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Organization: Sleeping Giant Citizen's Council

State: Montana

Agency: Surface Transportation Board

Initiative: Tongue River Railroad

Submission Text

Sleeping Giant Citizens Council is a citizen-based affiliate of Northern Plains Resource Council in Helena, Montana and the Surrounding counties. Sleeping Giant organizes over 100 citizens to protect our land, water, and communities. We would like to urge the No Action Alternative on the draft Environmental Impact Statement for the Tongue River Railroad. The proposed Tongue River Railroad, if built, would have significant impacts on the community of Helena. Any increase in rail traffic would affect the daily lives of people in our community through greater traffic congestion, delayed emergency response, increased safety hazards, more air and noise pollution, and negative impacts to the agricultural industry, just to name a few. As it stands today, all these costs fall onto communities like ours that are already faced with limited resources. If the TRR is built, companies will get the profits, Asia will get the energy, and Montanans will pay the costs. Many of the downrail communities facing these impacts asked to be considered in the EIS. The STB ignored these requests, falsely claiming that this coal is destined for Midwestern power plants. Sleeping Giant Citizens Council hosted a Peoples Hearing in Helena to collect oral comments on the draft EIS. Over 40 people attended the community, and 11 of those people provided oral testimony. The individual comments of those members of our community are attached. Please consider these comments individually and thoroughly address our concerns in the final EIS. Thank you for your consideration. Sincerely, Jayson O'Neill, Chair, Sleeping Giant Citizens Council

Jayson O'Neill

909 North Dakota Street, Helena, Montana, 59601

My name is Jayson O'Neill, That's spelled J-A-Y-S-O-N O-'-N-E-I-L-L. I live at 909 North Dakota, Helena Montana not North Dakota. I just have a few brief comments. The Tongue River Railroad will impact Helena. For the Surface Transportation Board draft EIS to ignored down rail communities is doing a disservice to the Board and ultimately to the people who they are supposed to represent and serve. As a resident of Helena I am concerned about the upwards of 7.4 1½ mile-long trains that would travel through our community, increasing congestion, harming air quality with diesel fumes from the coal trains, coal dust, emergency response delays, and noise pollution if this railroad is approved.

I strongly urge you to consider the entirety of the project and the 2.5 million tons of carbon that would be released should the railroad serve the Otter Creek coal tracks. I support the no action alternative, and just as a side note, Bob mentioned that in one train crossing at Montana Avenue, for us to upgrade that in Helena would cost 21 million dollars.

Shiloh Hernandez

566 Highland Street, Helena, Montana 59601

My name is Shiloh Hernandez, S-H-I-L-O-H H-E-R-N-A-N-D-E-Z. I'm a member of the Sleeping Giants Citizens Council. I'm a Helena resident and a parent of two young children ages three and two. I think that the Tongue River Railroad should not be built. Otter Creek should not be strip mined. The United States Government should not sanction destroying Montana's water, our community, and our atmosphere simply to enrich the shareholders of a private corporation by exporting coal.

Coal is an energy source that belongs in the last century. The writing is clearly on the wall. The leading coal companies in the United States have experienced 90% reduction in their share values in the past eight years. It's not just Arch Coal, it's all of them. The market for coal is falling apart. Coal is a dead man walking, and the state of Montana should not put any bets for our future on additional coal development.

I'm just going to address three concerns of air quality that need to be addressed in this Environmental Impact Statement, none of which I believe are adequately addressed. First is the local pollution from coal trains, both coal dust and diesel particulate matter. Some of you might have noticed that just this year Helena received an F for air quality from the American Lung Association. We're teetering on the brink of being a non-attainment area for particulate matter. Diesel locomotives are major sources of particulate matter and diesel emissions are a recognized carcinogen by the World Health Organization. The train tracks in Helena cut right through the center of our city and go past numerous educational institutions, (Capital High, Helena High, Carroll College), areas where people who are particularly sensitive to air pollution are; children that are developing lungs and they spend a lot of time outside. They don't need to be breathing additional air pollution, especially given our current air quality.

