

Frost to fire

Train sparks 2,500-acre blaze

By Heidi Bell Gease
Journal Staff Writer

Don't bother asking Darwin and Berry Schock over for coffee today. They'll be busy fixing fence lines on their property south of Hermosa, where fire crews Saturday kept a 2,500-acre grass fire from consuming their house.

"We're grateful to a lot of people. It could have taken the barn and the house," Berry said Saturday evening, after volunteer firefighters from throughout the area had the blaze mostly extinguished.

In the process, fire crews had to snip a few fence wires to move

Inside

More photos of the fire near Hermosa.

Page D1

from pasture to pasture. "We'll have to fix fence tomorrow," Berry said Saturday, but that was OK with her.

Sparks from a passing train ignited what has been dubbed the Missile Base Fire, which burned private land south of Hermosa. It's named for nearby Missile Base Road.

No one was injured, and no structures burned Saturday, but Dave Lindblom of the Hermosa Volunteer Fire Department said the fire burned around an abandoned house and came within 100 feet of the Schocks' home.

"On one side of the house, you could probably throw a ball that far (to where the flames were)," Berry said.

A Dakota, Minnesota & Eastern Railroad train sparked three fires along a two-mile stretch starting one mile south of Hermosa

"On one side of the house, you could probably throw a ball that far (to where the flames were)."

—Berry Schock, Hermosa
about the Missile Base Fire

The train crew reported the first fire about 12:10 p.m., Loren Lintz of the Hermosa Volunteer Fire Department said.

The fire spread quickly, pushed by winds of 30 miles per hour or more. More than 15 fire crews from as far away as Johnson Siding and Ellsworth Air Force Base fought the blaze, keeping it on the east side of the railroad tracks. The fire did cross a gravel road at one point.

Berry was in Custer when she heard about the fire. She immediately drove home. "You could see the fire by Coolidge Inn already," she said. "You could see the smoke."

She arrived to find friends already had started packing things up and hauling them out of the house.

"They were taking everything they knew what to take, pictures and important things," including her sewing machines, she said. Several horses were taken to a neighbor's place.

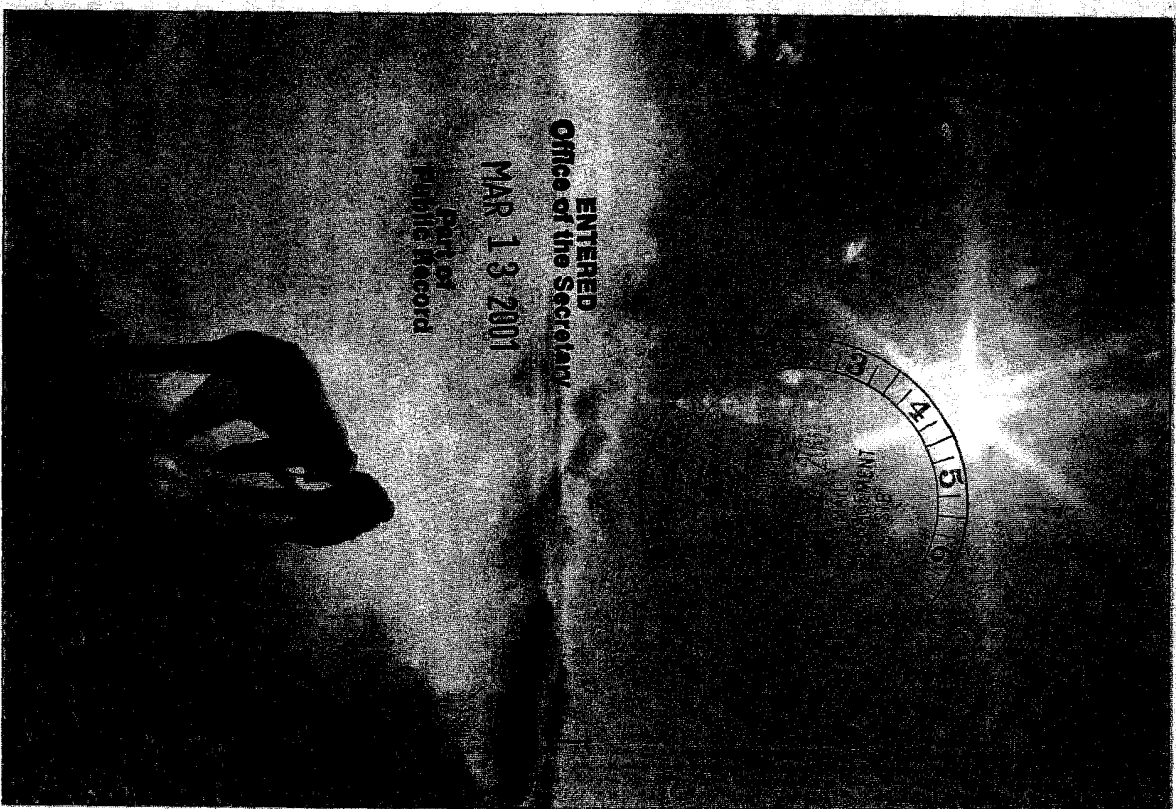
"We've never had one this close," she said. "I'm sure we'll be up most of the night, watching the fire."

Crews had the fire contained about 2 p.m., Lintz said. The fire was considered 90

See **Missile Base**, Page A2.

