

Surface Transportation Board Announces November 19th Issuance of Final Environmental Impact Statement on "Dakota, Minnesota & Eastern Railroad's" Proposed Powder River Basin Rail Expansion Project

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board's Section of Environmental Analysis (SEA) has completed the Final Environmental Impact Statement (Final EIS) for the Dakota, Minnesota and Eastern Railroad Corporation's (DM&E) proposed Powder River Basin Expansion Project (PRB Expansion Project). SEA today sent the Final EIS to the printer and plans to issue the document to the public on **November 19, 2001**.

In accordance with the requirements of the National Environmental Policy Act, on September 27, 2000, SEA, in coordination with five cooperating Federal agencies, issued a 5,000 page Draft EIS for the proposed project. SEA then conducted 12 public hearings on the Draft EIS and on wetlands permit applications that DM&E had filed with the U.S. Army Corps of Engineers for the project.

During the Draft EIS's public-comment period, SEA received more than 8,600 submissions. Comments were submitted by Federal, state, and local agencies; various interest groups; affected communities; Indian Tribes; and members of the public, largely from the States of Minnesota, South Dakota, and Wyoming, but also from locations throughout the United States.

The Final EIS, which in printed form will exceed 2,500 pages, responds to the comments, includes additional analysis, as appropriate, and sets forth SEA's final environmental mitigation recommendations to the Board. Chairman Morgan had indicated that SEA anticipated issuing the Final EIS no later than late Fall of 2001, and that goal has been met with completion of the document by the end of October. When the Final EIS is released, the Board will issue another news release summarizing the document's recommendations.

Because of the length of the Final EIS, SEA will mail the entire document only to key reviewing agencies, Tribes, Governors, elected officials, and appropriate county offices, as well as the parties of record. However, to assure that the public has ample access to the document, SEA will distribute the Final EIS to the reference section of more than 80 public libraries. The entire document will be available on November 19th on the Board's website (at <http://www.stb.dot.gov>) under the "Decisions & Notices" button on the home page. SEA will submit the Final EIS to the U.S. Environmental Protection Agency for formal public notice of availability. The Board also will publish its own Notice of Availability in the *Federal Register* and will mail copies of the Notice to the several thousand people, agencies, Tribes, and organizations on the project mailing list.

The November 19th issuance of the Final EIS will conclude the agency's environmental review process in the case entitled *Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin*, STB Finance Docket No. 33407. The Board will then consider in its final decision whether to approve, approve with conditions, or disapprove the proposed PRB Expansion Project. In making its final decision, the Board will consider the entire environmental record, including the Draft EIS, the Final EIS, all public and agency comments received, and SEA's final recommended environmental mitigation and estimated mitigation costs. The cooperating agencies also will issue decisions under their own governing statutes, based on the EIS and various applications submitted by DM&E.

The PRB Expansion Project is DM&E's proposal to construct approximately 280 miles of new rail line in South Dakota and Wyoming and to upgrade approximately 600 miles of existing rail line in those states. The project would allow DM&E

to extend its existing system westward to access coal mines in the Powder River Basin of Wyoming. A printed copy of the Final EIS will be available for a fee by contacting **D~2-D~ Legal, Room 405, 1925 K Street, NW, Washington, DC 20006, telephone (202) 293-7776**, or via [http://Da_To_Da@Hotmail.com](mailto:Da_To_Da@Hotmail.com). Interested parties may obtain additional information by telephoning the SEA toll-free Environmental Hotline at **(877) 404-3044**. The Final EIS also will be available for viewing and downloading via the Board's website at <http://www.stb.dot.gov>.

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