

## Jacyn Normine

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**From:** Mike Seely <mike@seelymint.com>  
**Sent:** Wednesday, February 7, 2024 4:47 PM  
**To:** Planning Department.UserGroup; Mike Seely  
**Subject:** response to next energy rebuttal

Some people who received this message don't often get email from mike@seelymint.com. [Learn why this is important](#)

Again our harvest is from June through September--NOT July and September  
P and W does not have to abide by any of this. I have personally experienced this when I was held up at the tracks--see my prior comments--45 minutes. P n W said "tough luck, we go by federal rules--we can block the tracks all day long". How would you split the train? It should be noted the consultant only says ' P nW **could post people and work with local property owners.** THEY DO NOT HAVE TO. I have verbal agreements with this NEXT entity before and all were broken by them. Everything needs to be written agreements. Not well we might do this. Our crops are very time sensitive and can be negatively impacted by changing weather conditions (Weather forecasters don't get it right) What if their pipeline or other infrastructure breaks and spills into the ditches. This would basically shut down all the farms (irrigation etc) for a very long time. Their EPA spill plan/mitigation will probably extend all the way to the pumphouse. This would impact evry farm and landowner within Beaver Drainage Improvement Corporation. Especially if the PUMPS had to be turned off to avoid discharging into the Columbia River system with contaminated water

The proposed rail mitigations are not enforceable, and dependent on P&W (which is outside of NEXT's control). The County cannot rely on NEXT's newly-floated ideas about splitting trains and radio or phone coordination with people on area roads.

NEXT's request for information to you personally is inappropriate, and the information you have provided in the record shows that rail delays will be predictably disruptive to not just you, but also people in John's District. Existing train traffic already impacts the area. NEXT's proposal will add more, longer trains. There is no guarantee that NEXT will split trains or coordinate with farmers in the way that the rail report suggests. In fact, it is highly unlikely that whoever actually operates the facility will feel bound by that type of requirement.

Building large unlined infiltration ponds will impact groundwater and drainage. This is the lived experience of farmers in the area. Soil compaction, water flow changes, and culverts all play a major role in how water moves through the district. NEXT has hired consultants to argue that the actual, real-life experience of the people who operate the drainage system is irrelevant. Simply put, they have provided too little information despite five years having passed to justify their claims. They continue to acknowledge that additional groundwater study is needed, and the results could confirm what farmers are saying: large changes within the BDIC, such as the rail yard in its new location and ponds in their new locations, will impact the drainage district. In times of high groundwater levels (like this winter), infiltration will be ineffective. And, it will be ineffective precisely when it is most needed. The unlined ponds are effectively new ditches, which is not allowed within the BDIC. The changes will impact farmers like Seely, Hoffman, and many others who rely on the water. NEXT is asking you to believe armchair experts over the people who actually manage the system.

thank you

mike seely