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**SURFACE TRANSPORTATION BOARD ISSUES FINAL 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 Final Supplemental Environmental Impact Statement (Final SEIS) on the Powder River Basin Expansion Project proposed by the Dakota, Minnesota & Eastern Railroad (DM&E).

Issuance of this Final SEIS completes the Board's environmental review process. The Board now will make a final decision on the proposed project. In accordance with the regulations of the President's Council on Environmental Quality, no agency decision on the proposed action may be made until 30 days after EPA publishes its Notice of Availability of the Final SEIS. In the interest of bringing this matter to closure, the Board will act promptly following the required waiting period.

The Final SEIS issued today may be viewed and downloaded by clicking this hotlink: [Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin, STB Finance Docket No. 33407](#). The Final SEIS is available for viewing and downloading via the Board's Web site at <http://www.stb.dot.gov>, under "E-Library," then under "Decisions & Notices," beneath the date "12/30/05."

For further information, telephone SEA's DM&E Final SEIS project manager, **Victoria Rutson, at (202) 565-1545**. A printed copy of the Final 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**. A fact sheet is attached.

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ATTACHMENT

Fact Sheet

Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin, STB Finance Docket No. 33407

After the 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. However, the court directed the Board to give further consideration to four environmental issues: whether mitigation for increased horn noise is warranted; the relationship between vibration and horn noise; potential increased coal usage and related air emissions that could result from this project; and ensuring that the Programmatic Agreement governing the historic review is executed.

This Final SEIS reflects SEA's independent analysis on the four issues remanded (returned to the Board) by the court and incorporates input from agencies, Tribes, organizations, environmental groups, businesses, and members of the general public. It also responds to the comments received on the Draft SEIS, which was issued on April 15, 2005, and presents SEA's final conclusions and mitigation recommendations, should the Board decide to again approve the Powder River Basin Expansion Project.

The Final SEIS has been mailed to key reviewing agencies, Tribes, elected officials, parties of records, and other interested citizens. It is also available for review in the reference section of over 90 public libraries. The entire document can be found on the Board's Web site.

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