

Submission Number: *FD-30186-000113*

Received: 7/27/2015 2:10:56 PM

Commenter: Clinton Nagel

Organization:

State: Montana

Agency: Surface Transportation Board

Initiative: Tongue River Railroad

Submission Text

Please accept my comments below in the attachment. Thank you for providing me this opportunity to comment.

July 27, 2015

Dear Surface Transportation Board:

Thank you for allowing me to publicly comment on the draft Environmental Impact Statement (EIS) which analyzes the environmental, social and economic impact of the proposed Tongue River Railroad (TRR). As you know the purpose of the TRR is to deliver coal from the proposed Otter Creek Mine in southeastern Montana to ports along the West Coast. These are ports which would then ship the coal to markets overseas. But it is hard for me to comment on this proposal in addressing the transportation of coal from the Otter Creek Mine without also thinking about the additional impacts from processing the coal from the mine. For in both cases you can't and wouldn't have one without the other.

1. There are statements contained within the EIS which suggest markets may exist in the Midwest and other parts of the United States. I feel this statement is based upon hope and assumption rather than anything else. The fact that existing markets would divest from their current market to Powder River Basin coal is speculative at best and the EIS should state so. This EIS provides no such proof that existing coal markets would make this move; the document just states these markets "could" not that they "would". If anything, coal markets in the United States and around the world are declining. Arch Coal themselves are on the verge of bankruptcy and the EIS should address the solvency of the financials of the host company poised to do the work. I feel that this proposal is the last gasp attempt by Arch Coal to remain solvent and it does so at the expense of the local land owners and the general public. This is strictly a private corporation venture to increase profits at the harm of the global and local environment and the general public.

But market assumptions were not the only assumption made within this EIS. If the truth be told, when it finally comes down to the facts, no one knows the extent of the negative impacts from this proposed coal mine and railroad. And this is the danger. I have been against this proposal from the beginning and for many reasons. To be honest, this EIS has not changed my opinion. In fact if anything, it has reinforced my belief that mining Powder River Basin coal and the building of this railroad are bad for America's environment and bad for America's economy. This among other reasons is why I vote for the No-Action Alternative.

2. As I said there are many reasons for my opposition to the building of this railroad. Let's start with climate change since that is my primary concern. Section 5.2 talks about Greenhouse Gas (GHG) emissions and Section 5.3 talks about climate change. I find it interesting that Section 5.3 talks about climate change, but not in the capacity of what we might think. Section 5.3 does not talk about how building the railroad, mining the coal, or the burning the coal would accentuate climate change. But instead it talks about how climate change would adversely affect the building of the railroad. More on that later, but for now let me list one example of the many weaknesses stated within the EIS. On page 5.2-33 there is this statement.

"Net accumulated life-cycle GHG emissions would range from a reduction of 1.7 MMTCO₂e to an increase of 81 MMTCO₂e. On an annual basis over 20 years, the low end of the net life-cycle GHG emissions estimated by OEA is a GHG reduction, equivalent to taking approximately 17,600 vehicles off the road. The high end of the estimate is equivalent to the annual GHG emissions from 855,000 vehicles on the road, or about 0.8 percent of the U.S. light-duty vehicle fleet in 2012.13"

Just to be clear "MMTCO₂e" equates to "million metric tons of carbon dioxide equivalent". But this is a huge range for an estimate and one example of the weakness of this report. We probably would never know the exact amount of GHG emissions which would be released into the atmosphere unless extensive monitoring was to take place after the proposals approval. But then again, these numbers just refer to the proposed construction of the railroad, not to the extraction process or the burning process of the coal. Think of the amount of carbon dioxide which could be added to the world's atmosphere from that? I saw an estimate that 2.6 billion tons of GHG would be released once the coal is burned. This EIS does not cover those effects. This is the problem. The numbers on the railroad are troublesome in and of itself.

In Section 5.3 the emphasis is on how the railroad will be affected by climate change. On page 5.3-9 there is this statement:

"This section identifies impacts of climate change on the proposed rail line."

And then it lists all the negative impacts to the railroad as a result of climate change. Impacts such as flooding, soil erosion, landslides, frequency of wildfires, etc. Interesting... this EIS lists all the reasons as to why the railroad should not be built, but ignoring the fact that building the railroad would actually compound the problem. This EIS is not taking any (or very little) responsibility for its future impact on climate change at all. For me, climate change is the number one issue overall with this project of this magnitude. For if climate change is allowed to go unchecked, then all of the other concerns probably won't matter. There is no way that continued burning of fossil fuels could be justified in order to provide a better environment for the future of this planet. This is why I support the "No Action Alternative".

3. Having spent my career in the field of water resources, I have a keen interest in maintaining good water quantity and water quality. Both are getting harder and harder to do in a changing climate. But I believe in too many cases we are taking our water resource for granted. We are willing to risk the quantity and quality of our water for some ulterior purpose. But water is beginning to have more and more value, and with good reason. Water provides life and sustains life. Sacrificing one resource for another is not wise management of either resource and that is exactly what we are doing when we are making the tradeoff between energy and water. Outside hydroelectric production, water is used heavily and relied upon heavily for mining, drilling and fracking. But once used, it becomes contaminated and is not usable again without spending huge sums of money for cleanup, if that was even a possibility.

