

Mayors disappointed with last-minute delay

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Mayors of communities in South Dakota are crying foul over a last-minute legal tactic used by attorneys representing opponents of the Dakota, Minnesota & Eastern Railroad expansion project to delay it.

Judge James Anderson of Pierre responded to a request from project opponents to bar the South Dakota Transportation Commission from holding its hearing to allow the DM&E to use eminent domain authority for portions of its expansion.

The hearing was originally scheduled for last December, but has been postponed due to opponents' delay tactics, the mayors said.

"The legal maneuvers by opponents of the DM&E project crossed the foul line," said Huron Mayor David McGirr.

"While attorneys sue, communities like Huron have to wait another day for the jobs and opportunity that the DM&E project will bring," he said. "We respect landowners' right to due process, but their attorneys, working with opponents in Rochester (Minn.), are manipulating the system for the sake of delay. We have waited long enough and urge the Transportation Commission to keep this project moving forward."

The DM&E's project would extend its line 260 miles from Wall to Wyoming's Powder River Basin and rehabilitate another 600 miles of track through South Dakota and Minnesota.

The upgraded line would utilize the most modern technologies, creating a more efficient and safer railroad to haul current products such as grain, ethanol and Bentonite clay, as well as cleaner-burning coal for electricity generation.

"The DM&E project holds incredible economic development potential for cities on its line," said Philip Mayor John Hart.

"Our towns and rural America are hungry for this type of development," he said. "The DM&E project would breathe new life into our communities and give us the opportunity to attract jobs that will keep our young families here for another generation. We hope our leaders in Pierre realize this and reject further attempts to delay."

Joining the Huron and Philip mayors were Wall Mayor Dave Hahn, Midland Mayor Joe Woitte and Belle Fourche Mayor [David Schneider and Lake Preston Mayor Mellissa Heermann].

On Tuesday, seven South Dakota agriculture commodity groups also condemned the delay tactics.

DM&E said it has successfully negotiated deals or is working with more than 60 percent of the impacted landowners in the expansion portion of the \$6 billion project. The railroad has offered to work with all landowners and would only use eminent domain as a last resort.