the needs of shippers, receivers, and consumers.
02:31:35 14 In all of its decisions, the Surface Transportation
02:31:37 15 Board is committed to advancing the national
02:31:42 16 transportation policy goals established by Congress.

02:31:45 17 The Office of Environmental Analysis, or OEA,
02:31:49 18 is responsible for ensuring that the board is in
02:31:53 19 compliance with the requirements of the National
02:31:59 20 Environmental Policy Act. We fulfill that
02:32:02 21 responsibility through an independent environmental
02:32:03 22 review of railroad actions, which require the board's
02:32:07 23 approval.

02:32:09 24 On October 16, 2012, the Tongue River Railroad
02:32:16 25 Company filed an application with the Surface

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02:32:17 1 Transportation Board to construct and operate a rail
02:32:20 2 line from Miles City, Montana, to two endpoints near
02:32:25 3 Ashland. On December 17th, 2012, Tongue River Railroad
02:32:33 4 filed a separate application in which it identified its
02:32:36 5 preferred alternative as the Colstrip alternative,
02:32:37 6 between Colstrip and the Ashland area.

02:32:42 7 The board is the lead agency responsible for
02:32:45 8 preparing the Draft Environmental Impact Statement.
02:32:51 9 Four cooperating agencies worked with the board in
02:32:54 10 preparing the Draft EIS: The Bureau of Land Management,
02:32:58 11 the United States Department of Agriculture, the Corps
02:33:02 12 of Engineers, and Montana state agencies. These
02:33:06 13 cooperating agencies all have decision-making authority
02:33:10 14 independent of the board and are agencies from which
02:33:16 15 Tongue River Railroad would obtain separate approvals or
02:33:18 16 permits prior to construction.

02:33:21 17 The purpose of today's meeting is for the
02:33:25 18 Surface Transportation Board to receive comments, both
02:33:28 19 oral and written, on the Draft Environmental Impact
02:33:30 20 Statement, which was served and made available for
02:33:35 21 public review and comment on April 17th.

02:33:38 22 The Draft EIS reflects the potential
02:33:43 23 environmental impacts that could result from the
02:33:45 24 construction and operation of the proposed rail line.
02:33:49 25 Public involvement is a very important component in the

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02:33:52 1 environmental review process. Our hope is that the
02:33:55 2 comments you provide to us this afternoon will help
02:33:59 3 ensure that our office fully addresses your concerns and
02:34:03 4 the potential environmental impacts that could result
02:34:06 5 from the construction and operation of the proposed rail
02:34:09 6 line, as well as appropriate mitigation measures.

02:34:14 7 The Draft EIS public comment period will last
02:34:16 8 until August 24th, 2015. After the public comment
02:34:21 9 period has come to a close, our office will consider all
02:34:25 10 comments received and address each comment in a final
02:34:29 11 Environmental Impact Statement, which will present our
02:34:33 12 final conclusions and recommendations for mitigating the
02:34:37 13 possible environmental effects.

02:34:40 14 Issuance of the final EIS will complete the
02:34:45 15 Surface Transportation Board's environmental review
02:34:47 16 process. The board will then make a final decision on
02:34:52 17 the proposed rail line construction. In making that
02:34:56 18 decision, the board will consider the entire
02:34:58 19 environmental record, all comments received, the Draft
02:35:04 20 Environmental Impact Statement, the final Environmental
02:35:06 21 Impact Statement, and OEA's final recommended
02:35:10 22 environmental mitigation. No project-related
02:35:14 23 construction may begin until the board has issued a
02:35:17 24 final decision and that decision has become effective.

02:35:23 25 If you have not already done so, I would

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02:35:26 1 encourage you to sign in at the table at the entrance to
02:35:29 2 the room. Those who have indicated that they would like
02:35:32 3 to speak this afternoon will be called upon in the order
02:35:37 4 in which they signed in this afternoon, and your
02:35:41 5 comments will be recorded by a court reporter.

02:35:45 6 If you would like to provide a handwritten
02:35:47 7 comment today, comment forms are located on that wall
02:35:52 8 over there, and you can drop them in a comment box
02:35:57 9 that's also located there.

02:36:00 10 You can also provide written comments to the
02:36:02 11 board at our Washington, D.C., address or submit
02:36:08 12 electronic comments on the project Web site,
02:36:14 13 tonguerivereis.com. All oral and written comments will
02:36:17 14 be given equal weight and consideration. In preparing
02:36:19 15 your comments, we encourage you to be as detailed as
02:36:22 16 possible regarding the content of the Draft
02:36:24 17 Environmental Impact Statement.

02:36:28 18 That concludes my comments, my remarks, and I
02:36:32 19 would like to turn the floor over to Alan Summerville,
02:36:34 20 who will provide a little more information on the
02:36:37 21 environmental review process.

02:36:39 22 Thank you.

02:36:44 23 ALAN SUMMERVILLE: Good afternoon.

02:36:45 24 Can everyone hear me all right?

02:36:48 25 During the open house portion of this meeting, 6

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02:36:49 1 we provided some information on the environmental review
02:36:54 2 process and the project. And right now, I just want to
02:36:56 3 take about three minutes to summarize that information
02:36:58 4 for people who didn't have a chance to partake in the
02:37:03 5 open house session and provide a recap for those who did
02:37:08 6 participate.

