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Organization:

State: Montana

Agency: Surface Transportation Board

Initiative: Tongue River Railroad

Submission Text

Attached, please find an official editorial by the Billings Gazette earlier this week expressing concern about the negative impacts of the Tongue River Railroad. Also this week, the Northern Cheyenne Tribe and the City of Missoula, MT both weighed in officially opposing the proposed TRR. They join a growing bevy of folks opposed to the railroad, which has led to recent newspaper headlines like "Many voice their opposition to Tongue River Railroad" and "Tribal members, ranchers tell regulators to spike Tongue River railroad project". The Tongue River Railroad is not in the public interest and its permit application should be denied. Additionally, while there is clearly no market for Tongue River coal- one of the many reasons the permit application should be denied- if the STB persists under the erroneous conclusion that there is one, the agency must take demand elasticity into account in its analysis of the greenhouse gas emissions and coal train traffic caused by the TRR. It is clear that the volume of coal available on the market risks impacting coal prices, and it is clear that any change in pricing may impact power prices, and therefore demand. If Tongue River coal affects coal prices, it will affect demand. As a somewhat related example, Australia's carbon price led to an increase in power prices, which researchers from the Crawford School of Public Policy at The Australian National University argue was responsible for a 3.8% decrease in electricity demand and a 8.2% decrease in emissions (the study is available here: https://ccep.crawford.anu.edu.au/sites/default/files/publication/ccep_crawford_anu_edu_au/2014-07/ccep1411.pdf). Additionally, the Irish Commission for Energy Regulation coordinated a randomized control trial in the Irish residential electricity market, in which they found that time-of-use tariffs (e.g. increased power prices at certain times of day) had a significant impact in reducing electricity consumption, particularly during peak price times (you can read about it here: <https://ideas.repec.org/p/pramprapa/39971.html>). The STB's myth of perfect substitution of coal is untenable, and a deficiency in the DEIS.

Gazette opinion

Tongue River Railroad takes its toll on landowners

Mark Fix and Clint McCrae were much younger men when they first started fighting construction of a railroad that would condemn a swath of their farm and ranch land in southeastern Montana.

It's been an uphill battle for 30 years for these irrigators and their neighbors who don't want a railroad bisecting their ranches in the Tongue River Valley.

The federal government is once again processing a Tongue River Railroad proposal. This time, a company formed by Arch Coal, of St. Louis, Mo., BNSF Railway Co. of Fort Worth, Texas, and candy industry billionaire Forrest Mars is seeking the railway permit. Mars owns a large acreage in the area. Arch has leased state and private coal deposits at Otter Creek, which would be a terminus of the proposed railroad, which would connect to the BNSF main line.

The Surface Transportation Board must consider that the stated goal of the railroad is to ship coal from new Montana mines to markets in Asia and the upper Midwest.

As McCrae said: "We don't think it's right for a private, for-profit corporation to condemn private land to export coal to China."

A permit was first issued for an 89-mile Tongue River Railroad to Decker in 1986. Since then the railroad company has repeatedly changed its route request, has been granted new permits, and has been sued by railroad opponents, including members of the Northern Plains Resource Council. The latest company proposal is building a 41-mile line between Ashland and Colstrip where the new railroad would meet an existing BNSF line.

The Surface Transportation



LARRY MAYER/Gazette Staff
Clint McCrae, who runs the Rocker Six Cattle Co. near Colstrip, hooks up a trailer after feeding cattle. His family's ranch could be divided by the Tongue River Railroad.

Board decided to analyze that route and eight other routes. The 10th alternative reviewed is doing nothing. That's what Fix and McCrae want: the no action alternative. The Surface Transportation Board won't announce its "preferred alternative" until it releases the final EIS.

So far, the STB analysis has produced a humongous 4,000-page document that discusses dozens of potential impacts, such as spreading noxious weeds, fires, effects on minority and low income populations, noise and traffic. But the document doesn't specifically analyze how the railroad would affect agricultural operations along the route.

There are places where some routes would cut livestock off

from existing water sources. The farmers complain that the DEIS wrongly assumes cattle will safely cross under the railroad through culverts. They worry that if train equipment sparked a fire, there are no roads to provide firefighting access.

"The railroad is a barrier for cattle," said McCrae, who operates the Rocker Six Ranch. At branding time, for instance, cattle gather themselves and cowboys don't have to round them up. But cattle won't cross railroad tracks, so McCrae would have to hire more help to bring in the cattle and move them back out to graze. He worries about the cost of liability insurance for railroad crossings on his property and the cost of the crossings.