The second issue is mercury pollution, and this involves the combustion of the coal. We know where the coal is going. It's going to Asia. It's not going there to build houses. It's going there to be burned, burned to generate energy. When you burn coal it releases a host of noxious pollutants. One of the most nefarious is mercury. Mercury is a potent neurotoxin. That means it kills the brain. It is particularly harmful to developing children and fetuses. Right now Montana's waters are extraordinarily polluted with mercury. You might not know it, but some of the waters repeated as the most clean waters in our state, Flathead Lake and the lakes in Glacier National Park, have fish with levels of mercury in them that's so high that you can't eat very many of them. There are fish consumption advisories for mercury throughout all water bodies in the state of Montana. How does the mercury get there? It's from atmospheric deposition. It comes from the air. Recent studies show that 50% of the mercury being deposited in the Western United States comes from Asia. So when the coal from Otter Creek is transported to Asia and burned, it's just going to come back to us. It's going to poison our

waters. It's going to poison our children. This issue needs to be addressed in the EIS. It's clearly foreseeable.

The final issue that I want to address in my remaining minute is green house gas pollutants. The inner governmental panel on climate change issued a report last year, basically the summary of all the good science reviewed by all the nations in the world. Their conclusion is that the impacts of climate change are going to be severe, pervasive and irreversible if we don't do something about this fast. Climate change is the moral issue of our time. The Pope is going to issue an Encyclical on Thursday addressing the moral implications of climate change. As Kate mentioned, the poorest and the most vulnerable will suffer the most from climate change.

The impact of climate change from the combustion of the coal at Otter Creek, transported via the Tongue River Railroad, and exported to coal export terminals on the west coast need to be assessed in the EIS. Getting beyond the moral argument, the EIS needs to address the monetary cost of this. Montana all totaled, at the end of the day, we get about one dollar in royalties and taxes from each ton of coal that's mined. The United States government had an inner agency working group on the cost of carbon pollution to assess how much damage is caused by one ton of carbon pollution. The middle value they came to was \$38, so for every one dollar we get from a ton of coal, the global environment suffers \$38 in harm. That's not a good trade off. It's not good for us and it's not good for the world. Approving a project to gain one billion dollars in revenue from one billion tons of coal, if that's going to cost 38 billion dollars in climate impacts, that's crazy. In legal talk that's arbitrary and capricious. It needs to be assessed in EIS, and it's just one more reason that the Tongue River Railroad should not be built, and Otter Creek should not be strip-mined.

Thank you.

John Hollow

800 Second Street, Helena, Montana, 59601

My name is John Hollow; I live at 800 Second Street in Helena, Montana. My son is a Coast Guard rescue swimmer, and never before has the US Coast Guard ever been stationed in Barrows. We are now stationed in Barrows because of global warming. It exposes him. It exposes the natives that live in that area because of the waters that get some time to build up to destroy their cities. That's point one. We've got to think beyond whatever value Arch Coal has to Arch Coal Company.

Two, I had a small construction project last year. Every contractor... Well, no contractor is perfect. A contractor in Helena going from a site south of town to a site north of town because the three or four places to buy are north of the tracks. Just for anybody that builds in town, the disruption of more train traffic, stopping people from just running an errand, is huge.

Next, schools. Helena is about to build schools on the north side of the tracks for high schools. That means every kid in Helena which is about 40% of our student population is going to have to cross the tracks, and there's only two places to cross them. They're not going to choose those two places because it's further. Please consider Helena students in thinking about whether you allow this railroad.

Three, Helena is now 23 million dollars behind in terms of project. If you add a 21 million dollar project to the cost of the Helena citizens to go over Montana Avenue, which is our main route north, south it's not fair. We shouldn't have to pay for it and it shouldn't be built. Whether you're talking about allowing Russia to patrol around Alaska because of open water because of global warming and exposing coast guard people up there, whether you're talking about students trying to get to school, or whether you're talking about cost to a city from a project, none of it makes sense.