02:37:09 7 In the meeting brochure and in one of the
02:37:12 8 posters that we have in the open house area, there's a
02:37:14 9 figure depicting the environmental review process.

02:37:18 10 To initiate the scoping process, OEA issued
02:37:21 11 notification of its intent to prepare an EIS to the
02:37:25 12 public; elected officials; federal, state, and local
02:37:29 13 agencies; tribal organizations; and other potentially
02:37:32 14 interested organizations. OEA issued a draft scope of
02:37:36 15 study and held agency and public meetings to obtain
02:37:40 16 comments on topics that the EIS should analyze and
02:37:44 17 possible alternatives to the TRRC proposed alignment.

02:37:50 18 Interested agencies and persons were invited
02:37:52 19 to participate in the scoping phase by reviewing the
02:37:55 20 draft scope of study, submitting comments in writing,
02:37:58 21 and attending scoping meetings held in the project area.

02:38:03 22 After considering the comments received
02:38:05 23 through the scoping process, the board published a
02:38:07 24 Notice of Final Scope of Study for the EIS in
02:38:13 25 March 2013.

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02:38:16 1 Throughout the development of the Draft EIS,
02:38:19 2 OEA met in person and through teleconferences with
02:38:22 3 federal, state, and local agencies, as well as tribes.
02:38:25 4 OEA prepared the Draft EIS by analyzing the potential
02:38:29 5 environmental impacts of the proposed Tongue River
02:38:30 6 Railroad and the reasonable alternatives, including the
02:38:34 7 "No-Action" alternative.

02:38:36 8 The Draft EIS also addresses the impacts of
02:38:39 9 trains traveling to destinations outside the project
02:38:42 10 area, which are also referred to as "downline impacts."

02:38:46 11 Any of the build alternatives could have minor
02:38:48 12 to highly adverse impacts on the following resources:
02:38:54 13 Transportation, greenhouse gases and climate change,
02:38:57 14 noise, biological resources, water resources, visual
02:39:03 15 resources, cultural and historic resources, land
02:39:07 16 resources, geology and soils, socioeconomics, and
02:39:12 17 environmental justice. All other resources would
02:39:14 18 experience negligible impacts.

02:39:17 19 The Draft EIS also includes OEA's preliminary
02:39:21 20 recommendations for environmental mitigation. The
02:39:23 21 mitigation measures will be considered by the board as
02:39:26 22 potential conditions if the board decides to grant TRRC
02:39:31 23 authority to construct and operate the rail line.

02:39:37 24 The Draft Environmental Impact Statement was
02:39:40 25 distributed and made available on April 24th to

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02:39:43 1 interested members of the public; parties of record;
02:39:44 2 elected officials; tribes; and appropriate federal,
02:39:47 3 state, and local agencies. OEA provided extensive
02:39:52 4 notification through various means to the project area
02:39:54 5 and downline communities.

02:39:57 6 As Ken stated, the final EIS will consider and
02:40:00 7 respond to all comments received on the Draft EIS and
02:40:05 8 will include any appropriate changes and recommendations
02:40:07 9 for additional mitigation measures. It will also
02:40:10 10 identify OEA's preferred alternative.

02:40:15 11 Completion of the final EIS will be announced
02:40:17 12 to the public in a Notice of Availability published in
02:40:19 13 the Federal Register and by notification to interested
02:40:23 14 parties.

02:40:25 15 At this time, I'd like to turn the meeting
02:40:26 16 over to our facilitator, Jennifer Piggott, who will go
02:40:30 17 over some ground rules, and then we can begin to hear
02:40:33 18 comments.

02:40:33 19 Thank you.

02:40:34 20 JENNIFER PIGGOTT: Great. Thank you, Alan.

02:40:37 21 We will now begin the oral comment portion of
02:40:39 22 today's meeting. Before we begin, I just want to go
02:40:41 23 over a few things.

02:40:42 24 If you haven't already done so, please silence
02:40:44 25 your phones so they don't interrupt the meeting. If

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02:40:47 1 you'd like to speak and did not get a chance to sign up
02:40:49 2 when you registered -- when you arrived at the meeting,
02:40:53 3 please raise your hand, and we'll get you signed up to
02:40:55 4 provide an oral comment.

02:41:00 5 Okay. A court reporter will transcribe the
02:41:03 6 oral comments for use in preparing the final
02:41:05 7 Environmental Impact Statement. Please do not provide
02:41:07 8 any personal information in your comments that you would
02:41:09 9 not want to see published in the final document. Please
02:41:12 10 speak slowly and clearly so the court reporter can
02:41:15 11 easily record your comments. Please state your full
02:41:18 12 name and spell it out for the court reporter and
02:41:20 13 indicate if you're representing a group or organization
02:41:23 14 this afternoon.

02:41:25 15 Each speaker will be allotted three minutes to
02:41:27 16 speak. You do not have to speak for the full three
02:41:29 17 minutes; however, when 30 seconds remains, a yellow card
02:41:32 18 will be raised, and a red card will be raised when your
02:41:36 19 time has ended. Out of respect for others, we ask that
02:41:39 20 you please honor the three minutes. If you think you
02:41:42 21 have more comments than you can present in the time
02:41:45 22 allotted, please make the most important comments first.

