

May 24, 2015

Ken Blodgett
Surface Transportation Board
395 E Street SW
Washington, D.C. 20423-0001

Dear Mr. Blodgett:

I am a resident in Montana and am requesting that the Surface Transportation Board gives the public a 60-day extension in regard to the Environmental Impact Statement (EIS) of the Tongue River Railroad.

I am a longtime resident in Montana and as a historian I have studied the history of Montana rail system. Much of the rail beds and track system has not changed very much from when the Great Northern came to Montana to the present day. Examining the public plan for the implementation of rail line in the Tongue River valley, I am under the impression that not much has changed since that the time of the late Nineteenth Century. Certainly, in the way the plan describes the laying of the rail bed close to the Tongue river and the sharp turns around natural obstacles gives the impression that it is a similar rail system of earlier history. Except that the trains are longer and still travel at a low speed as compared to those in other nations.

My attention to impact of the Tongue Rivers railroad was draw to the fact that the effect of human caused Global Warming was not mentioned. Yet, reading the Opinion by US Supreme Court Justice Kennedy in *PPL MONTANA, LLC v. No. 10-218, decided on February 22, 2012*, I discovered that the Judge eloquently reaffirmed that rivers in this nation and Montana are public property. He reaffirmed that Common Law legal cases date back to the histories of the Roman Empire. Although the Supreme Court recognized as far as rivers are concerned that the Equal Footing and Public Trust Doctrines play into legal decisions. The Court recognizes the importance of public property interests in navigable and non-navigable waters. The Montana river system since they are both navigable and non-navigable are public property and they are impacted by pieces of coal and dust from open rail carriages for hundreds of miles. The question is than can the railroad built a similar "old-time" railway structure common more than a hundred years ago? To be sure the contemporary world looks upon the disaster of human induced Global Warming and it can no longer afford to have the economic value of the river system in Montana reduced because of the building of a new antiquated rail system.

Taking the effect of human induced Global Warming in lowering the value of public property, the EIS process of the Tongue River Railroad cannot be confined to its immediate public. There are many more citizens from other areas in Montana who are impacted by the long coal trains. So would the Board please extend the 60 day EIS time frame. Thank you very much for your interest and please contact me if you have additional questions.



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PS: I have attached photos that show that coal is blown from the trains for hundreds of miles. This is not confined to the proposed Tongue River railroad.



These three pictures show, the wood cover over the River's Edge Trail. The person underneath is looking for pieces of coal that have come from the coal cars. Below are some of her findings

This is the Missouri River BNSF Rail Bridge, Great Falls, MT.

Photos by Aart Dolman, 11/29/2014



Updated: May 19, 2015 9:17 PM MDT - KRTV-
Great Falls

Train derailment causes fuel spill in Great Falls

(<http://www.krtv.com/story/29108599/>)

This is merely one example of a BNSF derailment, and it only demonstrates an example of an antiquated rail bed and track. The oil was spilled and there was really an antiquated way of clean up.

The problem is between Laurel, Great Falls, and Shelby track on which Tongue River coal trains will travel is so antiquated that its rail bed and track slow down the speed of trains on certain stretches must slow down to 25mph. Is this also the case with the proposed Tongue River railway?