Lastly, when this coal really declines, not just the 30 or 40% it's already declined as use, what's going to happen to the ranchers down in that area is the tracks will become storage tracks, much like our tracks going north of Helena towards Wolf Creek. So you've not only bisected a ranch, and you've not only stopped the springs from flowing down hill into the river and creating pools where mosquitoes are harbored, but you're going to now stop the cows from even going over the tracks because you're going to be storing your coal cars there when they're not used anywhere else.

Thank you.

Tim Holmes

446 North Hoback Street, Helena, Montana 59601

My name is Tim Holmes, H-O-L-M-E-S. I'm a Helenan. I'm very much opposed to the expansion of this project. I'm really concerned about the invisible costs. We like to innumerate the things that are easy for us to see, but there's no way we can innumerate the things that we can't see. I am a sufferer of respiratory problems and in the spring time and the fall I like to be able to say oh yeah, this is the pollen season so that's why I'm breathing this way. With more coal particulates in the air, it affects every one of us, and my condition is going to get worse as well as anybody else, regardless of how healthy they are.

But I don't walk to talk about myself. I want to talk about a different story that I heard about recently, when I was talking to my sister about the Tongue River expansion project. She takes her daughter across the tracks to go to school at Lincoln School. When I told her there was going to be more trains on the line, she started enumerating all of the difficulties that that would present to her and her daughter. She started out by saying, "I am just one person and this is one example of how this is going to disrupt our community". Again, this is an invisible consequence. If her daughter is late getting to school because of a train crossing the daughter is going to get in trouble at school, she's going to miss part of her educational day, and my sister misses time from work. If one day she has to go and pick up her daughter who is sick from school, it causes mental anguish as well as health ... I don't know how you innumerate the difficulty in that kind of a situation, where you're worried about your daughter and you can't get to her, or you can't get back to get her to the hospital if that's necessary. These are the kinds of issues that every one of us in the community faces. Sometimes we're just running an errand and it doesn't matter if I'm getting some bolts at the hardware store. It doesn't really matter all that much if I'm delayed, but sometimes it is a very critical situation, and there's no way we can plan for this.

In addition to the things that Shiloh mentioned, the pollutants and the particulates that we have to put up with and the noise and everything else, there are these invisible issues that become very hard for us to be able to even imagine. This is an example because I've been really trying to stay ahead of these issues and be educated on this stuff. I have never thought about what this does to the parent of a kid just in the daily business of taking your kid to and from school, four trips a day. If any one of those trips is interrupted with another train that's another thing that the people in the community have to pay for. So, I am absolutely opposed to this.

Thank you.

Mary Ann Dunwell

2520 Lookout Circle, Helena, Montana 59601

Hello everybody. Thanks for the opportunity to provide testimony on the draft EIS for the Tongue River Railroad. I'm Montana representative Mary Ann Dunwell. I represent a portion of the capital city of Helena and the city of East Helena. I live at 2520 Lookout Circle in Helena and I am a strong opponent of the draft EIS for the Tongue River Railroad. It would lead to a permit that runs counter to President Obama's clean power plan and states' responsibilities to comply with the plan to reduce polluting green house gas emissions. We need to be phasing out coal not jump starting it. This all flies in the face of state, national and global efforts to meet the challenge of climate change, our number one public health problem.

Also, the Tongue River Railroad will slice through productive ranch and farm land. Agriculture is Montana's top industry. The lives and livelihoods of countless Montanans depend on agriculture. This railroad would run roughshod over farming and ranching in favor of king coal and frankly king coal's reign is just about done. Arch Coals mine near Otter Creek doesn't even exist yet. Another thing, clean water, the very life blood of Montana farmers and ranchers, will be in jeopardy as we've heard. Sadly, this past legislative session, state legislators passed a couple of very bad bills that threaten downstream water use, all in favor of upstream Arch Coal and this Otter Creek Mine that doesn't even exist yet. It's time we need to act upstream before these laws can even benefit the cooperation and harm hard working farmers and ranchers.