He worries about the "dead zones" where cattle would be cut off from existing water supplies by the railroad. He doesn't expect to be compensated for loss of grazing.

Supporters of the railroad generally have had positive comments about the DEIS. When the document was released in April, a BNSF spokesman told The Gazette the report was "extremely thorough, so we are pleased to reach this milestone."

The Montana Coal Council supports the railroad, saying it will bring new jobs and increased coal royalties to our state.

But there is a caveat in the DEIS, which found that coal shipments from this railroad will simply displace other coal shipments

Map online
To view a map showing some of the Tongue River Route alternatives, go to the link with this Gazette opinion at billingsgazette.com.

from the Powder River Basin. There would be no net gain in U.S. coal production. This replacement effect begs the question of which other mines would lose market share to the new mines?

This is a tough time to be promoting a coal railroad. Domestically, low natural gas prices and a push to reduce SO2 emissions are softening demand for coal. Globally, China's economic growth has slowed significantly, curbing its demand for coal.

"If it goes through, it's definitely not going to be the same land," Fix said. "Where is the public convenience and necessity when you can't even tell us where the railroad is going?"

Fix told of delaying purchase of circle pivot irrigation equipment in his field that was marked for condemnation in one the earlier proposals. After many years of worrying and no railroad, he decided to take the risk and invest in the irrigation equipment.

Now Fix, his neighbors, their children and grandchildren face the prospect of either selling land they don't want to sell at a price they do not set – or living for perhaps another 30 years with the uncertainty of when a railroad might divide their farms and ranches.

It doesn't seem right. In a state and nation that highly values private property rights, a private company can receive federal authority to damage private farm land or leave farmers and ranchers in limbo for decades. The Tongue River Railroad might never be constructed, but it's already taken a toll.

Pope Francis' fact-free flamboyance

WASHINGTON — Pope Francis embodies sanctity but comes trailing clouds of sanctimony. With a convert's indiscriminate zeal, he embraces ideas impeccably fashionable, demonstrably false and deeply reactionary. They would devastate the poor on whose behalf he purports to speak — if his policy prescriptions were not as implausible as his social diagnoses are shrill.

Supporters of Francis have bought newspaper and broadcast advertisements to disseminate some of his woolly sentiments that have the intellectual tone of fortune cookies. One example: "People occasionally forgive, but nature never does." The Vatican's majesty does not disguise the vacuity of this. Is Francis intimating that environmental damage is irreversible? He neglects what technology has accomplished regarding London's air (see Page 1 of Dickens' "Bleak House") and other matters.

Hyperbolic encyclical

And the Earth is becoming "an immense pile of filth"? Hyperbole is a predictable precursor of yet another U.N. Climate Change Conference — the 21st since 1995. Fortunately, rhetorical exhibitionism increases as its effectiveness diminishes. In his June encyclical and elsewhere, Francis lectures about our responsibilities, but neglects the duty to be as intelligent as one can be.

This man who says "the Church does not presume to settle scientific questions" proceeds as though everything about which he declaims is set-



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tled, from imperiled plankton to air conditioning being among humanity's "harmful habits." The church that thought it was settled science that Galileo was heretical should be attentive to all evidence.

Francis deplores "compulsive consumption," a sin to which the 1.3 billion persons without even electricity can only aspire. He leaves the Vatican to jet around praising subsistence farming, a romance best enjoyed from 30,000 feet above the realities that such farmers yearn to escape.

The saint who is Francis' namesake supposedly lived in sweet harmony with nature. For most of mankind, however, nature has been, and remains, scarcity, disease and natural — note the adjective — disasters. Our flourishing requires affordable, abundant energy for the production of everything from food to pharmaceuticals. Poverty has probably decreased more in the last two centuries than it has in the preceding three millennia because of industrialization powered by fossil fuels.

Peronist populism

Only economic growth has ever produced broad amelioration of poverty, and since growth began in the late 18th century, it has depended on

such fuels.

Francis grew up around the rancid political culture of Peronist populism, the sterile redistributionism that has reduced his Argentina from the world's 14th highest per-capita GDP in 1900 to 63rd today. Francis' agenda for the planet — "global regulatory norms" — would globalize Argentina's downward mobility.

As the world spurns his church's teachings about abortion, contraception, divorce, same-sex marriage and other matters, Francis jauntily makes his church congruent with the secular religion of "sustainability." Because this is hostile to growth, it fits Francis' seeming sympathy for medieval stasis, when his church ruled the roost, economic growth was essentially nonexistent and life expectancy was around 30.