02:41:48 23 This time limit has been set at each meeting
02:41:50 24 to ensure everyone who wishes to speak has a fair and
02:41:54 25 equal opportunity to provide their comments. If you do 10

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02:41:57 1 not get a chance to voice all of your comments, you can
02:42:00 2 submit them in writing. Again, the comment tables are
02:42:03 3 just behind us. If you have a written statement already
02:42:05 4 prepared, you may read it aloud, and we recommend you
02:42:08 5 also submit it as a written comment.

02:42:12 6 If time permits at the end of the meeting,
02:42:14 7 we'll invite up additional speakers who -- and anyone
02:42:17 8 who did not get a chance to complete their original
02:42:19 9 comments. Please feel free to provide your comments in
02:42:23 10 either oral or written form. Both types of comments
02:42:25 11 will have equal weight in the final document.

02:42:27 12 Finally, this portion of the public meeting
02:42:30 13 allows you to provide comments that will be transcribed.
02:42:34 14 OEA will not answer questions or respond to comments
02:42:36 15 during the meeting. OEA will respond to comments in the
02:42:39 16 final Environmental Impact Statement. This will allow
02:42:43 17 as much time as possible for members of the public to
02:42:45 18 comment.

02:42:46 19 I will now call up our first speaker, which is
02:42:51 20 Nick Engelfried.

02:43:03 21 NICK ENGELFRIED: Hi. My name is
02:43:04 22 Nick Engelfried. It's spelled E-n-g-e-l-f-r-i-e-d, and
02:43:09 23 I am from Missoula. I'm representing today
02:43:13 24 350 Missoula, which is an organization.

02:43:16 25 And I'm here to say that like many, many other₁₁

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02:43:18 1 people in my community, I oppose the construction of the
02:43:21 2 Tongue River Railroad and urge the board to choose the
02:43:24 3 "No-Action" alternative.

02:43:27 4 And also, I want to express my disappointment
02:43:30 5 that in this Draft EIS, there wasn't more attention and
02:43:34 6 analysis given to the impact of increased coal-train
02:43:38 7 traffic in rail line towns like Missoula, west of
02:43:40 8 Billings. I saw very little of that analysis of any
02:43:43 9 kind for towns to the west of Billings, despite the fact
02:43:47 10 that the Draft EIS does acknowledge that coal
02:43:50 11 transported on the Tongue River Railroad may be exported
02:43:53 12 off the West Coast, in which case the obvious way to get
02:43:56 13 it there is the rail line that passes through Billings.

02:43:59 14 This is an issue of grave concern to people in
02:44:03 15 my community. And as evidence of that, I would like to
02:44:06 16 present and have entered into the record more than 1,800
02:44:11 17 comments that have been collected by 350 Missoula and
02:44:14 18 other groups in Missoula, just since this comment period
02:44:18 19 opened.

02:44:20 20 We have been standing on street corners
02:44:22 21 talking to people about the Tongue River Railroad.
02:44:23 22 We've been tabling at farmers' markets and other public
02:44:26 23 events. And there are lots of people who stop and talk
02:44:29 24 to us, express concern about this project, and take time
02:44:31 25 to fill out a comment card to indicate specific issues

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02:44:35 1 they're concerned about and, in some cases, throw in
02:44:39 2 additional comments as well.

02:44:40 3 Thank you.

02:44:40 4 In addition, since we did not end up having an
02:44:45 5 official public hearing in Missoula or anywhere in
02:44:47 6 Montana -- in Western Montana, we recently collaborated
02:44:50 7 with the Northern Plains Resource Council to put on a
02:44:54 8 people's hearing in Missoula. We had over 80 people
02:44:56 9 attend that, and they submitted detailed, written and/or
02:45:00 10 verbal comments at that event. The written ones are
02:45:03 11 included with the ones I just turned in. The verbal
02:45:05 12 ones are in the process of being transcribed, and you'll
02:45:07 13 be getting them in the mail soon.

02:45:10 14 So, again, I just want to emphasize that a lot
02:45:12 15 of people along the rail line are concerned about this
02:45:15 16 project. In Missoula alone, we've had close to 2,000
02:45:19 17 people speak out about these concerns anyway, and --
02:45:22 18 already, and the comment period is not over yet. So you
02:45:25 19 can -- I'm sure you'll be hearing from many more folks
02:45:27 20 from our community before the deadline is up.

02:45:30 21 And in the final EIS, I really hope that it
02:45:33 22 will give more weight, do more analysis of the impacts
02:45:37 23 of coal-train traffic in communities in -- towards the
02:45:40 24 route between the -- between Colstrip and the West
02:45:44 25 Coast, so that those of us who live in those communities₁₃

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02:45:47 1 can feel that our concerns have been heard and fully
02:45:50 2 considered.

02:45:51 3 Thank you.

02:45:53 4 JENNIFER PIGGOTT: Thank you for your
02:45:53 5 comments.

02:45:54 6 Our next speaker this afternoon is
02:45:55 7 Cate Campbell.

02:46:02 8 CATE CAMPBELL: Good afternoon. My name is
02:46:03 9 Cate, C-a-t-e, Campbell, C-a-m-p-b-e-l-l. I live near
02:46:09 10 the Idaho border, and thank you for giving us the
02:46:13 11 opportunity to speak today.

