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From: Robert Thomas

To: Gary Hanson

Subject: Response Letter EL14-061

Sent: Sep 6, 2014 1:58 PM

Gary,

I thank you for your response letter. I do have some follow up comments on a few of the points addressed.

In the response to point one the answer was correct and I am satisfied. The response to point two was not quite as good. I understand the notification requirements according to the letter of the law. But this line is going to pass through 36 miles of National Forest. I would of thought that with this in mind a public notification through other media would of better served the interest of the state, and the residents of Pennington County. All are owners of this property. When I inquired why this has not been mentioned on any news stations in the Rapid City area only KOTA responded that they would look into it. This could of been done as a public service announcement. It does make me suspicious that not even one of the news stations have shown interest in this. But then BHP is the sponsor of all three stations weather segments. I find it hard that the Rapid City Journal fills this requirement for it only serves a very small segment of the area affected. I have inquired with residents outside of this half mile area and they have no knowledge of this proposed line. This even includes some recreational

areas around the Pactola Reservoir. Following the minimum letter of the law does not always fit in to doing what is the best for a community.

As to the response of number three I feel was a diversion. I do feel it is with in the scope of the commissions duties to take in all risks and other routes before issuing any permits. To take BHP word only on the route study does not protect the public or the resources of the county or the state. Then having a hearing where the majority of the public first learned the details of this line on Monday and having only till Friday for the intervention deadline or filing for any other aspect of these hearings I feel was unreasonable. Again the letter of the law followed but not necessarily the right thing.

As to the response to 4 I now understand why the Native American Community was not in attendance. They feel their voices are not heard at this level and have a better chance to be heard in the Federal Courts. They are aware of this because of their purchase of sacred land in Deerfield which they are now in a battle with Pennington County over sovereignty rights. As to the response to concern number five I am not confused at all. The concerns stated there should be very much at the top of the list for this permit consideration.

I also do not understand how a permit can even be considered when a final route is not determined. The Deerfield area had three proposed lines with questions still unanswered. I admit I do not understand all the time lines and requirements in the State of South Dakota. From past experience dealing with permits on other levels and states I know that if there were any open issues they would be sent back to the applicant to be corrected and the process would start over. I also do not feel that BHP fulfilled their obligation of the required information for the permits. They did not post on line any detailed maps to the route of this proposed line till the day of the meeting. This alone denied any public parties the ability to prepare questions of responses to the commission or BHP. On these two points alone I think the six month approval time line should start again. Only this time it should be a required public service announcement on all the media outlets. Not just the Rapid City Journal.

Again Gary I do thank you for your response and I would like your consideration on what would be the right way to inform the citizens of Pennington County then just the minimum legal way. I think all will end up better served when it is done.

Thank you again

Robert Thomas.