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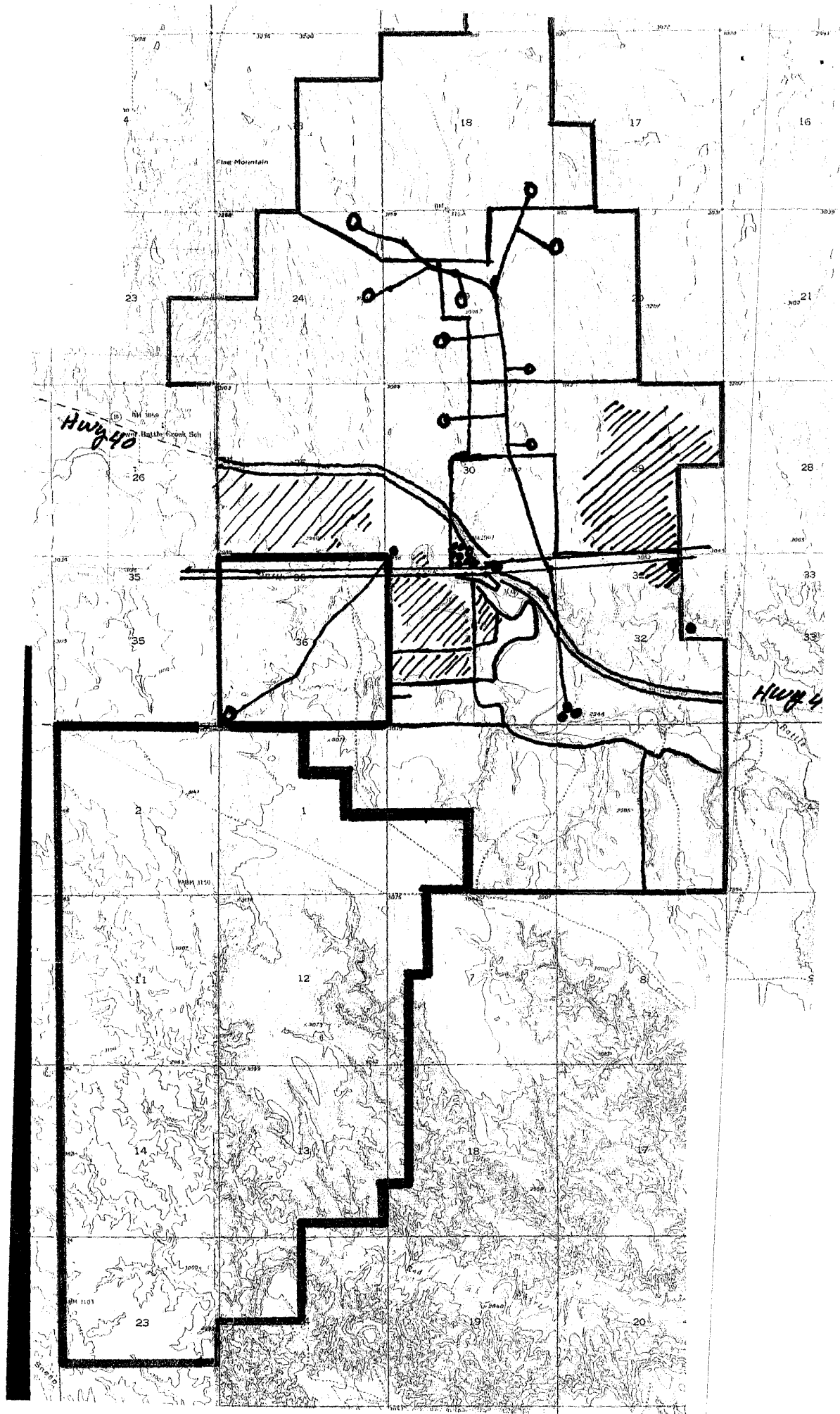
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Part of
Public Record

Don Palevich/Journal Staff

Kevin Strand and Mike McGee of Hermosa knock down flames Saturday on the north edge of the fire along the railroad tracks. The fire burned tall grass along the tracks that parallel Highway 79 for about a mile. The main part of the fire burned several miles to the south and east. Smoke can be seen in the background.

== R.O.W.
 — Fences
 // Hog Field
 • Well
 O Tank
 — Line
 • Buildings



Custer Ranch LLC
A comment from the managing owner.
Robert Wordeman

1. Access: ex. 1a, 1b

- a. Access to three hay fields for the combined total of 140 acres would not be available. With the terrain near Battle Creek combined with undersized under passes transporting my larger hay machinery would be impossible.
- b. Access to my winter pastures would be limited to small vehicles making it difficult if not impossible to feed.
- c. Access to calving pasture also limited to smaller vehicles, again making feeding difficult if not impossible. Also making it difficult moving cows with calving problems to and from the calving barn, just try to push a birthing cow through and underpass with speeding trains overhead.
- d. Not only will ROW fences have to be put in. This construction will have a ripple effect on our Ranch. Every pasture is now set up to give us the best efficiency. By placing ROW fences through it, all other interior fences will have to be moved. The cost for new fence last year was 8,000 dollars a mile. I have approximately 50 miles of fence. Of which all but 10 miles of perimeter fence is interior.

2. Buildings: ex. 2a

- a. Cattle working barn: approximately seventy-five yards from proposed ROW. This making cattle working unsafe inefficient and most likely impossible. Working cattle is not easy when they are calm, add a train and whistle and your guess is as good as mine.
- b. Calving barn. As mentioned above crossing trains will stop any cow from going under a track, making it to the calving barn for problems birthing and protection from weather for young calves is essential.
- c. My house, my hired hands house, calving barn, cattle working barn, corrals and scale house are all in stone throws distance of the R.O.W.