02:46:15 12 The Draft Environmental Impact Study
02:46:15 13 emphasizes that the Tongue River Railroad is intended to
02:46:18 14 haul Otter Creek coal to domestic markets. The evidence
02:46:22 15 argues against this assumption. Under the current
02:46:25 16 proposed federal regulations limiting carbon emissions,
02:46:29 17 coal production is expected to plummet.

02:46:32 18 Several Midwest power plants have intentions
02:46:34 19 to move away from coal and transition to natural gas in
02:46:37 20 the next five to ten years and, over time, to renewable
02:46:41 21 energy. These are the very plants which are currently
02:46:44 22 being supplied by lower-sodium coal mines in the
02:46:47 23 Powder River Basin.

02:46:49 24 But the assertion is that the Otter Creek coal
02:46:51 25 will somehow, against normal economic forces, displace

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02:46:55 1 the Powder River suppliers with cheaper per-ton costs
02:46:58 2 because the transportation route is shorter. But isn't
02:47:02 3 there the crucial necessity of building a short-line
02:47:04 4 railroad first? Where is that cost factored in?

02:47:08 5 In TRRC's supplemental analysis submitted to
02:47:12 6 OEA in 2013, they defined the following target markets:
02:47:17 7 Upper Midwest utilities have historically used Montana
02:47:21 8 coal, and Asia, by export through existing West Shore
02:47:24 9 terminals south of Vancouver, British Columbia, and
02:47:27 10 possibly through other Pacific Northwest port facilities
02:47:31 11 presently in the planning stages.

02:47:33 12 Arch Coal has emphasized its unique operating
02:47:36 13 position with a mine at one end of the rail line and a
02:47:39 14 port at the other. Connecting the dots between the two
02:47:42 15 is the obvious business move when your likely market is
02:47:46 16 Asia.

02:47:47 17 The DEIS analysis of impacts on downline
02:47:52 18 communities focuses on Eastern Montana, Wyoming, the
02:47:56 19 Dakotas, and Minnesota. Only scant references are made
02:47:59 20 in the text and the maps to points west of Ashland.

02:48:02 21 It's unlikely that Otter Creek coal will be
02:48:05 22 able to elbow its way into a market which is limited by
02:48:09 23 preexisting suppliers. It seems more likely that the
02:48:14 24 TRR, the Burlington Northern, and MRL will haul
02:48:16 25 Otter Creek coal to West Coast terminals, and the

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02:48:20 1 downline communities will be those in Western Montana,
02:48:23 2 Idaho, and Washington.

02:48:25 3 The need for this railroad is a real
02:48:27 4 head-scratcher. The economic outlook for domestic coal
02:48:31 5 already on the market is evaporating by the day. Major
02:48:34 6 lending banks are withdrawing investments in mining and
02:48:37 7 shipping of coal. States are still crafting their
02:48:41 8 EPA-mandated carbon emissions plans, and a couple of the
02:48:44 9 proposed export terminals are null and void.

02:48:49 10 Current Midwest power plants either don't burn
02:48:51 11 high-sodium coal or won't burn any coal in another
02:48:55 12 decade or so.

02:48:57 13 All evidence points toward the coal being
02:48:59 14 bound for Asia by rail through Montana, Idaho, and on to
02:49:04 15 ships at the West Coast ports. The downline impacts
02:49:07 16 have been treated inadequately, and the analysis needs
02:49:10 17 to be redone.

02:49:11 18 I urge you to decide on the "No-Action"
02:49:13 19 alternative.

02:49:15 20 Thank you.

02:49:17 21 JENNIFER PIGGOTT: Thank you for your
02:49:17 22 comments.

02:49:19 23 Our next speaker is Marta Meengs.

02:49:22 24 MARTA MEENGs: Hello. I'm Martha Meengs,
02:49:30 25 M-a-r-t-a, M-e-e-n-g-s, and I'm from Missoula, Montana. 16

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02:49:36 1 And my comments today will focus on the health issues of
02:49:40 2 the increased presence of coal dust and diesel
02:49:44 3 emissions, due to the increased train traffic coming
02:49:46 4 through our communities, as we mentioned previously,
02:49:50 5 because the downline impacts really do matter, and I
02:49:53 6 hope the DEIS will look into that closer.

02:49:58 7 This is especially relevant for Missoula,
02:50:00 8 where the railroad and the railroad yard is smack in the
02:50:04 9 middle of our downtown neighborhoods. As a registered
02:50:07 10 nurse, I am concerned about these health issues.

02:50:10 11 The first issue of coal dust is the question
02:50:14 12 of how much of it will escape along the route for mines
02:50:17 13 in Wyoming and Montana to proposed export terminals on
02:50:21 14 the West Coast? What might that coal dust mean for
02:50:24 15 public health?

02:50:26 16 In 2009, a representative from the BNSF
02:50:30 17 company testified before a federal review board. He
02:50:34 18 stated that 645 pounds of coal dust in a loaded coal
02:50:38 19 train escape from each coal-train car during a 400-mile
02:50:42 20 trip. There are usually about 125 cars per coal train.

02:50:47 21 The BNSF company claims that it will apply a
02:50:50 22 surfactant that will decrease the coal dust by
02:50:54 23 85 percent. Even if this turns out to be the case and
02:50:58 24 BNSF applies this to every coal car, the coal dust loss
02:51:03 25 on a 125-car coal train will still be significant and

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02:51:07 1 will certainly not be zero.

