

October 24, 2004

Surface Transportation Board
Case Control Unit
Washington, DC 20423
Attn: Kenneth Blodgett



Re: STB Docket No. FD 30186 (Sub-No. 3)

Gentlemen:

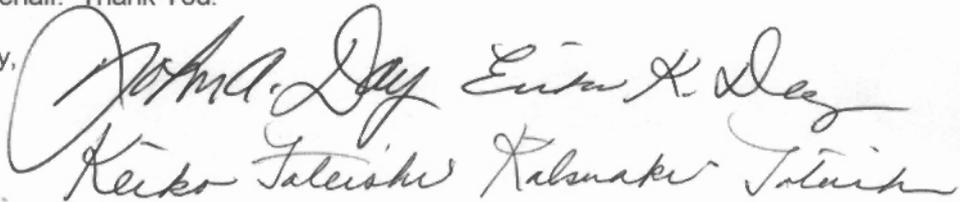
As the owners of property in the Cormorant Bay Lakeview Estates Subdivision(Tract #7A, 7B, & 7D) at Tongue River Reservoir in Big Horn County, Montana, we are writing to protest the establishment of the Tongue River Railroad Company's proposed Western Alignment(Tongue River III). We have several specific reasons for protesting the proposed Western Alignment. We feel that this proposed railroad development is too close to Cormorant Bay Lakeview Estates Subdivision and because of this there will be much greater noise pollution, ground vibration, and air pollution from diesel trains running on this proposed line. Also, this proposed line and the trains running on it will be visible from our subdivision which will be an obstruction to our scenic views causing a general degrading of our subdivision's scenic values. Because of the above concerns we feel that the proposed Western Alignment if approved would have a very negative impact on our subdivision and that we would see a devaluation of our property causing us great financial loss. In the Draft Supplemental Environmental Impact Statement(Volume I Pg. 4-63), the following is stated: "At its closest point, the proposed Western Alignment would be approximately 750 feet from the nearest Cormorant Estates residence, which is closer than the approved Four Mile Creek Alternative." It also says the following: "Indirect impacts on residences, such as noise and vibration, would be temporary during construction and minor during operation." It then says the following: "Cormorant Estates is located to the east of the proposed Western Alignment, similar to the approved Four Mile Creek Alternative, and would not experience significant direct effects, such as the loss of land, or indirect effects, such as noise and vibration, from the construction of either alignment." We believe this is a contradiction as first it says "impacts on residences, such as noise and vibration would be temporary during construction and minor during operation and then it says "Cormorant Estates would not experience indirect effects, such as noise and vibration from the construction of either alignment. I must say that Cormorant Bay would experience very minimal if any indirect effects with the approved Four Mile Creek Alternative. Also, it says that "Cormorant Estates is located east of the Proposed Western Alignment", however, this is only partly true. A very large portion of Cormorant Estates is located South of the Proposed Western Alignment including all of our lots in the Lakeview Estates region and a few lots to the east of us. At only 750 feet from the nearest Cormorant Estates residence how can our subdivision not be affected by noise, vibration, air pollution, and scenic degradation at this short a distance. There would be much less impact on our subdivision in the Four Mile Creek Alternative and we would not have a railroad so close to our northern boundary. In Volume I Pg. 4-55 of the Draft Supplemental Environmental Impact Statement the following is stated: "It has 11 lots, one with a cabin, and the remaining undeveloped lots still for sale." At this time there are approximately six cabins in Cormorant Bay on the north shore of the Tongue River Reservoir and one cabin under construction in Lot # 7C of Cormorant Bay Lakeview Estates. Two of these existing cabins and the other one under construction are directly south of the proposed Western Alignment and would have the greatest indirect impact from noise, vibration, and air pollution. Although we are the legal owners of Tracts 7A, 7B, and 7D in the Cormorant Bay Lakview Estates Subdivision and are registered in Big Horn County as owners, we have never been contacted by the Tongue River Railroad Co. regarding their proposed Western Alignment Plans and the potential negative affects that

it could have on us. This neglect on their part is a slight to us and could possibly be misleading to those who are in a position to approve or disapprove their plans.

We purchased our land as recreational property and we feel that the proposed Western Alignment would have severe negative impacts on our ability to enjoy this beautiful area as we had originally planned. Therefore, we hope that you will deny the Tongue River Railroad Company's request to build the Western Alignment. We feel that the Four Mile Creek Alternative would have much less negative environmental impact on the north shore of the Tongue River Reservoir.

We do thank you for the opportunity to voice our objection to the proposed Western Alignment and hope that you will decide to deny the Tongue River Railroad Company's request to build this line. Again, we want to thank you for your cooperation and patience on our behalf. Thank You.

Sincerely,



John A. Day, Eriko K. Day, Katsuaki Tateishi, Keiko Tateishi
Property Owners Lots 7A, 7B, & 7D
Cormorant Bay Lakeview Estates Subdivision
Tongue River Reservoir
Big Horn County, Montana

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