

COMMITTEE ON NATURAL RESOURCES

OVERSIGHT FIELD HEARING ON

***“State and Local Efforts to Protect Species, Jobs, Property, and Multiple Use
Amidst a New War on the West”***

**September 4, 2013
Billings, Montana**

Good afternoon Mr. Chairman and Members of the House Natural Resources Committee. My name is Channis Whiteman and I am a member of the Crow Tribe and employee at Cloud Peak Energy’s Spring Creek Coal mine. On behalf of the Crow Tribe, I welcome you to Montana.

I am also happy to welcome you on behalf of Cloud Peak Energy. We are honored to have you in Montana and appreciate your interest in issues that not only impact the company I work for, but my Tribe and my family.

Let me begin by giving you some background.

The Crow Reservation is Montana’s largest reservation with more than 2.2 million acres of land. The Reservation is home to more than 8,500 Apsaalooke Tribal members.

You should also know that the Crow struggle economically. Our unemployment rate approaches 50%. Our young people are forced to leave our home in search of work. Others struggle with social problems associated with poverty, idleness and despair.

This does not have to be. The Crow Reservation is a wealthy reservation. We are blessed with an abundance of natural resources including timber, water, oil, gas and renewable energy opportunities.

We are also blessed with a massive coal deposit-- In their work on behalf of the Tribe, the BIA Division of Energy and Mineral Development has estimated that there are more than 9 billion tons of coal resources within the boundaries of the Crow Reservation.

The Crow Tribe recently signed an option and lease agreement with Cloud Peak Energy, our neighbor to the east of our Reservation, with the intent and hope to develop some of those reserves.

Crow coal reserves could serve existing domestic markets as well as the growing Asian market.

It is a reserve the Tribe is interested in developing because we believe it is a key to making us a self-reliant reservation economy that can provide good jobs for our kids and hope for all generations.

I know what I speak, Mr. Chairman, because I am a proud coal miner at Cloud Peak Energy's Spring Creek Mine. I am a heavy equipment operator; a job I have had with Cloud Peak since 2005.

Cloud Peak Energy is one of the largest coal mining companies in the United States. Cloud Peak owns and operates three mines in the Powder River Basin States of Wyoming and Montana.

In Montana, Cloud Peak Energy owns and operates the Spring Creek Coal Mine, the State's largest coal mine, which was responsible for about 48% of Montana's total coal production last year.

And at a time when the Crow unemployment rate is near 50% and the U.S unemployment rate is over 7%, coal mining provides safe, reliable, good paying jobs.

Jobs that feed families and create opportunities and make healthy communities.

But I know there are detractors who say the harm of coal mining to the environment outweighs the benefits of the jobs and tax revenue created by mining. Some argue that we must choose between these good paying jobs and the environment.

Now I don't know a lot about the Endangered Species Act or the legal issues surrounding the sage grouse. That said, I think we'd all agree with Congress's worthy intentions when passing the Endangered Species Act

However we must make sure that any actions to save a species also takes into consideration the human impact. The Endangered Species Act should not force us to choose wildlife over humans and the economic opportunity necessary to my family and my Tribe.

I am here to tell you that we can have both— thriving wildlife populations and good paying jobs created by coal. Mr. Chairman, let me be clear so all understand our position. Protecting the environment is of monumental importance to the Crow Tribe.

Cloud Peak's reclamation work and operation mitigation efforts often result in improvement of wildlife habitat.

I know this because I see it every day I go to work.

Let me give you a quick example. At the Spring Creek Mine, our reclamation work is second to none. If you look on the screen, you will see a photo of our award winning reclamation work. As a dozer operator, I have been involved in the re-grading of land after the coal has been removed, returning it to a condition most would argue, is better than before we mined.

Reclaiming land specifically to provide habitat for a variety of wildlife species including sage grouse is a permanent and ongoing operation.

We are creating sage grouse habitat today, at Spring Creek, in places that were not sage grouse habitat before we mined. And this restored and improved habitat is already bringing in wildlife, including mule deer, antelope, osprey and a wide variety of other native species.

Mr. Chairman, I am not a biologist or a scientist or an expert on sage grouse. But I do know Cloud Peak Energy takes its responsibility to the environment very seriously.

If the implementation of laws like the Endangered Species Act fails to adequately consider people in the equation, then I fear efforts to save the Sage Grouse could lead to lost jobs, and the sage grouse will still lose habitat.

Restrictions that prevent Cloud Peak Energy from temporarily disturbing the land could lead to permanent impacts for me, my fellow coal miners, my family, and my Tribe.

Mr. Chairman and Members of the Committee, the Crow Tribe is located in a rural, remote part of Montana. We don't have a lot of options.

But what we do have is a lot of coal. And that coal brings good paying jobs and critical revenue to my Tribe. In recent years, coal revenues from the only operation that currently mines Crow coal – Westmoreland Resources' Absaloka Mine – accounted for almost 2/3 of the Tribe's revenues outside of Federal programs. To better provide for our people, the Tribe needs to expand and diversify our coal revenue and jobs.

And that coal also gives us a lot of hope because it helps provides a path toward self-sufficiency, opportunity for my kids and a choice for all the families that want to stay on their homeland.

Good paying jobs do not have to come at the expense of the environment. We can have both. As a heavy equipment operator for a coal mining company AND as a member of the Crow Tribe, I know we are already accomplishing both.

Let me finally say, Mr. Chairman and Members of the Committee, on behalf of Cloud Peak Energy I extend an invitation to tour our Spring Creek Mine, a world class mine with world class employees, recovering a world class coal reserve.

Congressman Daines toured the Spring Creek Mine in 2012 and I suspect he would be willing to attest to the impressive nature of our operation. Thank you again Congressman Daines for your interest in our mine and issues that affect my livelihood and for your efforts to bring this hearing to Montana.