

20 January, 2013

To: Co-Lead Agency Representatives Ms. Kelly(DOE), Mr. Perry(USACE), Mr. Schroeder(Whatcom Co.)

From: Brad Sauer, Golder Ranch Inc. 4472 Hwy 39, Forsyth, MT, 59327

Re: GPT/BNSF Custer Spur EIS Scoping Comments

Thank you for the opportunity to provide scoping comments. My Name is Brad Sauer. I manage a ranch located on the Rosebud Creek in South Eastern Montana between the towns of Lame Deer and Colstrip. This ranch is called the Golder Ranch. This ranch has been in existence since 1889 when John Davidson, an emigrant from Scotland started it, and has been a viable business concern in this region for 124 years. This area of Montana has been significantly impacted by coal mining and the burning of coal to generate power since the early 1970's.

I am also the co-chairman of the Rosebud Protective Association (RPA), a local affiliate of the Northern Plains Resource Council (NPRC).The RPA and NPRC were formed in the early 1970's to help ranchers and farmers receive fair treatment from state and federal agencies as well as large multi-national coal companies and railroads after the North Central Power Study labeled our region a national sacrifice area. Our members have been instrumental in establishing western Reclamation Law and practices where there were none.

I am against any additional expansion of coal mining in the United States and particularly against the supply of coal to foreign nations. I respectfully submit the following and ask that you include my comments in your record, provide me with any follow up information, and address my concerns in your EIS by expanding your area of evaluation to include the sources of coal in Southeastern Montana.

At Colstrip, Montana, 17 miles away by road from the ranch headquarters there are 5 active power plants and 2 open pit coal mines (1 active). Peabody Coal's Big Sky Mine and Westmoreland Coals' Rosebud Mine

Within 50 miles west of the ranch headquarters there are 2 more active open pit coal mines. Decker and Spring Creek.

Within 100 miles west of the Ranch Headquarters is longwall underground mine. Signal Peak.

These mines encompass roughly 37,000 acres.

Roughly 40 some miles to the South east of the headquarters a new mine, Otter Creek (Arch Coal) is proposed to mine another 17,000 acres.

To the South in Wyoming within 200 miles lie the power plants at Gillette and more coal mines.

Markets for the coal being mined in this region are declining as much of the coal here is of low quality (8500 BTU's) and has high sulphur content. These coal mines in order to continue operations seem to need to sell coal to the Asian markets. More coal mining to meet these market demands will threaten and complicate my livelihood in many ways, but mainly in how increased mining activity will adversely affect this regions ground water aquifers. Open Pit coal mines drain shallow groundwater aquifers which provide the water for the use of our livestock, the regions wildlife, and ourselves as well as various towns in the region. The coal being mined actually is one of the aquifers. So much damage has already impacted the ground water in and directly adjacent to the town of Colstrip that the city no longer uses wells for drinking water but brings water at great cost through a pipeline 50 miles long from the Yellowstone River. The ground water that I rely on to sustain life on this ranch is viewed as a waste product in the nearby coal mines and pumped down gradient. There is so much waste water around the town of Colstrip that there are over 800 monitoring and pump-back wells in place to try to deal with it (Montana DEQ information). There is so much waste water moving downstream from Colstrip, Montana in the Armells creek drainage that the local ecosystem is being changed from a prairie riparian area to a toxic wetland where cattle and wildlife often cannot drink the water unless it is well diluted and regularly tested. There is so much waste water under the town of Colstrip that many buildings have been torn down due to buckling and sinking foundations. In fact the floor at the local grocery store slopes so much that if you let go of your cart, it will roll and sometimes crash into the shelves.

This is just one of the many impacts that I and my neighbors currently live with and try to operate our ranches around.

While I am only 1 person and represent only 3 jobs I am a part of the minority 1% of the United States Population that feeds the rest of the country as well as part of the world. Plainly put, I raise the food you eat if you eat beef. I also raise some vegetables for local consumption.

Coal Mining is not a complimentary industry to ranching or other agriculture. The mining companies are not good neighbors and do not hold up their end of the local costs their actions incur without duress. They do not willingly help us suppress range fires, maintain their fences, control noxious weeds, and are often vindictive when taken to task for not conducting ordinary neighborly landowner responsibilities. While the coal companies eventually contribute to state and local tax revenues they often do this under protest. The Railroads do this as a matter of standard operating procedure. During the construction and development of the Colstrip area mines and power plants this ranch's property taxes increased 3 times. These taxes paid for the increased community needs such as law enforcement, emergency services, and larger schools necessary to accommodate the increase in the local population from construction workers and miners.

I include all this information because the proposed Otter Creek mine will contribute coal to be shipped through the proposed port. All of the coal mines in this area are positioning to be able to ship coal to the ports in the West.

