

COMMENTS to TROUT UNLIMITED

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By

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Introduction:

My name is Mike Grimes, my wife Barb and I own a major portion of section 35 just across the street from this proposed repository. I don't enjoy giving speeches and I don't enjoy controversy – I would not be here tonight if my family and my neighbors were not being threatened. When I first got the news of this secret scheme to put this thing across from our home and property it was like being told I had terminal cancer – only the government was going to be delivering it!

This news couldn't have come at a much worse time in my life, as my real-estate investments had hit bottom – but I always knew the one asset I could still feel secure about was my home and property – if things got really bad I figured I could always sell out. DEQ and the Forest Service pretty well screwed up that little feeling of self confidence. During my thirty years of owning my own business I always was treated with respect by both state and federal agencies and I always tried to return the favor. This is the first time in my life I have felt like I am a target of both the federal and state government and I have to tell you it is a humbling feeling – I have never felt so alone or helpless in my life - but enough whining!

Moving the Tailings:

Moving these Tailings on Public Highways will end up being the biggest mistake made in cleaning up the Mike Horse mine and should be avoided if at all possible. Think about the couple who live a few hundred feet from the intersection of Highway 200 and the haul route - no matter where this stuff is hauled, they will suffer through nearly 120,000 trips of huge twenty yard trucks covered in dust (some of which will be toxic) for up to twelve years! I do not think the tailings should to be moved – they should be encapsulated in place after the creek has been permanently diverted.

Section 35:

I'm not going to waste a bunch of your time here telling you why I believe section 35 is the wrong decision other than to simply say this. If you were tasked with looking within a twenty mile radius of the Mike Horse mine for the best possible spot for dumping one million yards of mine waste do you think it would end up a few hundred yards from the Blackfoot River and a few hundred feet from a tributary, and directly adjacent to private downstream landowners? I don't think it would. It defies common sense to spend \$39 million dollars and twelve years to move a million cubic yards of toxic mine tailings downstream and further into the Blackfoot watershed on a piece of pristine ground. This is like moving contaminants from the Mill Town dam to East Missoula next to the Clarkfork!

Why was Section 35 Selected?

We believe Section 35 was selected because it is owned by Stimson Lumber Company, and what has driven this decision, is a fervent desire to make good on a deal the agencies made with Stimson several years ago to forgive a large legal debt (\$300,000) in exchange for a piece of property to dump these tailings. This was a well kept secret until they finally had no choice but to ask John Baucus for his agreement, because he and his brother Senator Max Baucus own the development rights. Just two weeks ago it was revealed Baucus's had finally agreed to sell their rights to the state – a week before the public comment period on this study even began. The Senator and his brother will split up \$255,000 just for signing a piece of paper – if allowed to stand, the cost to the neighborhood in lost property values could be in the millions.

The Study:

The primary reason I am here tonight is to talk about this study of repository alternatives. This entire process of evaluating potential alternatives in front of the public should have occurred three years ago after the Federal Bankruptcy Settlement Agreement was issued in 2008. Few Americans realize that a federal Bankruptcy judge is the most powerful judge in the land – they can actually usurp constitutional guarantees – several thousand franchised car dealers found this out two years when GM and Chrysler requested voluntary bankruptcy. The court allowed the manufacturers to strip them of their franchises even though state and

federal law forbid their action. The actual definition of the Upper Blackfoot valley Mining Complex (UBMC) was defined in this Bankruptcy Settlement and it expanded the Super fund to 14 sections, encompassing 8960 acres of the upper Blackfoot Valley, including all private property from the top of Rogers Pass to Alice Creek.

There is an old management axiom that says:

“If you are faced with a complex decision and all information points to a single conclusion – don’t make the decision because you simply do not have all of the information” - which brings me to this study. I have reason to believe section 35 will be eliminated as a potential repository, so these alternatives will become very important – especially if they don’t actually exist.

One alternative I was surprised to see back on the table is Horsefly Creek. This site was originally dismissed in 2007 due to access concerns and the need for a temporary bridge over the Blackfoot. The site is also on Stimson land and is the first Stimson property looked at clear back in 2006. To access this gulch one would need to drive through Louie and Trudy Bouma’s property, they own the Bouma poll Yard which is at the bottom of the gulch adjacent to Highway 200. I thought obviously the agencies must have come to an agreement with the Bouma family – so I called Louie. He told me not only has no-one contacted him, they have never contacted him.

When I first started to read this document I was excited – well I was mildly happy. Because it included an option (Alternative #7 in Alice Creek) that I had been advocating: a site much further from the river, closer to the Mike Horse, on private land, and the only nearby private home belongs to the landowner. The study says the area has ample space, the shortest haul distance and the construction of the repository is relatively simple; so I was very surprised, to see this option still had a higher price tag than section 35 - why, because it includes a liner system which adds nearly \$2 million to the cost. Section 35 does not have a liner system even with known shallow groundwater and spring time groundwater fluctuations as high as 30 feet.

Audie and Barb Solvie own the property for Alternative#7 and I know they don't do e-mail, so I printed out the description of the alternative and drove up to see them. To my surprise no one from the agencies had even contacted them prior to the completion of this study. The only contact they had was to ask permission to take folks on the tour after this study was released. The Solvie's told me not only have they not arrived at a price for the property, they haven't even talked about an agreement or an option to purchase, nor have they discussed any agreement of any kind.

The Solvie's were also not aware that the haul route in this study goes through their front yard, next to their home and through their coral? No one from the agencies ever set foot on this property during the study period – they flew over it in a helicopter!

The agencies have led folks to believe these were real alternatives; in fact Alice Creek #7 is one of the four recommended alternatives to be carried forward. The truth is most of these supposed alternatives were never alternatives at all. This goes beyond being dishonest, I believe the DEQ and the US Forest Service have intentionally misled and miss-informed the public in an effort to support the forgone conclusion that section 35 is the only answer. This study and the entire repository selection process have become tainted and should be started over again with personnel who do not have an agenda, have no allegiance to Stimson Lumber and are willing to honestly consider options that do not involve moving these tailings!

I urge you to not support any alternative at this time.

Thank you for allowing me to tell a very small part of the other side of this story.

Mike Grimes