3. Wildlife: ex 3a, 3b

- a. In the short time I have been here we have strived to maintain habitat for the many wild animals on the ranch. Deer, antelope, turkey, hawks, bald and golden eagles, prairie dogs, coyote, grouse all call my ranch home. I have worked hard to welcome most of the above. The proposed rail will alter much of their habitat. The noise alone will make many relocate.
- b. Many species of fish live in the five miles of Battle Creek that crosses my property. With the pollution and changing of the channel what will happen to them. On my land alone there are three channel changes resulting in unneeded erosion, and siltation, which will undoubtedly hinder fish spawning.

4. Convenience

- a. Obviously waiting for the train will be an inconvenience. This R.O.W. will literally split my ranch in half. It couldn't have been any worse if they wanted it to be.

5. Safety: ex 5a

- a. At Grade Crossing, hwy 40: With hundreds of cars traveling this road daily, an at grade crossing **will lead** to an auto disaster, with or without signals.
- b. With the daily proximity to the rail, for my employees, my family, my neighbors, and myself danger lurks.

6. Financial: ex 6a

- a. Hunting Lease: I am currently under contract to provide a pristine area for my lessee. Including garbage control, noise control, aesthetics, and ungrazed areas. If the proposed line goes through, my contract for thirty five thousand dollars the first 2 yrs and sixty five thousand thereafter with option to renew is voided. As of January 4 2000. Please be cautious when saying no businesses will be effected, this will mean a \$1,050,000.00 loss of income for my business, possibly resulting in me losing my ranch.

7. Relocation

- a. The Railroad says relocation is an option in the mitigation process. After the fact is no time for mitigation. If the railroad is approved it will mean changing of houses (2), building cattle working facilities (50x80) and a new calving barn (60x90), all of which were here long before this plan. What can DM&E possibly offer me for having to move these Buildings from the most convenient and logical location on the ranch?
- b. The current plan for the ROW will eliminate the use of my current calving pasture. The reason it was picked to be the calving pasture is because it offers more protection from winter storms than any other location on my ranch. If I have to switch pastures I estimate my death loss to rise 20% over my current calving death loss.

8. Land Value

- a. I am certain my land value will be cut in half by the proposed line. The rail dissects me in half east to west. A private business such as the DM&E should have considered this before hand. I am asking you to consider it for them. If this ROW is approved my land value will be half, unfortunately my mortgage will be the same.
- b. I take pride in my place. DM&E will not take that into consideration. To me this land is priceless, why give them the right to tell me what they will pay to take it from me. That was not my option when I purchased it.

9. Water

- a. Well Water: My source of water is a well less than 300 yards from the proposed line. This well is relatively shallow and vulnerable to surface contamination such as spills, leaks and seeps.
- b. Battle creek is in close proximity to the proposed line. This creek is one main source of water for my livestock and wildlife. Certainly a dirty coal train running parallel to it and then crossing it right out my front door does not make it safer for them to drink. My well is also supplied water from the creek. Clean water is essential to my livelihood and my health.

- c. The proposed R.O.W. will dissect 9 miles of water lines from their wells. Thus removing the only reliable source of water north of the road (hwy 40) affecting 4,400 acres of my 7,000-acre ranch. (Nearly 2/3)
- d. South of the road it will take another 640 acres and remove all livestock water from it also.
- e. The proposed line will cross, drain and fill two wetlands. (Wetland protection act)

10. Noxious Weeds

- a. I am concerned about the spread of noxious weeds, what will DM&E do to prevent it.
- b. I am also concerned about controlling noxious weeds spread by the DM&E. They say "if the land owner can prove the DM&E spread the weeds" they will control them. What exactly can be done to prove they are the source? It takes more than one application of herbicides to control these weeds, how can we trust DM&E to do the right thing?

11. Fire Danger: ex11a

- a. No one can afford to lose a home or building. The DM&E will put another fire risk on our ranch. As if we don't have enough already.
- b. A neighbor lost nearly all his grass to a DM&E railroad fire this winter. Neighbors and volunteer fire departments from miles around helped to save buildings and valuable grass. I fought that fire for six hours myself and never saw a DM&E crew there to help stop what they had caused. When the fire was under control we were on our way out with the ranch fire truck and stopped to talk to some other fire fighters, they said it had burnt all of his winter grass. Thanks to that fire, my neighbor now has no winter grazing and no grass to catch vital blowing snow for moisture. What can possibly be done to reimburse him?

12. Clean Air

- a. All of the studies on the compromise of clean air are done on the assumption of 20 million tons of coal hauled a year. However, all of DM&E's financial benefits are being based on 100 million tons of coal annually. So for the bad effects 20 m tons are ok, while the economic effects 100 m tons sounds much better. Which one is it? The effects of 100 m tons should be studied after all it is a 500% discrepancy.
- b. I am also sending a letter to the EPA asking them to consider the clean air act and write a response. Badlands National Park is down wind of the track and its class one air shed is in dire risk of being violated.

13. Animal loss

- a. A quote from DM&E. "In the event landowners observe a fence in need of repair, landowners shall have the affirmative duty and obligation to take reasonable action to minimize damages to landowners property and livestock." Why is it my DUTY to check and repair DM&E fence? They are going to take advantage of any power you give them.
- b. Is DM&E financially sound enough to guarantee it can compensate for the loss of animals, spraying of weeds, and the purchase of all of this property?

14. Archeological and paleontology reports

- a. I am astounded to find I am supposed to comment on something that you have neglected to put into your report. There were eleven find sights on my property three of which are eligible for NRHP, and Bill Raney from USD said there was a large quantity of artifacts in the test areas here. How can there be no importance in the history of this land. I was very disappointed in finding no reference to either category in the DEIS.
- b. The DM&E has no responsibility to unearth these artifacts and fossils before condemning the land. Who knows what prehistoric treasures will be destroyed and unfound? Clearly they should be held accountable to see what is there before they bury it.