Then there is the issue of reclamation of the open pit coal strip mines. The Surface Mining and Reclamation Act of 1977 require that all mines post a bond to cover the costs of reclamation prior to the beginning of mining operations. The law further requires that the mined area be restored to pre-disturbance or better conditions which include the ground water aquifers. Of the approximately 37,000 acres that have been stripped to date in Montana only 8,000 have had some reclamation completed with none of those acres being fully restored to functioning conditions. In fact at Colstrip, the reclaimed mine lands contain pockets of bad water which is dangerous to drink for cattle and wildlife. The bonds placed prior to mining have not been released but neither have they kept pace with increasing costs of fuel, labor, seed, and other necessities required to complete the work necessary to become fully functional. Our concern is that the coal companies will go bankrupt and the reclamation will become the responsibility of the taxpayers.

The opening of the Otter Creek mine will require the building of a railroad to transport the coal to a market. The mine developers will not say where the market is. The proposed railroad to haul this coal has many proposed routes

Various parties have been trying to build this railroad since 1910. This proposed railroad will willingly threaten to use eminent domain to secure the lands to build the railroad on. The latest proposed route will pass through the Northern

Cheyenne Reservation, an Amish community (between the house and hay shed of one Amish family), and the middle of several hundred plus year old ranching operations. The impacts from this railroad will require many dollars to mitigate the immediate and continuing interruptions to productive businesses and long established ways of life. This railroad will also affect how two major drainages flood, wildlife, human travel, agricultural production, property values, and property rights. All of this activity will come through your ports to benefit foreign countries which do not necessarily like the US and multinational corporations without any guiding principles other than the bottom line of a balance sheet.

Another aspect of impacts which will result from increased coal mining in our area is the additional time it takes for a rancher who ranches near a coal mine to deal with the mining company. This is time taken away from regular ranching business. An example of this is the blasting operations to loosen mine overburden (also known as soil, rock, and vegetation) and the coal itself prior to the removal of the coal. State and Federal Law require that blasting only occur on clear days so that the shock wave from the blast can dissipate upward into the atmosphere. About 10 years ago, the Peabody Big Sky Mine was regularly blasting on overcast days. The shockwave from the blast would rattle our house which was over 10 miles from the mine. Who knows what the regular blasting is doing to the water aquifers. We called the State of Montana to enforce the regulations and things got better for a while, however residents of Colstrip filed lawsuits against the mining companies requiring these companies to address damage to residences from the blasting. I would also add that these are employees of the mines and power companies. These sorts of things happen regularly enough that I and my neighbors have to unwillingly incorporate watch dog activities into our workloads if our ranching operations are to survive. We have been doing so for 40 plus years. I am of the second generation of ranchers who have had to do participate in these efforts to safeguard our lands and businesses. Having to take a position requiring the governments and coal and power companies to adhere to laws and regulations has also had personal cost in dividing families and local communities. I am not against the use of coal to generate electricity, as it would be harder to live without it, but I want to point out that there are many associated costs and impacts and corporations(who are persons) as well as governments(by and for the people) are not really the neighbors you want living next door. When you have a problem with these types of neighbors it is not like their kid hit a baseball through your kitchen window, it is more like he threw a grenade. You can't just walk next door and sit on the step and work it out, you have to hire a couple of

lawyers, spend a lot of money, go to lots of meetings, and use up your precious time which you could be using to make a living. I also wished to illustrate the point that the establishment of the new port(s) to handle large amounts of coal which will come from my neighborhood will have many additional connected and adverse effects (on top of the impacts already occurring) outside of the proposed area of the individual ports themselves.

In holding scoping meetings in Spokane, your organizations have essentially admitted this to be true. I request that you hold additional scoping meetings in Idaho, Montana, and Wyoming. I also request that you evaluate the new and cumulative impacts to the states listed above particularly any new coal mine building or coal mine expansion as well as any new railroad construction in these states which could provide coal to be shipped through the proposed port(s). I ask that you incorporate specifically the immediate and cumulative impacts of the proposed Otter Creek Mine and the Tongue River Railroad into your EIS. I specifically request that you evaluate local, past and current, economic information relative to your proposed actions and how those actions are likely to affect local agricultural product markets, property values, taxes, and low income populations over the next twenty year period in southeast Montana. I also ask that you evaluate how southeastern Montana agricultural lands and operations in the mining areas and along the rail routes will be impacted for the entire time the coal will be shipped to these ports.

In short please review the meanings of the words "Cumulative Impacts" as they are described in 40 C.F.R., parts 1500 and on of the National Environmental Policy Act and see if they don't apply here. My cows aren't very smart, but they care about where they live and the water they drink, and so should you.

Sincerely,

Brad Sauer, Golder Ranch on the Rosebud Creek, Montana