Then there's the coal trains through our communities. I mentioned that I represent Helena and East Helena; coal trains cut right through both communities as it is and they already compromise the public health and safety of the residents. The Tongue River Railroad would multiply the number of trains and exponentially increase the risk to health and safety, something that draft EIS just simply leaves out in its 4000 pages.

Finally, federal action in favor of this railroad would do a great disservice to the public interest convenience and necessity. Coal has over extended its welcome in the market place. According to an article recently in the Billings Gazette by reporter Tom Lutey, "Arch Coal is about to be delisted from the New York Stock Exchange because it's consistently traded for less than a dollar a share. It's per share stock price was 45 cents recently. Arch lost 558 million dollars in 2014 and 641 million dollars in 2013, and its long term debt exceeds 5 billion dollars."

Compare that scenario with renewable energy. In the last ten years since Montana's renewable energy standard has been in effect, renewable energy has created 100 jobs a year totaling 1000 jobs, if you want to talk jobs. That job growth is expected to continue through 2020. Renewable energy has pumped 17 million dollars into the gross state product. The public interest convenience and necessity will be to explore avenues to further the development and use of renewable energy, not waste your time, our time, tax payers' money to keep coal on life support, and that's what this is. Please do not approve the draft EIS for the Tongue River Railroad. Thank you.

Duane Catlett

10 Sidewinder Loop, Montana City, Montana 59634

My name is Duane Catlett. I am here to oppose the Tongue River Railroad. Strongly I oppose it. I live in Montana City, but Helena is really my home. I spend 90% of my time, it seems, in Helena. I'm going to just refer to a couple of historical things. The first is, I was only slightly older than Kate when my son and I, who was two years old at the time, observed his birthday while we were watching Neil Armstrong land on the moon. The significance of that is that he sent back pictures of earth looking over the moon landscape, and for those of us that observed that at the time, it was a real wake up call. Climate change is real folks. There is no other earth. If we believe in a future life for our children and grandchildren and those that come after that, then we have to care about the Tongue River Railroad. That's historically speaking.

Someone earlier mentioned that Montana is looking forward to a spell of dryness. California's been under extreme drought for several years now, and Montana, in a recent article that I looked at, is listed as very high for future long-term drought. That means that we have to care about water. We already know that the glaciers are going to be gone by 2025 or something like that. I spend a lot of time in glacier. I've been walking around on a lot of those things. So, it's meaningful to me. I grew up in the sand hills of Nebraska, if anyone is familiar with the Niobrara River, which flows through the sand hills, is very comparable to the country side that we're talking about in this case.

Historically, I have a lot of empathy for what we're talking about here. If there is any reason for fighting this we can look at climate change, but if you get closer to the ground, and a lot of the testifiers have talked to that, that's where people's lives are effected, and they're going to be effected here in Helena, in Missoula, and everywhere along the railroad line. To take geologic carbon out of the ground and transform it into CO₂ makes zero sense at all. Whatever happened to values? Neil Armstrong raised the awareness of the value of this earth, and it caused our legislature, our congress, to enact the clean air water act in 1972. It seems like that's been eroded over the last 20 or 30 years to the point now where a cost benefit analysis takes the place of values. We need to return to a value benefit analysis not an economic analysis.

Thank you very much.

Lynn Jennings

207 East 14th Street, Helena, Montana 59601

My name is Lynn Jennings, and I live here in Helena. Some of what I'm going to say has already been said, but I'm going to say it again. We Montanans are not naive, gullible, backwards people who aren't aware that building the Tongue River Railroad would tear up our land, destroy water quality, ruin wildlife habitat, destroy Native American cultural and sacred sites, destroy southeastern Montanans' livelihoods, increase coal train traffic and coal dust, increase health hazards, and add billions of tons of new green house gas emissions into the atmosphere. Southeastern Montana has already suffered all of these impacts due to mining and coal transport being done there for decades.