15. Eminent Domain

- a. The definition of eminent domain: law the right of the government to condemn land for the use of the public. The group it will benefit most is DM&E. They are a private enterprise by definition.
- b. It is not necessary to use eminent domain because the DM&E already has a rail line that is functional. They do not need this line, they want it. What they want is not good enough to use eminent domain.
- c. **Kevin Schieffer: "If DM&E has to use eminent domain, I will consider this project a failure."**

In closing I would like to say.

The DM&E currently has a rail line to and from. Because they have neglected it they wish to build a new line. Why would I want a neighbor who neglects their property, especially when it was forcefully taken from me? You want to take away my way of life, my livelihood, and any chance of financial soundness so the DM&E can use the dirtiest form of transportation to haul the dirtiest form of energy all in the name of progress. My friends, you are receding not progressing. Agriculture is a huge business in SD. By saying yes to the railroad you are saying we are not as important as the DM&E. It has been said that there is a possibility that the trains may haul grain and wool. If the trains are full of coal going east, just ask yourself how much corn and wool do the coalmines really need. I have my own theory on what will be hauled back. Coal at one time was being hauled for seven dollars a ton. Garbage hauling pays 30 dollars a ton. Notice all the dumps in large cities being closed down and their garbage being hauled out. Perhaps that is progress, going from agriculture and tourism to a national garbage dump. Or is it simply going to be used to haul empty cars back for the others. Maybe it is just a way to build capitol assets for a company who has virtually none, thus making it a better seller when the time comes. Regardless, DM&E have an existing R.O.W. and have let it become unprofitable. ***Their bad business practices should not result in me losing my business.***

I request complete copies of any subsequent drafts and final EIS.

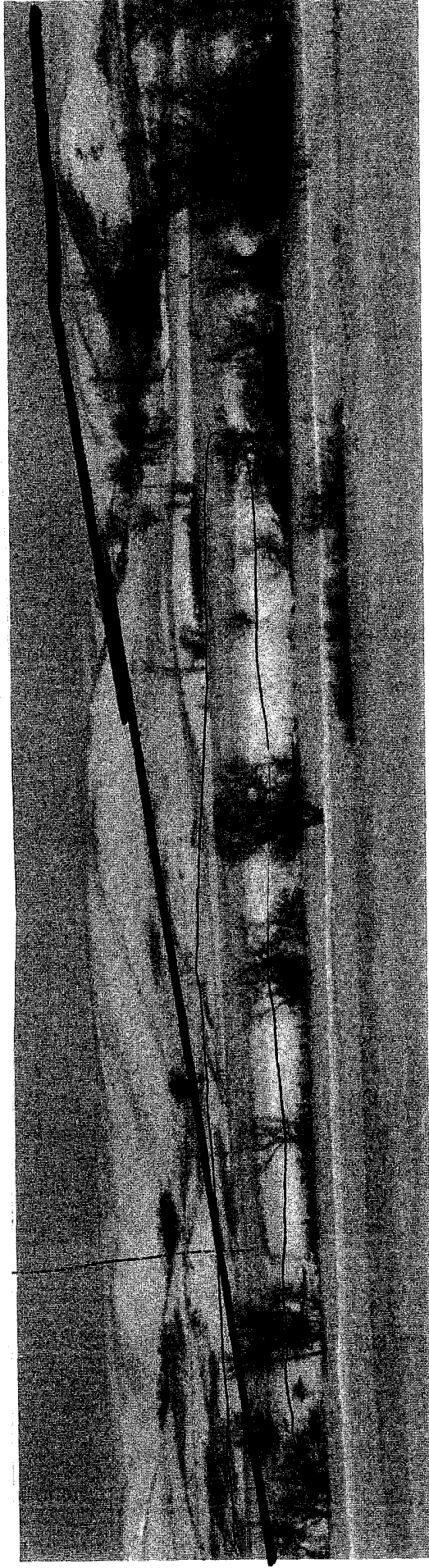
Thank you for doing the right thing

A handwritten signature in black ink, appearing to read "Robert Wordeman", with a long horizontal flourish extending to the right.

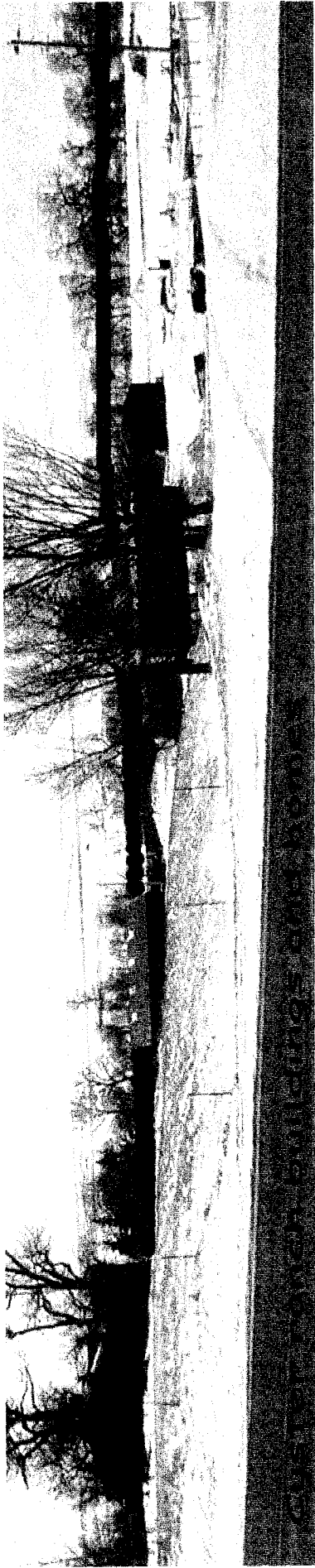
Robert Wordeman

Owner Manager Custer Ranch LLC

Secondary calving pasture cut off of water as well as cut in half.