02:51:10 2 The health department's report in Oregon
02:51:13 3 stated that railroad companies and the coal industry
02:51:17 4 should have to prove that coal dust coming off the
02:51:20 5 trains will not be a health risk. It is known that coal
02:51:23 6 dust contains arsenic, lead, and mercury. What level of
02:51:28 7 coal dust exposure is considered safe, especially for
02:51:32 8 children and pregnant women?

02:51:34 9 Coal has been transported via train for
02:51:37 10 decades, yet little research has been done on the
02:51:40 11 potential health effects for people who live near coal
02:51:43 12 train routes. There is enough risk to merit more
02:51:47 13 specific sampling and research about coal dust before
02:51:50 14 any decisions are made about the transportation of
02:51:53 15 uncovered coal cars.

02:51:56 16 Another risk is the increased diesel
02:51:58 17 emissions. The diesel emissions will increase as a
02:52:01 18 result of the increased train traffic, due to the
02:52:04 19 exporting of more coal. These increased diesel
02:52:07 20 emissions will be in the air around the railways in our
02:52:10 21 cities, due to the idling of traffic and the additional
02:52:13 22 trains. There will also be an increase in vehicle
02:52:16 23 emissions that will likely result from increased idling
02:52:20 24 time at the train crossings.

02:52:22 25 As a health hazard, diesel particulate matter 18

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02:52:25 1 is associated with both pulmonary and cardiovascular
02:52:28 2 issues, including cancers, heart disease, and asthma.
02:52:32 3 Children, teens, and the elderly are especially
02:52:35 4 vulnerable.

02:52:36 5 The possible health issues of coal dust and
02:52:38 6 increased diesel emissions are serious ones for the
02:52:41 7 citizens of Missoula and other communities, where the
02:52:44 8 trains pass through the heart of our downtown
02:52:46 9 neighborhoods.

02:52:47 10 Thank you.

02:52:49 11 JENNIFER PIGGOTT: Thank you for your
02:52:49 12 comments.

02:52:50 13 Our next speaker is Lee Metzgar.

02:52:54 14 LEE METZGAR: Metzgar.

02:52:54 15 JENNIFER PIGGOTT: Metzgar.

02:52:56 16 LEE METZGAR: Thank you. Lee Metzgar,
02:52:58 17 M-e-t-z-g-a-r, and I represent -- or I'm here as a
02:53:02 18 member of 350 Missoula.

02:53:06 19 I appreciate the opportunity to comment, and
02:53:09 20 my written comments will have documentation for several
02:53:12 21 assertions that I make.

02:53:13 22 If the coal from the Otter Creek and induced
02:53:16 23 mines is burned, it will contribute over 2 billion
02:53:19 24 metric tons of carbon dioxide equivalence to the
02:53:21 25 atmosphere. The inclusive climate-change-related costs 19

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02:53:26 1 of contributing that much CO2 are estimated by various
02:53:31 2 United States agencies at between 11- and \$144 billion,
02:53:36 3 and even the high estimate may be too low.

02:53:41 4 If burned, that Tongue River coal will have
02:53:45 5 done billions or even hundreds of billions of dollars'
02:53:47 6 worth of damage. And rather than ignoring these costs,
02:53:51 7 all of the build alternatives should identify them as
02:53:55 8 such, and the "No-Action" alternative should identify
02:53:59 9 them, as their prevention is a benefit. Clearly, the
02:54:02 10 greatest potential benefits of this project do not rise
02:54:06 11 to the level of the harm that it will cause.

02:54:10 12 To the extent that the Draft Environmental
02:54:11 13 Impact Statement is correct and the Tongue River coal
02:54:16 14 would displace more costly alternative fossil fuels,
02:54:18 15 keeping that coal in the ground would sustain higher
02:54:21 16 prices and encourage continued conversion to cleaner
02:54:25 17 power generation from natural gas and renewable energy.

02:54:29 18 Because net gains in Montana jobs and wealth
02:54:33 19 have been shown to accompany the conversion from fossil
02:54:36 20 fuels to renewable energy sources, the "No-Action"
02:54:39 21 alternative will result in additional benefits not
02:54:43 22 recognized in the Draft Environmental Impact Study.
02:54:45 23 Those benefits need to be included in a revised economic
02:54:49 24 analysis in the final EIS.

02:54:53 25 There is now a consensus among scientists that₂₀

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02:54:56 1 75 percent -- approximately 75 percent of known fossil
02:55:00 2 fuel reserves must remain in the ground if we are to
02:55:03 3 have a chance at a healthy climate. It is time to stop
02:55:07 4 the insanity of developing new fossil fuel sources when
02:55:12 5 we know that most of it must stay in the ground.

02:55:17 6 The Tongue River coal should be at the top of
02:55:20 7 our list for fossil fuel reserves that cannot be
02:55:23 8 developed. It is a dirty fuel that emits exceptionally
02:55:26 9 high amounts of greenhouse gases, and it will contribute
02:55:29 10 little to our national interest.

02:55:31 11 The Surface Transportation Board will best
02:55:34 12 serve Montana and the nation by selecting the
02:55:37 13 "No-Action" alternative.

02:55:39 14 Thank you.

