



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

August 7, 2024

Robert A. Wimbish
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, IL 60606-3208

By email at rwimbish@fletcher-sippel.com

RE: Docket No. FD 36723, Savannah Industrial Logistics, LLC (SIL) – Construction Exemption & Docket No. FD 36723 (Sub-No. 1), Savannah Industrial Transportation LLC (SIT) – Lease and Operation Exemption – Line of Savannah Industrial Logistics, LLC in Effingham County, Ga.; EIS Waiver Request Determination

Dear Mr. Wimbish:

Thank you for your August 2, 2024 letter requesting a waiver of the need to prepare an Environmental Impact Statement (EIS) for the above listed proceedings. On September 28, 2023, Savannah Industrial Logistics, LLC (SIL) filed for after-the-fact authority from the Surface Transportation Board (Board) to construct a rail line (the Line) in Docket No. FD 36723, and Savannah Industrial Transportation, LLC (SIT), an affiliate of SIL, filed for after-the-fact authority to lease and operate the same Line in Docket No. 36723 (Sub-no. 1).¹ The Line, which is located in the Savannah Gateway Industrial Hub (SGIH) near Rincon, in Effingham County Georgia, has no mileposts and extends from a connection with Norfolk Southern Railway Company (NSR) near NSR milepost 16.6 to a connection with CSX Transportation, Inc. (CSXT), near CSXT milepost S484.0, a distance of approximately 11,404 feet.

¹ In a decision served on August 1, 2023, the Board determined that because the Line was already being operated as a “rail line” within the Board’s jurisdiction, SIL should have gotten prior approval from the Board to construct and operate the Line. Savannah Indus. Transp., LLC—Operation Exemption—in Effingham Cnty., Ga., FD 36489, STB served Aug. 1, 2023). The Board, therefore, directed SIL to file for construction authority after the fact. The Board further found that SIT should have sought Board authority prior to acquiring the Line through its lease agreement with SIL. Id. Accordingly, the Board instructed SIT to seek acquisition authority after the fact.

In your letter, you request a waiver of 49 C.F.R. § 1105.6(a), which generally provides for the preparation of an EIS for rail line construction proposals. Your letter identifies several reasons why SIL/SIT believe that an Environmental Assessment (EA), rather than an EIS, is appropriate in these proceedings. SIL/SIT explains that the Line is located in an industrial area. Moreover, the Line has already been constructed and some environmental review has already been completed for the Line.

Pursuant to 49 C.F.R. § 1105.6(d), the Board's Office of Environmental Analysis (OEA) is granting your request for a waiver of 49 C.F.R. § 1105.6(a) based on the information available to date.

OEA has determined that the preparation of an EA is appropriate here for the following reasons:

1. OEA conducted preliminary agency and Tribal consultation and requested formal comments by June 5, 2024. Minimal concerns regarding the project were raised by relevant agencies and Tribes.
2. OEA visited the project site on June 25, 2024, to better understand existing conditions in the project area. OEA found that the project area is currently disturbed, development of the SGIH has been proceeding independent of rail line access, and the Line, as noted above, has already been constructed. Moreover, some environmental review for the Line has already been completed.
3. OEA understands that approximately one train per weekday is currently moving on the Line, and the projected number of trains is expected to remain the same. Due to the small volume of expected rail traffic, the potential for impacts related to air quality, safety, and noise during rail operations should be low.

OEA will now prepare a Draft EA and make the document available for public review and comment. After the comment period ends, OEA will prepare a Final EA that responds to the substantive comments received on the Draft EA and includes any appropriate additional analysis. The Final EA will also set forth OEA's final recommended mitigation measures to the Board. The Board will then consider the entire environmental record, including the Draft EA, all comments received on the Draft EA, and the Final EA, as well as the record on the transportation merits, when making its final decision in these proceedings. However, should the EA process disclose unanticipated impacts that are significant and unable to be mitigated, OEA would require the preparation of an EIS at that time.

If you have any questions or need further assistance, please do not hesitate to contact Karen Stevens of my staff at 202-245-0304 or by email at karen.stevens@stb.gov. We appreciate your cooperation and look forward to working with you during the environmental review for these proceedings.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Gosselin". The signature is fluid and cursive, with the first name "Danielle" and last name "Gosselin" clearly distinguishable.

Danielle Gosselin
Director
Office of Environmental Analysis