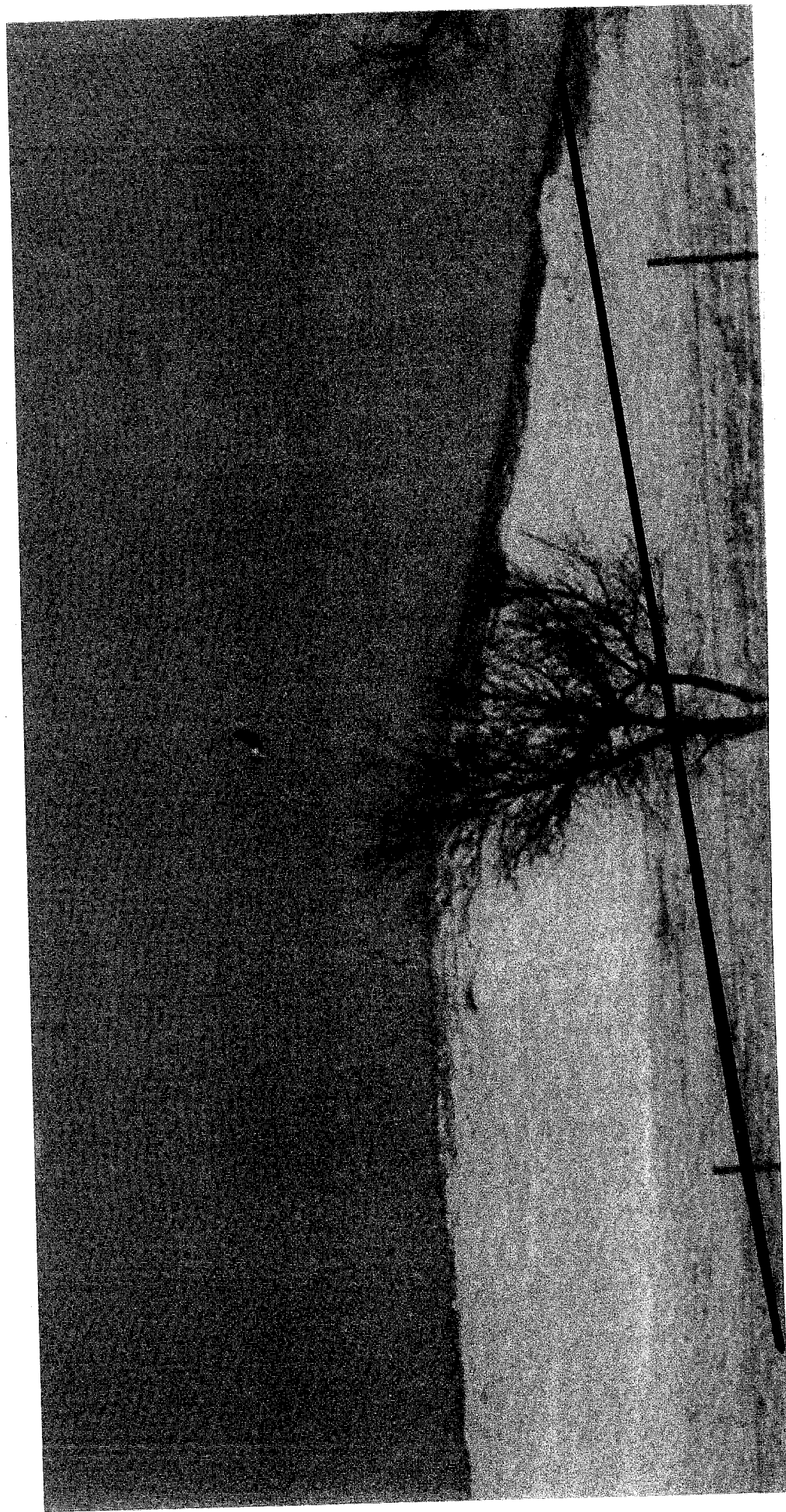


Taken from SW side of main calving pasture. Calving barn to the NW across tracks and fenced R.O.W.