02:55:41 15 JENNIFER PIGGOTT: Thank you for your
02:55:42 16 comments.

02:55:42 17 Our next speaker this afternoon is Tim Skufca.

02:55:50 18 TIM SKUFCA: Good afternoon. My name is
02:55:52 19 Tim Skufca, S-k-u-f-c-a.

02:55:57 20 I'm from Missoula, Montana. I was encouraged
02:56:01 21 to give a little brief history of my family background
02:56:06 22 in the coal industry.

02:56:08 23 My great-grandfather worked his way from the
02:56:12 24 East Coast to Colorado as a miner. He passed on that
02:56:19 25 skill set to my grandfather. He worked mines several

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02:56:25 1 years and died of black lung disease. My grandmother
02:56:34 2 benefited from receiving the check monthly from the
02:56:40 3 black lung disease.

02:56:41 4 So, you know, I realize that the techniques of
02:56:46 5 Arch Coal as open-pit mining is different from
02:56:50 6 below-surface mining, but it's still a 19th-century fuel
02:56:55 7 used for a 21st-century world.

02:57:01 8 But I'm actually standing here to talk about
02:57:05 9 the noise of train travel. The impacts to quality of
02:57:11 10 life from repeated loud noises are self-evident.

02:57:16 11 Chronic noise exposure has proven -- has
02:57:20 12 proven adverse health effects, including impaired sleep,
02:57:24 13 cognitive function, and cardiovascular effects.

02:57:29 14 Going to sleep last night and waking up this
02:57:31 15 morning at Miles City Campground made it clear that this
02:57:35 16 community also has an issue with train noise. I think I
02:57:40 17 counted four crossings every time -- at 5:00 this
02:57:45 18 morning, every time a train crossed and went through
02:57:49 19 town.

02:57:51 20 However, it's the horn sounding that really
02:57:56 21 creates the most significant noises. Train-engine horns
02:58:02 22 must sound at least 15 to 20 seconds at each public
02:58:05 23 crossing. The decibel levels are 96 to 110. Decibels
02:58:11 24 between 80 and 105 are labeled extremely loud, and those
02:58:16 25 above 105 are labeled as dangerous.

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02:58:20 1 The National Institute for Occupational Safety
02:58:20 2 and Health recommends less than 15 minutes of exposure
02:58:26 3 per day to noises over 100 decibels.

02:58:31 4 Whether the debate of the trains going east or
02:58:37 5 west is clear to the EIS, every community is affected
02:58:43 6 with train noise. I encourage you to look very
02:58:50 7 carefully at these situations and these effects.

02:58:54 8 Thank you.

02:58:56 9 JENNIFER PIGGOTT: Thank you for your
02:58:56 10 comments.

02:58:57 11 Our next speaker this afternoon is
02:58:58 12 John Woodland.

02:59:03 13 JOHN WOODLAND: Thank you. That's
02:59:04 14 John Woodland, W-o-o-d-l-a-n-d, Superior, Montana.

02:59:09 15 I recently retired from the position of fire
02:59:12 16 chief in Superior. I do want to point out that the
02:59:15 17 comments I make tonight have nothing to do with my
02:59:19 18 employer's position -- or my former employer's position.

02:59:22 19 The Draft EIS mentions the possibility of coal
02:59:26 20 going west but focuses entirely on the downstream
02:59:28 21 effects going east. Yet, as has been pointed out by
02:59:33 22 other speakers, there are an awful lot of reasons to
02:59:35 23 think that the demand for coal going east is going down
02:59:39 24 rapidly and that, in fact, this coal is going to go
02:59:42 25 west, including this connection between the people

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02:59:48 1 looking to develop Otter Creek and the people looking to
02:59:50 2 develop West Coast ports. It just doesn't make sense
02:59:54 3 that you ignore the possibility of it going west.

02:59:58 4 The Draft EIS also dismisses climate change,
03:00:01 5 taking the position that there will be no net change in
03:00:05 6 the amount of coal that is being burned; that this will
03:00:08 7 just displace other coal. That doesn't make sense
03:00:12 8 either. Basic economics, basic -- the law of supply and
03:00:17 9 demand: You increase the supply, the price goes down.
03:00:20 10 The price goes down, it makes it more attractive to
03:00:24 11 continue burning coal. It makes it more competitive, if
03:00:26 12 not for here, to foreign ports.

03:00:29 13 So ignoring the climate change impacts and
03:00:32 14 ignoring the impact of transportation through the
03:00:37 15 western part of this state and on just don't make sense,
03:00:40 16 from basic logic.

03:00:42 17 The county I live in is one of the more poor
03:00:46 18 counties in the state. We share with Sanders County
03:00:49 19 some of the highest unemployment rates. We have very
03:00:54 20 few resources to try and narrow and mitigate crossing
03:00:58 21 problems, and yet that's what will happen.

03:01:01 22 Arch Coal will make money off of the coal.
03:01:03 23 Burlington Northern will make money off the transport.
03:01:05 24 And the poor counties in Western Montana will bear the
03:01:08 25 burden.

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03:01:10 1 My county is very steep, mountainous, and rail
03:01:13 2 traffic is a real problem. There have been two cargoes
03:01:16 3 dumped in the Clark Fork River, one visible from my
03:01:21 4 home, within the last couple years. One of them got
03:01:23 5 some pretty good press because it was also a whole bunch
03:01:27 6 of aircraft fuselages, and so it makes some pretty
03:01:29 7 interesting pictures. Some of you may remember that.

