

Victoria Rutson
Section for Environmental Analysis
Surface Transportation Board

395 E Street SW
Washington DC 20423

EI-2957
VJR

Dear Ms. Rutson:

During 2001, almost 5,000 residents of Fort Pierre and Pierre, South Dakota, signed a petition requesting that the federal Surface Transportation Board (STB) condition any approval of DM&E's Powder River Basin (PRB) coal-hauling project (STB Finance Docket No. 33407) with a bypass for the two communities. As you know, STB examined and then re-examined that specific issue, but it ultimately concluded that such a bypass was not a reasonable or feasible alternative.

In its Draft Environmental Impact Statement (DEIS), issued September 27, 2000, STB wrote: "SEA evaluated the proposed bypass around the communities of Pierre and Fort Pierre, South Dakota and determined it to be unreasonable. The alternatives proposed for the bypass would have significant environmental and engineering constraints. The topography along the bypass route would require extensive cuts and fills to establish a safe and suitable grade for operation of unit coal trains. The bypass would also require construction of a new bridge, at a new location, over the Missouri River/Lake Sharpe. The bridge would be required to cross approximately 1.0 mile of the lake and would be approximately 1.5 miles long or longer, including the approaches. A new bridge would create an additional navigational hazard to watercraft. The bypass would likely have severe impacts on a substantial amount of significant cultural resources. These impacts were determined to be unreasonable, and the Pierre/Fort Pierre bypass was removed from further consideration." (page 2-65)

In its Final Environmental Impact Statement (FEIS) issued November 19, 2001, STB wrote: "Following release of the Draft EIS, SEA received numerous comments pertaining to the proposed Pierre/Fort Pierre bypass. These comments generally described the potential impacts related to rehabilitation of DM&E's existing rail line through these communities and, in particular, increased rail traffic to as many as 37 trains per day. Commenters also expressed concern that SEA had too quickly (or unfairly) eliminated the proposed bypass from further consideration in the Draft EIS. Numerous commenters urged SEA to reconsider the Pierre/Fort Pierre bypass. In response to the comments, SEA determined that it was appropriate to conduct further investigation of the potential environmental impacts associated with the Pierre/Fort Pierre bypass and to compare them to the impacts associated with rehabilitation and operation of the existing DM&E rail line. The results of SEA's additional investigation are set forth below. As discussed in this Chapter, SEA reaffirms here its conclusion in the Draft EIS that the proposed Pierre bypass is not a reasonable and feasible alternative. Even though nearly all the commenters from Pierre and Fort Pierre indicated that a bypass was necessary, SEA's analysis simply cannot support the conclusion that the proposed bypass would be workable." (page 5-1)

In the Fort Pierre and Pierre communities, considerable support for a bypass still exists. If a bypass were possible, many local citizens, businesses, and organizations would work diligently toward making it a reality. On the other hand, it would be foolish to invest any time, money, or effort into the endeavor if it were just not possible in the first place. In order that local residents can focus their efforts in positive and productive areas, we are hoping that you can clarify the bypass issue for us by providing some guidance.

Obviously, and as STB well knows, there are profound challenges associated with a bypass around Fort Pierre and Pierre. The cost would be enormous. Potential opposition from landowners, including the Lower Brule Sioux Tribe, would need to be addressed. There are a multitude of topographical, geological, and archaeological challenges.

Assuming that funding for such a bypass could be found, and assuming that the route would be identical or very similar to the proposed route submitted to STB in the PRB docket, is a bypass around Fort Pierre and Pierre, from STB's perspective, still possible? If the monetary and landowner issues could somehow be resolved, would STB approval be needed before the bypass project could begin? Specifically, did STB's final decision in Finance Docket No. 33407 preclude this particular bypass from ever being built?

We appreciate your assistance on an issue of great concern to our communities. Obviously, we hope that your answer is that a bypass is somehow, from STB's perspective, still allowable. If that is not reality, then we would certainly respect your candor in advising us this option is just not possible.

Sincerely,

Patricia Osch-Jacobs

THE COMMITTEE FOR A SAFER PIERRE AND FORT PIERRE

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