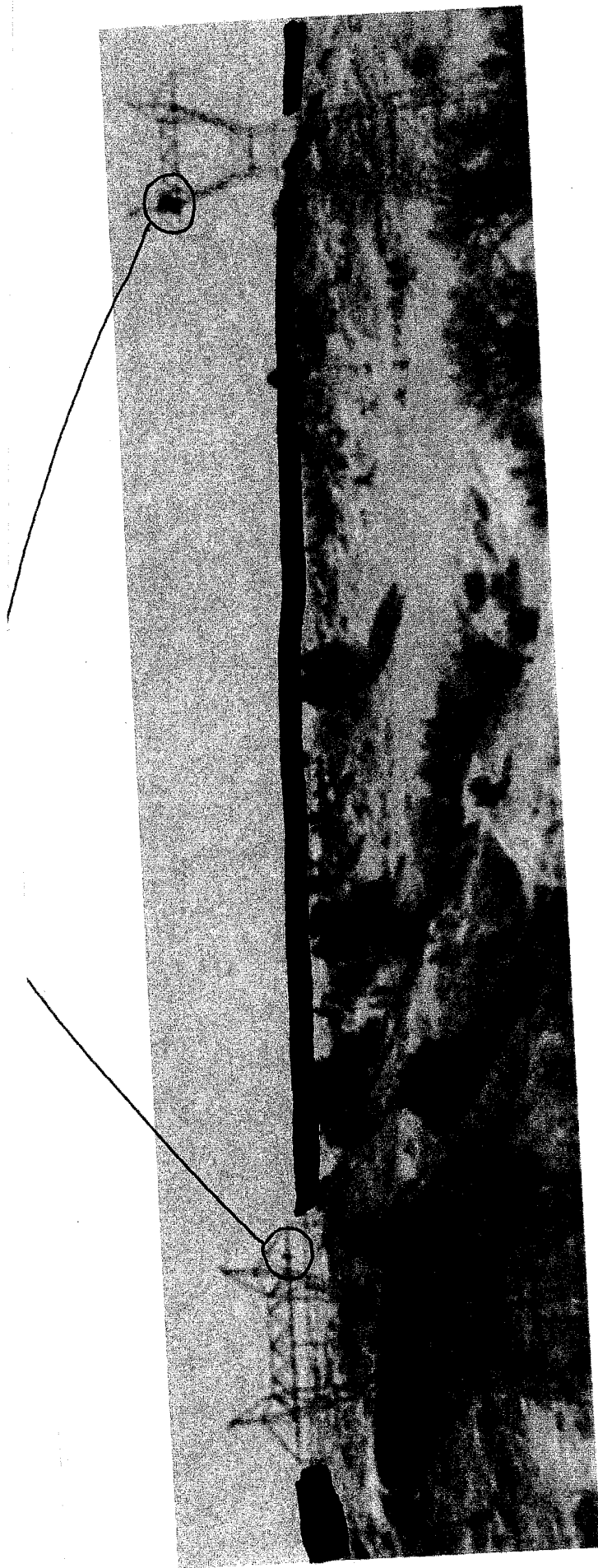
“No businesses in Custer County will be affected by altern. C. Does that mean that agriculture is not a business or we won’t be affected. I have bank loans, profits and losses, employees, cash flow, leases, operating expenses, property taxes, equipment, and inventory, How am I any different from any other business in SD short of a store front. Now look at the path through the heart of my “business” and tell me how I am not affected!

3a
3a



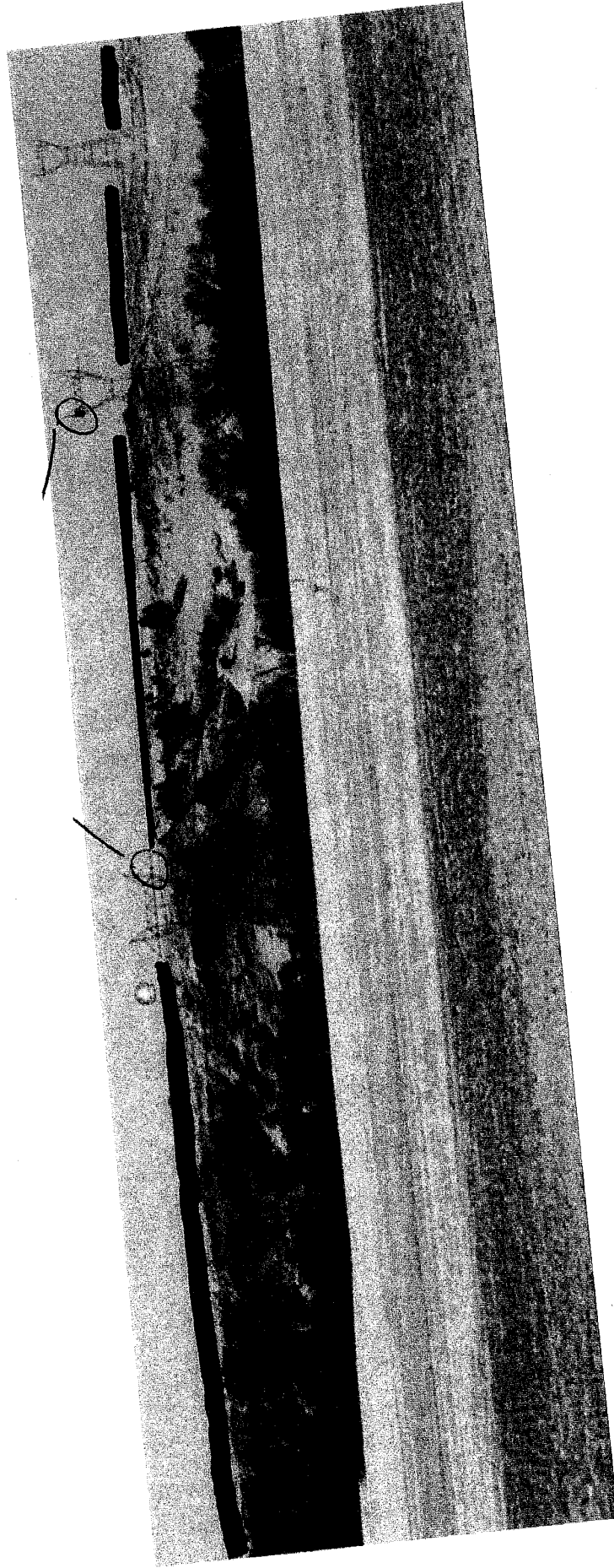
Bald Eagle hunting grouse right next to R.O.W.

Hard to see on this hazy day but it is a Golden eagle and its nest 300 Ft from the R.O.W. 600 Ft from Track





Picture taken from planned Cedar Creek Lodge building sight. This lease is why I was able to purchase this ranch and make it work. We have left many acres ungrazed and crops unharvested to make better habitat for the birds that have been already released. I think you can see why my lease will be terminated if Alternative C is approved.