03:01:32 8 The next jurisdiction east of my jurisdiction
03:01:34 9 is the one famous for one of the worst rail disasters
03:01:38 10 ever. It was a wreck in Alberton that resulted in a
03:01:44 11 chlorine release that closed I-90 and evacuated the
03:01:47 12 entire town of Alberton for multiple weeks. That was, I
03:01:52 13 believe, 1996.

03:01:55 14 The rail line through our area winds right
03:01:58 15 along the mountains. The trains fall off the tracks
03:02:00 16 regularly. And to ignore a massive increase in traffic
03:02:05 17 with material that is dumped in the Clark Fork River is
03:02:07 18 going to do an awful lot of damage. And even just the
03:02:11 19 dust that ends up in the Clark Fork River is wrong.

03:02:15 20 The Draft EIS must be amended to seriously
03:02:19 21 consider the impacts when it goes West.

03:02:23 22 JENNIFER PIGGOTT: Thank you for your
03:02:24 23 comments.

03:02:24 24 Our next speaker is Kelly Radue.

03:02:38 25 KELLY RADUE: My name is Kelly Radue,

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03:02:40 1 R-a-d-u-e. I am a landowner out in the Tongue River
03:02:46 2 Valley.

03:02:47 3 This railroad, of course, would directly
03:02:49 4 impact us. I do wish to thank the STB for allowing us
03:02:55 5 to address you and to visit with you and so on, relative
03:03:00 6 to the proposed Tongue River Railroad or, as what I have
03:03:04 7 been referring to it in my discussions with my
03:03:07 8 neighbors, as the "Field of Dreams Railroad." In other
03:03:12 9 words, build it, and they will come.

03:03:15 10 What we're talking about here is a railroad
03:03:18 11 from a nonexistent mine to a nonexistent port to serve
03:03:24 12 nonexistent markets. This doesn't make very much sense
03:03:31 13 to me as a capitalist, as a businessman, out in the
03:03:36 14 Tongue River valley.

03:03:39 15 I strongly urge the STB to look at this
03:03:42 16 through a very critical eye and exercise its authority.
03:03:49 17 This does not serve a public need or a convenience, and
03:03:53 18 I urge you to do your job and say "No permit."

03:03:56 19 Thank you very much.

03:03:59 20 JENNIFER PIGGOTT: Thank you for your
03:03:59 21 comments.

03:04:00 22 Our next speaker this afternoon is Mark Fix.

03:04:11 23 MARK FIX: Hello. I'm Mark Fix. That's
03:04:15 24 F-i-x. I'm a rancher and irrigator on the Tongue River,
03:04:18 25 about 20 miles southwest of Miles City. I'm here to

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03:04:22 1 speak for the "No-Action" alternative.

03:04:24 2 The Draft Environmental Impact Statement does
03:04:26 3 not go into much detail, even though it is a huge
03:04:28 4 document.

03:04:29 5 During scoping, you provided us maps that
03:04:32 6 showed where the routes were supposed to be. We had
03:04:34 7 questions about their -- whether there might be sitings.
03:04:38 8 You provided that information to us. The draft does not
03:04:41 9 show where the sitings might be. It only talks in
03:04:43 10 general terms as to where they might be.

03:04:46 11 Our ranch has two routes proposed across it
03:04:49 12 and four alternatives. During scoping, the map that was
03:04:52 13 given to me for the Moon Creek alternative went across
03:04:55 14 my place and did not cross a well we have on the place.
03:04:58 15 The latest proposal for the Moon Creek alternative would
03:05:01 16 now cross the well.

03:05:03 17 The draft says that any well that is crossed
03:05:06 18 would be plugged. It does not state whether or not the
03:05:08 19 Tongue River Railroad will replace the wells -- the well
03:05:12 20 or not.

03:05:12 21 The Moon Creek alternative would split my
03:05:15 22 ranch in half. I would probably need to replace one
03:05:18 23 well with two wells, because the pasture would be split
03:05:21 24 in two. Pastures would be split in two.

03:05:24 25 The Moon Creek route follows my access road up₂₇

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03:05:26 1 over the Moon Creek Divide. I could not access my
03:05:29 2 pasture, because the railroad would take out my access
03:05:31 3 road. The train is too steep, and I could not access my
03:05:35 4 north pasture without building a new road.

03:05:37 5 It appears that the cuts on the Moon Creek
03:05:40 6 route could divert drainage water into the Tongue River
03:05:43 7 drainage instead of the Yellowstone drainage. One of my
03:05:46 8 dams may no longer fill with water due to this change.

03:05:50 9 The Tongue River route would also cross our
03:05:54 10 property. One of the things I realized after years of
03:05:56 11 dealing with the proposed Tongue River Railroad is that
03:05:59 12 a road would have to be built alongside the route to
03:06:01 13 access the trap for fire and to spray for weeds.

03:06:05 14 Disturbing the land will open up a corridor for weeds to
03:06:08 15 spread up and down the disturbed area.

