



SafeGuard the South Fork

p.o. box 262, Deming, WA 98220

January 13, 2013

Docket No. FD 30186

Attention of: Mr. Ken Blodgett

This letter is written on behalf of SafeGuard the South Fork [SGSF], a grassroots group organized around protecting agricultural value in Whatcom County, WA. We are writing concerning the Environmental Impact Statement (EIS) for the Tongue River Railroad Company's (TRRC) proposed construction of a new rail line through ranchlands and communities in the Powder River Basin of Montana. In the context of NEPA's requirements to identify and study all reasonably foreseeable significant impacts—direct, indirect and cumulative regardless of where those impacts occur—we request that in addition to robust environmental review of the proposed Tongue River Railroad [TRR] that you conduct a Programmatic Environmental Impact Statement [PEIS] linking the TRRC's proposal with the impacts of interdependent rail infrastructure projects in Washington State specifically for exporting coal to Asian markets from the Powder River Basin of Montana.

Please reference the Tongue River Railroad comment of January 3, 2012 from Ted Sturdevant, Director of the Washington Department of Ecology, to Ray LaHood, Secretary of the U.S. Department of Transportation, and Ken Blodgett of the Surface Transportation Board. SGSF shares the concern defined by the Washington Department of Ecology that the notice of intent for the Tongue River Railroad [TRR] and the scope of the potential impacts identified are either (1) limited to the project area; or (2) that the geographic project range is not clearly identified. It is expected that rail infrastructure projects—including the possibility for new rail line construction—are likely to occur throughout the Washington State rail system interdependent to the proposed development of the TRR [<http://www.eisgatewaypacificwa.gov/about/proposal-map>]. Because of the multi state impacts associated with proposals like the TRR, SGSF requests a PEIS of the transportation impacts associated with all rail proposals – proposed and possible – interdependent to the TRR.

The last minute announcement this week by the Surface Transportation Board accepting the Colstrip, Mont. route from Otter Creek as another possible route further defines the necessity for a PEIS. This announcement makes it unclear which proposal the public is commenting on for the proposed TRR, what will be done, where will it be done, and what other interdependent projects there are or there will likely be interdependent to the TRR and the TRRC's proposed need to transport coal to Asian markets. Without a thorough PEIS, the public's ability to identify specific adverse impacts upon shared public infrastructure, air, soils, waters, and communities, in addition to bioregional agricultural industries that operate globally is being piecemealed.

The probable adverse impacts of the construction and use of the TRR are shared by many communities in critical areas all along the rail line from the Powder River Basin mines to proposed west coast ports. As WA State Department of Ecology notes in their comment regarding the proposed TRR, "In 1997, the Council on Environmental Quality (CEQ) issued guidance to federal agencies that: "The range of actions that must be considered includes not only the project proposal, but all connected and similar actions that could contribute to cumulative effects." At a minimum please study the following cumulative impacts in relationship to rail construction, maintenance, and use of the proposed TRR, as well as all existing, proposed, and probable rail projects interdependent to the TRRC's proposed need to export coal to Asian markets.

Impacts Associate with the Construction, Use, and Maintenance of Rail

- impact of railroad construction activities that disturb the land—such as the use of bulldozers, excavators, graders, and dump trucks to remove trees, brush, move rocks and earth, and to fill or level the land—and the potential for soil erosion and stream sedimentation problems to develop.
- environmental effects of treatments to timber sleepers to prevent rotting on soils and waterways.
- impacts of herbicides—on native and non-native vegetation—used to clear railways and railway embankments, since these are non-selective and kill all plant material they come into contact with.
- impacts of heavy metals and acids in the storm water discharge of coal runoff from coal carrying trains and the environmental impacts of managing this discharge through a conveyance such as a channel, ditch, stream or separate storm source system.
- health risks caused by emissions from rail traffic and pollutant dispersion in air, soils, and waters.
- effects of Polycyclic Aromatic Hydrocarbons (PAH) and heavy metal contents accumulated in soil and plants along the rail corridor and the effects of this pollution on native and non native plants, grazing lands, wildlife, cattle, and waterways.

Risks of Accidents and Impacts on Community Welfare

- economic costs related to property values, property rights, and taxpayer expense for rail infrastructure construction and maintenance.
- impacts of noise on sleep cycles of residents, children, the elderly, livestock, and wildlife on the entire rail system, as well as cumulative effects of noise on health and near schools
- risks of industrializing the Tongue River valley with a railroad and adverse impacts on wildlife habitat and elk and mule deer populations, as well as upland birds that attract recreationists to this area.

Impacts to Ranchers and Farmers

- harmful effects of vibration and noise on livestock, particularly during calving.
- economic and environmental costs associated with the spread of non-native weeds on grazing lands.
- devaluation of property values and loss of a sense of place and heritage and access to rivers.
- expense and difficulty to farms due to farm division and soil or crop pollution.

In closure, SGSF would like to endorse the conclusion made by Protect Whatcom in their comment on the TRR.

The federal government – through the Bureau of Land Management, the Surface Transportation Board, and the Corps of Engineers – simply cannot continue to take a piecemeal approach to EIS's related to mining PRB coal and transporting it to proposed terminals on the west coast. The proponents, in touting the combined "benefits" of the proposals through their lobbying organization, Alliance for Northwest Jobs and Exports (<http://createnwjobs.com/learn-more/proposed-projects>), makes a mockery of a process that refuses to consider impacts "cumulative" until projects are permitted. The paradox is that while politicians' heads swoon at the prospect of the combined jobs and tax revenues, there is never a comprehensive analysis of the cumulative costs to the environment, human health, transportation infrastructure, and our economies.

The Tongue River Railroad is directly related and interdependent to the environmental, social, and economic costs of mining PRB coal, transporting coal to West Coast terminals, and shipping coal by ships to unstable Asian markets. As a grassroots group working to shape the public policies that affect agricultural interests, SGSF is particularly concerned about the significant adverse impacts that this proposed expansion of mining, shipping, and burning of coal will have on food and agricultural industries that rely upon healthy air, water, soils, and ranchlands. Thank you in advance for your attention to the comment. If you have any questions, please contact Nicole Brown or Jeff Margolis at info@safeguardthesouthfork.org.

Sincerely,

Safeguard the South Fork by:

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