On DM&E grade map this bluff will be filled to accommodate new track.
Thereby changing the creek channel and causing unneeded siltation and taking
away yet more needed hay ground. Eagles Nest in ⁸⁵ ~~35~~ not 35-



Nice view of coal trains off of my west deck where we used to watch the sun set over the Black Hills.

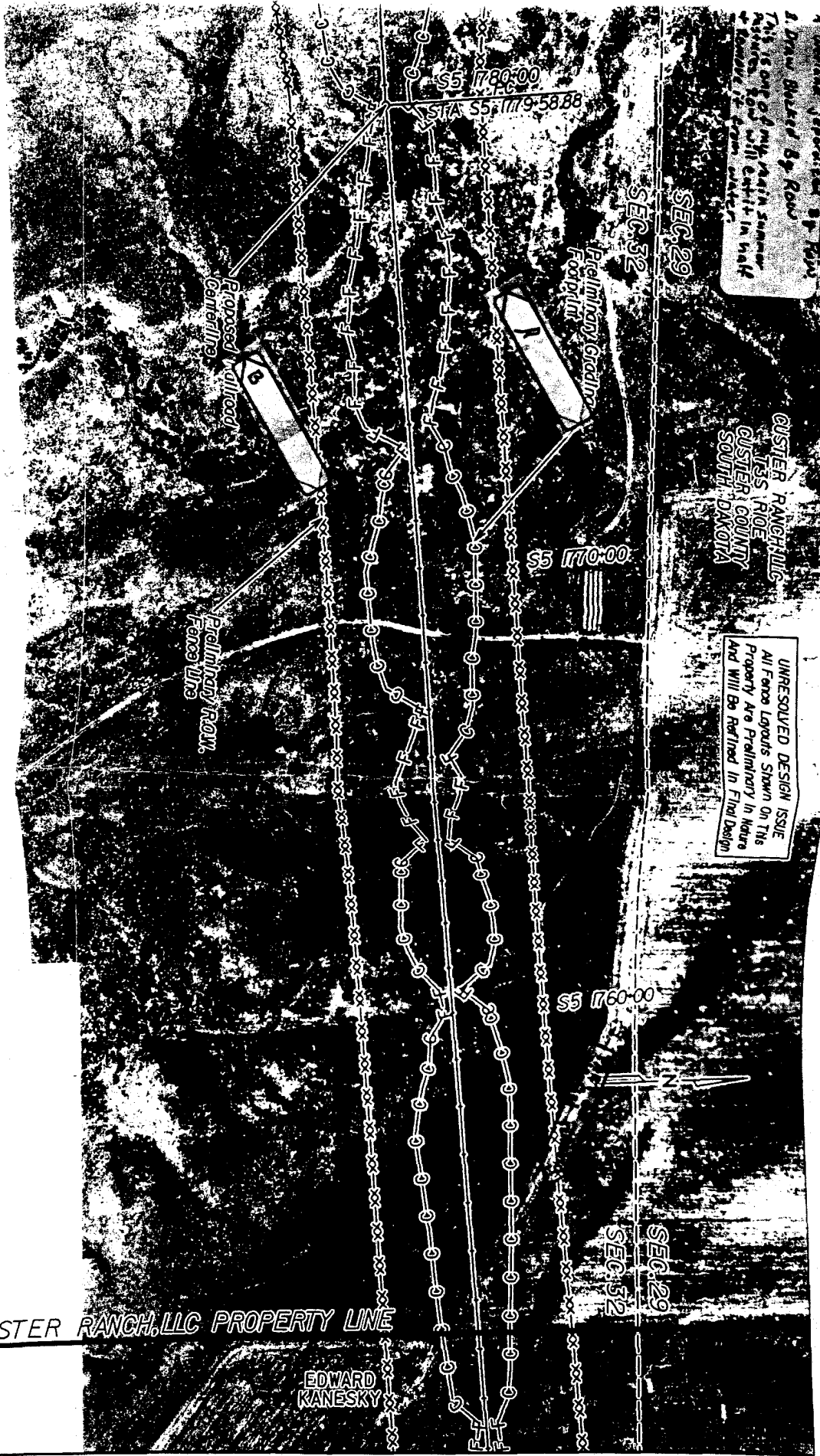


Another nice view of the coal trains of my east deck where the badlands used to be.

A vertical section by row
 1. Draw Based by Row
 This is one of many pages showing
 sections. Row will exhibit in half
 & remove it from section

CUSTER RANCH, LLC
 1135 ROE
 CUSTER COUNTY
 SOUTH DAKOTA

UNRESOLVED DESIGN ISSUE
 All Fence Layouts Shown on This
 Property Are Preliminary in Nature
 and will be refined in Final Design



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Overland Park, KS 66202
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(913) 439-1784
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Issue
111000