03:06:10 16 The draft talks about where road crossings may
03:06:12 17 be required but did not look at the fact that a road
03:06:15 18 would be required for the Tongue River route. There is
03:06:20 19 no access from Miles City to the SH Ranch on the west
03:06:23 20 side of the river. There is also no access after the
03:06:25 21 Harwood [phonetic] Ranch until Brandenburg.

03:06:28 22 There is also no road proposed for the
03:06:29 23 Moon Creek alternative. Access to that area would be
03:06:32 24 difficult and would be several miles from any
03:06:36 25 residences.

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03:06:36 1 Fires created by the railroad may not be seen
03:06:38 2 until they are out of control. There's no discussion
03:06:41 3 about how the grade will be built. Will they need to
03:06:45 4 use our private bridges across the Tongue to build the
03:06:48 5 railroad, or will they only access the area from the
03:06:50 6 west side of the river? How will they service the area
03:06:52 7 once the rail line is built? Again, will they want to
03:06:55 8 use our private bridges?

03:06:56 9 I notice that there is a picture of where the
03:06:59 10 railroad is proposed under the I-94 interstate here,
03:07:02 11 close to Miles City. The picture does not show that an
03:07:05 12 exit will be created at that point. There should be an
03:07:07 13 exit provided so that emergency vehicles could access
03:07:09 14 the rail line to fight fires and spray weeds.

03:07:12 15 The picture brings up more questions. Would
03:07:15 16 trains be stopped to wait for an opening on the existing
03:07:18 17 BN line? It appears that a train parked near the
03:07:20 18 BN line would block the access to Fort Keogh.

03:07:24 19 The best way to access Fort Keogh to fight a
03:07:27 20 fire would be to go to the fish hatchery and go under
03:07:31 21 the interstate. A train parked there would block that
03:07:34 22 access. An access would need to be provided to provide
03:07:36 23 operation of Fort Keogh and access for fire and spraying
03:07:40 24 for weeds along the rail line.

03:07:42 25 If a road is built along the track, will the 29

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03:07:44 1 cost be paid for by the railroad, or by the taxpayers?

03:07:48 2 Thank you.

03:07:50 3 JENNIFER PIGGOTT: Thank you for your
03:07:51 4 comments.

03:07:52 5 Those are all of the individuals that we had
03:07:54 6 signed up to speak. Would anyone else like to make an
03:07:57 7 oral comment at this time?

03:08:01 8 AMORETTE ALLISON: I'm a reporter, and I want
03:08:02 9 to make sure I have everybody's names, you know, spelled
03:08:05 10 right.

03:08:06 11 Nick, N-i-c-k, E-n-g-e-l-f-r-i-e-d.

03:08:14 12 NICK ENGELFRIED: That's right.

03:08:15 13 AMORETTE ALLISON: Cate, C-a-t-e, Campbell,
03:08:19 14 C-a-m-p-b-e-l-l.

03:08:21 15 Marta, M-a-r-t-a, M-e-e-n-g-e-s.

03:08:27 16 Lee M-e-t-z-g-a-r.

03:08:33 17 And Tim S-k-u-f-c-a.

03:08:41 18 John, are you an H or an N?

03:08:44 19 JOHN WOODLAND: J-o-h-n.

03:08:47 20 AMORETTE ALLISON: Woodland, W-o-o-d-l-a-n-d.

03:08:51 21 Kelly, K-e-l-l-y, R-a-d-u-e.

03:08:54 22 And Mark Fix I can spell.

03:09:01 23 THE COURT REPORTER: Can I get your name and
03:09:01 24 spelling?

03:09:02 25 AMORETTE ALLISON: I'm from the Miles City

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03:09:02 1 Star, and my name is Amorette, A-m-o-r-e-t-t-e, and my
03:09:09 2 last name is Allison, A-l-l-i-s-o-n. It sounds
03:09:14 3 backwards, but it's not.

03:09:18 4 JENNIFER PIGGOTT: Is there anyone else that
03:09:19 5 would like to make an oral comment? Anyone who already
03:09:21 6 spoke who would like to expand upon their comments?

03:09:28 7 UNIDENTIFIED SPEAKER: Now can I get your
03:09:29 8 spellings?

03:09:30 9 JENNIFER PIGGOTT: Yeah. In just a moment.

03:09:31 10 So, ladies and gentlemen, thank you for your
03:09:32 11 participation. I'm going to turn the microphone back
03:09:35 12 over to Ken for a few last words, and then we can
03:09:37 13 continue the open house, since we have some remaining
03:09:39 14 time.

03:09:41 15 KEN BLODGETT: I would just like to thank
03:09:42 16 everybody for coming to this afternoon's meeting. We do
03:09:47 17 greatly appreciate your interest and your participation
03:09:50 18 in the board's environmental review process.

03:09:56 19 Additional comments can continue to be
03:09:58 20 provided through August 24th, either in writing to the
03:10:03 21 board or on the project Web site, electronically,
03:10:08 22 tonguerivereis.com.

03:10:11 23 That concludes this afternoon's meeting.
03:10:14 24 We'll have another meeting here in this same room this
03:10:17 25 evening at 6:00 p.m., and two meetings tomorrow are

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03:10:21 1 scheduled in Colstrip.

03:10:25 2 So thank you all for coming, and we look
03:10:29 3 forward to hearing more from you.

03:10:31 4 Thanks.

03:10:31 5 (Whereupon, the proceeding
03:10:31 6 concluded at 3:10 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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