When we continue to allow the insidious encroachment of corporations that disguise the devastation of our lands behind phrases like boosting the economy, providing jobs, revenue for the state, opening the Otter Creek Coal Mine will be better for climate than leaving the coal in the ground, lower cost of energy, and clean coal. We all lose. We lose our clean air, our clean water, and the very wildness of our land. We diminish our relationships to the earth.

The proposed plan for the Tongue River Railroad development is fatuous and wrong for Montana. I'd like to read a poem called The Requiem by Kurt Vonnegut.

The crucified planet Earth, should it find a voice and a sense of irony, might now well say of our abuse of it, "Forgive them, Father, they know what they do." The irony would be that we know what we are doing. When the last living thing has died on account of us, how poetical it would be if earth could say, in a voice floating up perhaps from the floor of the Grand Canyon, "It is done." People did not like it here.

I think this is where we're going with the Tongue River Railroad. I'd like to know why the Surface Transportation board ignored and failed to include in the draft EIS the impact to the western rail line towns and cities that we all know coal will be transported through. As we say in Montana the Surface Transportation board needs to "cowboy up", tell the truth, do what's right for all of us and give a damn about the earth.

Choose the no action alternative.

Frank Kromkowski

1207 Houser Boulevard, Helena, MT 59601

Hello my name is Frank Kromkowski; my name spells just like it sounds K-R-O-M-K-O-W-S-K-I. I live at 1207 Houser here in Helena. I don't represent anybody, but I know what I care about. I know I care about my six grandchildren and my great granddaughter who is a year and a half.

I want to add, in Helena and in Montana and every place on earth for all the kids like them, a place that is safe, healthy to live in, and does not sacrifice their lives and their safety to the profits to someone like Arch Coal, which wants to use Montana resources and make us pay for infrastructure that would help them make profits. They're losing billions of dollars in their reckless use of coal energy at the moment, but the age of coal is over. We know that. The only reason that they want to do this is that they want to continue profiting on something that they had been profiting on for a long time. But I don't want my grandchildren and my great granddaughter Harper to be the victim of their greed and their profits because it is true as others have said that economics is not the only issue.

I like the idea of E.F. Schumacher from years ago; he said "You've got to remember that economics is the branch of ethics." That was in his article Buddhist economics back in the 70's. And that's true. What we do with our resources is judged by ethical values not merely financial values.

The cost to us right here in Helena in terms of eight additional trains, which will cause disruptions, more diesel fuel, more air pollution, all of it being profit for Arch Coal in their hopefully never started Otter Creek Mine, will take that coal not for the benefit of citizens anywhere, but will be at the destruction of citizens everywhere. The coal people in China, it will not come back to us except as pollution and profit for Arch Coal. Those are not my values, those are not the things I care about so I ask the Surface Transportation Board to scrap this draft EIS and start looking at the actual impacts for people all across Montana, and to stop deferring in some way to Arch Coal because of the few jobs they do create out in eastern Montana.

Thank you very much.

Elena Johnson

212 North Ewing Street, Helena, Montana, 59601

My name is Elena Johnson; I am a Helena resident, I live at 212 North Ewing Street. I strongly oppose this draft EIS. On a Helena community level, I'm concerned about the air quality. As is, you already see it, you go cross country skiing at Green Meadow and you can see the snow stained with coal every winter. I do not want that getting any worse. On a larger scale, I oppose it in terms of agriculture. It doesn't make any sense to be disrupting our precious land. We're already in a food crisis. I strongly believe in keeping the land as is and not jeopardizing our food systems.