Section 5 - Wasta, SD to Smithwick, SD

POWDER RIVER BASIN
COAL EXPANSION PROJECT

DM&E
DAKOTA, MINNESOTA & EASTERN RAILROAD

DM&E
NESOTA & EASTERN

10

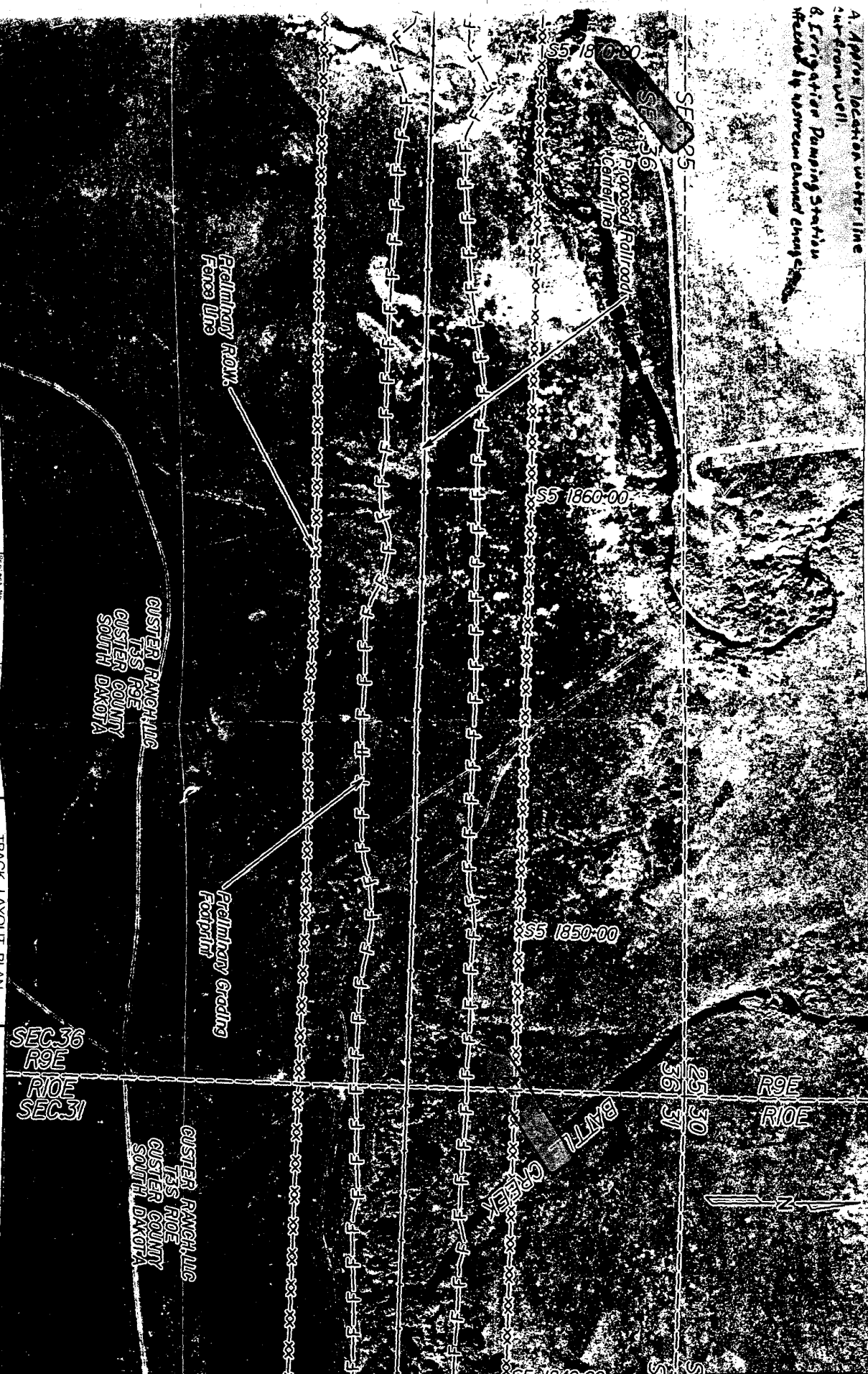
- A. Calving Pasture and Barn on opposite side of track
- B. Calving (later) pasture destroyed
- C. Hayfield destroyed
- D. Access to NOA hayfield cut off
- E. Stock dam fed by spring taken away - Spring run over by trucks - Wetlands destroyed



Public At Grade Crossing
of The Railroad At Hwy 44

MADE & PRINTED BY HNTB ARCHITECTS ENGINEERS PLANNERS 1000 14th St NW Suite 600 Denver, CO 80202 303.733.1100 www.hntb.com		DATE 14 NOV 2000 DRAWN BY J. M. ROY CHECKED BY J. M. ROY SCALE 1" = 200' A/C 1/8" = 200' P/C 1/4" = 200' S/C 1/2" = 200' T/C 3/4" = 200' B/C 1" = 200' F/C 1 1/2" = 200' S/C 2" = 200' T/C 3" = 200' B/C 4" = 200' F/C 6" = 200' S/C 8" = 200' T/C 10" = 200' B/C 12" = 200' F/C	DRAWING NO. 1110000 SECTION 5 - BATTLE CREEK STA 1132+12 TO STA 1132+80	TRACK LAYOUT PLAN STA 1132+12 TO STA 1132+80 POWDER RIVER BASIN COAL EXPANSION PROJECT	DAKOTA MINNESOTA & EASTERN RAILROAD DM&E
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A. Approx location water line
in from well.

[illegible]

A. Using map scale, 849' east
 15' 600' from ROW + 1600'
 B. Bank in picture is 300'
 high - poor planning - unstable

SEC. 35
 SEC. 36 APPROX. CUSTER RANCH, LLC PROPERTY LINE

CUSTER RANCH, LLC
 T35 R3E
 CUSTER COUNTY
 SOUTH DAKOTA

Preliminary ROW
 Force Line

Preliminary Grading
 Footprint

Proposed Railroad
 Centerline

S5 1890+00

S5 7880+00

S5 1670+00

SEC. 25
 SEC. 36

ARCHITECT'S ENGINEERS PLANNERS
 1511 W. 200th St.
 Suite 200
 Minneapolis, MN 55425

TRACK LAYOUT PLAN
 STA. - TO - STA.
 Section 5 - West 50 to South 50

POWDER RIVER BASIN
 COAL EXPANSION PROJECT