

FOR RELEASE  
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**Surface Transportation Board Issues Draft Supplemental Environmental Impact Statement on "Dakota, Minnesota & Eastern's"  
Powder River Basin Expansion Project**

The Surface Transportation Board announced today that its Section of Environmental Analysis (SEA), in cooperation with five Federal agencies (the U.S. Department of Agriculture, Forest Service; the U.S. Department of Interior, Bureau of Land Management; the U.S. Army Corps of Engineers; the U.S. Department of Interior, Bureau of Reclamation; and the U.S. Coast Guard), has issued a Draft Supplemental Environmental Impact Statement (Draft SEIS) on the Powder River Basin Expansion Project proposed by the Dakota, Minnesota & Eastern Railroad (DM&E).

The public is invited to submit written comments addressing the issues considered by the Board in the Draft SEIS. Commenters should submit an original for comments five pages or fewer in length and, for comments exceeding five pages, an original plus 10 copies. All comments must be postmarked by **June 6, 2005** to:

**Case Control Unit  
Finance Docket No. 33407  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001**

Please write the following in the lower left hand corner of the envelope:

**Attention: Victoria Rutson  
Section of Environmental Analysis**

SEA will consider timely and relevant comments in preparing a Final SEIS, which will include SEA's final conclusions on the four remanded issues and any additional mitigation that SEA might recommend. The Board will then make its final decision regarding this project and any environmental conditions it might impose.

The Draft SEIS issued today in *Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin*, STB Finance Docket No. 33407, is available for viewing and downloading via the Board's Web site, at <http://www.stb.dot.gov>, by clicking on this hotlink: [STB Finance Docket No. 33407](#) (alternatively, users may access the Draft SEIS by clicking the "E-Library" button on the home page; then the "Decisions & Notices" selection on the dropdown that will appear; then, when the next page appears, under "4/15/2005," click the case abbreviation, "[FD 33407 Q](#)"). For further information, telephone SEA's DM&E Draft SEIS project manager, **Victoria Rutson**, at **(202) 565-1545**. A printed copy of the Draft SEIS also is available for a fee by contacting **ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706, telephone (202) 306-4004**, or via [asapdc@verizon.net](mailto:asapdc@verizon.net). A fact sheet is attached.

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**ATTACHMENT**

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Fact Sheet

***Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin*, STB Finance Docket**

After the Surface Transportation Board gave final approval to the Powder River Basin Expansion Project in 2002, various parties sought judicial review. In *Mid States Coalition for Progress v. STB*, 345 F.3d 520 (8th Cir. 2003), the court upheld the Board with respect to all of the transportation issues and most of the environmental issues that were raised. But it directed the Board to give further consideration to the environmental impacts of increased horn noise, the relationship between vibration and horn noise, and potential increased coal consumption in the region to be served by the Dakota, Minnesota & Eastern Railroad (DM&E). The court also found that the Programmatic Agreement setting forth the Board's approach to the historic review required by the National Historic Preservation Act should have been executed prior to the time the Board granted a license to DM&E in this case. This Draft Supplemental Environmental Impact Statement (Draft SEIS) reflects SEA's independent analysis of each of the four issues remanded (returned to the Board) by the court.

SEA has distributed the Draft SEIS to key reviewing agencies, American Indian Tribes, state governors, elected officials, parties of record (official participants), and other interested citizens. In addition, it will be available in the reference sections of the more than 80 public libraries listed in Appendix G of the Draft SEIS. The entire document also is available on the Board's Web site.

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