Patrick Johnson

519 Third Street, Helena, Montana 59601

My name is Patrick Johnson. I was born and grew up in Sunburst, Montana, a small town up in the high line. I now live at 519 Third Street here in Helena. I mentioned my home town because 60 years later, after the closure of the refinery there, we're still dealing with the environmental consequences of that, including a gas flow that had a radically negative impact on people I grew up with, including members of my family. The Tongue River Railroad doesn't just affect the people in the state of Montana, let alone the people living in that part of our state. It affects everybody in this country, and indeed every part of the world.

There's no rational reason for the Surface Transportation board to make a public policy decision, and this is a policy decision, to approve the building of that railroad, no rational reason. While economics is not the focus of draft EIS, it's clear that from what we've heard today and what we've all read that Arch Coal Company is on the skids. There's no reason to believe among other things that they could float a construction bond, for example, to build the railroad. As a result of that, what's likely to happen is the Surface Transportation Board may indeed, and I hope that they don't, issue a permit to allow building the railroad, but Arch Coal will end up dropping the ball, and we the people, and other folks around the country, will be left holding the economic consequences of a failed construction project.

From a public policy point of view, it simply doesn't make sense to engage in the building of the Tongue River Railroad. We also have an obligation as citizens of the world to pay attention to what's going on in China. Others have very eloquently talked about the demise of coal, and I also believe that. The impact upon the citizens of Helena, indeed the people in Hood River, all across the railroad lines that would stem from the Tongue River Railroad are clear. There's nothing in a positive light to suggest that this railroad ought to be built. It simply doesn't make sense. What that leads me to believe is that if the Surface Transportation board does issue a feasible decision relative to building the railroad, it's pure politics. It's not good public policy; it's simply politics, which makes me question the integrity of the members of that board.

Thank you.

Bob Filipovich

927 Eighth Avenue, Helena, Montana 59601

My name is Bob Filipovich; it's F-I-L-I-P-O-V-I-C-H. I've lived at 927 Eighth Avenue, Helena for the last 27 or so years. I'm opposed to building the Tongue River Railroad. I've discovered in the research I've been doing that although as a society we've thought a fair amount about the burning of coal, for instance the mercury and sulfur that have been mentioned, green house gasses more recently, studies, for example, done by Green Peace and by Open Source have almost paid no attention to this issue of transportation. What I'm trying to say here is that we haven't really had a lot of time to think about the effects of transportation of fossil fuels, in this case coal. Therefore, we don't really know too much about them.

The second point is quite local. I'm a member of the Lewis and Clark County/Helena Transportation Coordinating Committee. That committee has just drawn up its once-a-decade transportation plan. It's been mentioned once already that the underpass that would run between the railroad and Montana Avenue, the cost of that is estimated in the draft plan at approximately 21 million dollars. I want to remind you that there are actually eight crossings within the study area for this plan, including East Helena. The situation from that perspective becomes a little more complicated. Suffice to say here that Henderson intersection would have to be deepened and widened. That's an underpass, that's expensive.

The Benton crossing, which is right part of another priority in the draft plan, namely the widening of that avenue to the north of the railroad there. The Montana Avenue crossing is part of another priority, a roundabout, and that would address the octopus intersection of Helena Avenue. What I'm trying to say here is that there's a whole lot of tax dollars involved in these railroad crossings. As far as I can tell, they're the most expensive part of the transportation parts of the transportation plan if they're taken as individual priorities.

Further is the long view. Montana has been involved with what has come to be called economic colonialism before. You remember amalgamated copper? Also known as the Anaconda Company, also known as the company. We've seen that. We've seen the effects of that in all sorts of that in all ways that were pretty darn ugly. In the last legislative session, I think I saw a kind of reincarnation of that economic colonialism, in the form of fossil fuel lobbying, pretty successful lobbying I must say. Most of it having to do with oil and gas and drilling eastern Montana, but it looked to me a lot like what we saw in this state 100 years ago. I think we need to keep that in mind. History rhymes, doesn't necessarily repeat itself, but I ask you to keep it in mind.

Thank you.