Francis' fact-free flamboyance reduces him to a shepherd whose selectively reverent flock, genuflecting only at green altars, is tiny relative to the publicity it receives from media otherwise disdainful of his church. Secular people with anti-Catholic agendas drain his prestige, a dwindling asset, into promotion of policies inimical to the most vulnerable people and unrelated to what once was the papacy's very different salvific mission.

He stands against modernity, rationality, science and, ultimately, the spontaneous creativity of open societies in which people and their desires are not problems but precious resources. Americans cannot simultaneously honor him and celebrate their nation's premises.

Pontiff's actions speak louder than his words

WASHINGTON — A danger for all of us in the column business is that we'll look for political meaning in Pope Francis' big speeches and ignore what he actually does while he's here.

Yes, his words will matter, and Francis will have an enormous impact both on American politics and on politics inside a divided American Catholic Church.

Progressives will highlight everything the pope says about climate change, immigration, social justice and capitalism. Conservatives will grab on to every statement he makes against abortion. Both sides will look for how he describes "religious liberty." Will he talk about the fight over contraception coverage in the Affordable Care Act (as conservatives hope), or will he concentrate on the persecution of religious minorities, including Christians, around the globe?

It's hard to see how progressives don't come out ahead, simply because the pope has radically reordered the priorities of the church. He is not fighting culture wars. He is fighting against them. This, in part, is what accounts for his broad popularity among former Catholics, Americans of other faiths, and even secularists and atheists.

Someone speaking in Spanish (the language of most of the pope's coming addresses) about justice, poverty, a warming planet and the imperative of welcoming immigrants would not have gotten a warm reception at the Republicans' presidential debate last week.

Francis' searing words about the injustices that capitalism leaves in its wake have led many conservatives to denounce him as a Marxist. One imagines more uncomfortable moments for those who don't like anyone to point out imperfections of the market system.

Pope puts last first

But seeing Francis only as a player in our political fights is misleading. To begin with, he is — both spiritually and politically — far more radical than most Americans, including most liberals.

While he has been quite specific on some political questions (the climate and immigration especially), what characterizes his mission is an effort to turn our notions of who counts and who has the strongest claim on our attention upside down.



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As important as hearing Francis' words will be paying close attention to whom he chooses to visit while he's here. In his value system, the last really are first.

In a moving New York Times piece about one of the pope's planned stops in New York, columnist Jim Dwyer described the invitation list: "carwashers ... Hudson Valley farmworkers, day-laborers, immigrant mothers and teenagers and children who have crossed the border without their parents." In Philadelphia, Francis will visit the city's largest jail. In Washington, he will bless the needy who get help from Catholic Charities. His ministry will be right out of what the Catholic Mass says of Jesus: "To the poor he proclaimed the good news of salvation, to prisoners freedom, and to those in sorrow joy."

Francis will be calling everyone (liberals no less than others) out of complacency. It seemed providential that the readings at Catholic Masses leading up to the pope's visit included these words from the letter of James: "Be doers of the word and not hearers only," and "faith of itself, if it does not have works, is dead."

Inspiring guilt

If Francis inspires widespread Catholic guilt about our individual and collective failures to pay attention to those whom he's lifting up — well, isn't that part of his job description?

Leaders of the church may feel some guilt, too, if he echoes what he once said during a trip to Brazil: "Are we still a church capable of warming hearts?" he asked. And he did not need a focus group to issue a call for "a church which realizes that the reasons why people leave also contain reasons why they can eventually return."

My friend Father Tom Reese has observed that Francis "preaches the Gospel not the catechism." That the Gospel is radical will take many people aback. Challenging our assumptions is what Francis is here to do.

VOICE OF THE READER

It's time to leave the Middle East

It's high time to get out of the Middle East.

Nothing Washington does over there makes the situation better for the large masses of people or for the U.S. taxpayers who finance it all.

Saint though he was not, at least Saddam Hussein kept a lid on sectarian disputes and didn't allow groups like al-Qaida or ISIS to get established.

By taking his regime out and pretty much bombing Iraq to rubble, Washington changed all that. Which means that the current refugee crisis is largely America's fault, even if some of the refugees weren't fleeing for fear of U.S. bombs.

Let's just get out, let the different factions fight it out and then decide what sort of relations to have with the winners.

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Letter policy

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A writer may have a letter published no more often than once in 30 days.

All letters must include the writer's full name, mailing address and phone number.