It does state in several places within the EIS that impacts on surface water would and could occur. And we know that they will. In Section 9.2.4 called Environmental Consequences, it states the following:

"Impacts on surface waters could result from construction and operation of the build alternatives."..... "Construction and operation of the proposed rail line would result in both physical and chemical alteration of surface waters crossed by or adjacent to the build alternatives. Potential physical alterations include changes in sediment transport and deposition, modification of channel configuration and morphology, changes in streamflow characteristics (e.g., volume, velocity), and surface water withdrawals during construction. Potential chemical alterations are primarily related to water quality."

In Section 9.2.4.1 there is this statement:

"The erosion and transport of sediment caused by clearing, excavation, and fill placement could degrade water quality. Surface water that would be crossed by the proposed rail line as well as downstream receiving water bodies would be most directly affected. Increased sediment loads could increase turbidity, which could lead to higher stream temperatures because darker sediment particles absorb more heat from solar radiation (U.S. Environmental Protection Agency 2007b)."

Now some of these statements list the impacts as temporary, and that may be so, but degradation of surface water in an agricultural community could be devastating in the short term. Water quality in the region is marginal at best when it comes to being usable for agriculture and making it less so even if it is temporary could be detrimental for some.

But again my big concern is what happens to the aquifers in the region of the proposed mine? This too is related to the railroad for one can't exist or wouldn't exist without the other. I fear that mining would deplete the ground water and very possible destroy the water quality of that ground water forever in the region. The amount of water being used for mining and the amount of water that would runoff into the nearby streams, rivers and other water bodies would be contaminated for years and years to come. I see depletion of the ground water a major concern. In fact in Section 9.3 there is this statement.

"In summary, construction and operation of the proposed rail line, including the use of groundwater during construction for soil compaction and dust suppression, could alter infiltration and groundwater recharge characteristics, temporarily degrade groundwater quality, temporarily disrupt groundwater balances, and permanently close groundwater wells within the right-of-way for each build alternative."

This is a problem because this statement is talking about just the construction and operation of the railroad, not the mine. If you add the ground disturbances to this from the mine itself, there would be major degradation to the quantity and quality of the ground water within the region.

In speaking of water and water resources, I would like to add one more statement from the EIS and that is found in Chapter 21 on page 21-2. In section 21.4 it says this:

"Construction of the proposed rail line and associated facilities would irreversibly remove wetlands, ranging from 8.1 to 33.3 acres, depending on the build alternative. In addition, temporary construction disturbances to wetlands would result in irreversible changes. The permanent conversion of wetlands along the proposed rail line and at associated facilities would represent an irreversible rather than an irretrievable commitment of wetland resources because the proposed rail line would be permanent. If wetlands adjacent to the right-of-way are affected by construction of the proposed rail line, any loss of wetland function could be an irretrievable loss if the wetlands were not restored to full function."

The loss, the degradation and the depletion of surface and ground water resources is the second major reason I cannot support this railroad and why I support the "No Action Alternative".

To close, let me mention a few other areas that support my conclusion that the "No Action Alternative" is the best alternative.

4. In Chapter 15, page 15 there is this statement.

"Any build alternative would sever parcels, limit access to irrigation systems, and restrict the movements of animals and equipment (Chapter 12, Section 12.2, Land Use). Individual farmers could respond to these impacts in different ways."

I feel that the landowner, rancher or farmer will succumb to great inconvenience to this proposal. The statement that individual farmers could respond to these impacts in different ways is very ill serving. It puts the onus on them to solve access, operational or other managerial problems this proposal generates. That and the great concern that individual landowners will not be compensated to the extent that they should be in spite of what is in writing has happened before. These affected landowners should be well protected and I don't see that in this statement or in the EIS as a whole.

5. The potential biological losses are too severe with this proposal. And again I have to reiterate that this proposal just concerns the impact of construction of the railroad. It does not incorporate the devastating impact which would occur if the mine begins operation. Both need the other so we cannot do a complete analysis

unless both operations are being considered. The loss of wildlife, endangered species and their habitat is too great, too high of a price to pay for a corporate endeavor to make money. This project is not for the public good. In Chapter 21, page 21-2 and 21-3, there are these statements.

"The permanent conversion of vegetation resources and wildlife habitat along the proposed rail line and at associated facilities would represent an irreversible commitment of biological resources. An irreversible commitment of biological resources would also occur if temporarily affected vegetation did not recover. Losses of wildlife during rail line construction and operation would represent an irretrievable commitment of biological resources."

"Impacts on the endangered black-footed ferret, interior least tern, and whooping crane from increased noise and disturbance from construction and operation the proposed rail line could represent an irretrievable impact. Impacts on candidate greater sage-grouse and Sprague's pipit from increased noise and disturbance from construction and operation of the proposed rail line could represent an irretrievable impact."

In Summary, the reasons mentioned in paragraphs 4 and 5 lead me to the same conclusion as to my reasoning in paragraphs 1-3, I cannot support this proposal and it is why I prefer the "No Action Alternative". I don't think this EIS addresses the true picture of disruption to all resources and I believe it "paints to rosy a picture" of acceptance. I also don't think the EIS captures the true market and need for coal development. Not enough so to warrant the construction and development of this railroad, let alone the mine. The mine is going to have much more harm to the local and global environments than this railroad, but the railroad is bad enough.

Thank you for allowing me an opportunity to comment on this EIS.

Clint Nagel
1385 Golden Gate Ave
Bozeman, MT 59718-1972

