



Northwest Tennessee Regional Port Authority Project
Joshua Wayland to: Heffner, John D.

01/29/2014 03:11 PM

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John,

I have attached two letters, which you will also be receiving in the mail. The first letter approves your request for the waiver of the Six Month Prefiling Notice with regard to the proposed Northwest Tennessee Regional Port Authority rail construction in Lake County, Tennessee. The second letter approves the selection of ENSAFE as a third party consultant in this case; attached with the letter is a disclosure statement, which we are requesting that you supply to ENSAFE so that they can send it to us directly.

I would also recommend that you obtain an STB docket number for the case as soon as possible in order to facilitate our review process. Please feel free to call me with any questions.



[Waiver of Six Month Prefiling Notice.pdf](#)



[Approval of Third Party Consultant.pdf](#)

Best regards,

Josh Wayland
Environmental Protection Specialist
Office of Environmental Analysis
Surface Transportation Board
Tel: (202) 245-0330



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

January 29, 2014

Mr. John D. Heffner, Esq.
Strasburger & Price, LLP
1025 Connecticut Ave., N.W., Suite 717
Washington, DC 20036

Re: Northwest Tennessee Regional Port Authority- Lake County, Tennessee; Waiver
of Six-Month Prefiling Notice

Dear Mr. Heffner:

Pursuant to 49 CFR 1105.10(c), we are granting your request of January 14, 2014, for waiver of the six-month prefiling notice generally required for construction projects under 49 CFR 1105.10 (a)(1).

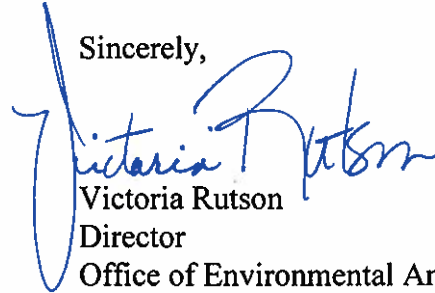
The Surface Transportation Board's Office of Environmental Analysis (OEA) has met and consulted with the Northwest Tennessee Regional Port Authority (NWTRPA) representatives regarding the proposed environmental impacts associated with the construction and operation of a new rail line in Lake County, Tennessee. At a meeting on December 19, 2013, NWTRPA's representatives provided OEA with an overview of the project. Additionally, you supplied additional information on behalf of NWTRPA regarding the proposed project and its potential environmental consequences.

NWTRPA is a public agency and political subdivision established under Tennessee law to develop, construct, and operate a port facility located on the Mississippi River in Lake County, Tennessee. The port facility, which was completed in 2013, is located in the vicinity of Cates Landing, on the left descending bank of the Mississippi River at approximately River Mile 900 near Tiptonville, Tennessee. The Cates Landing site is unique in being the only site in Tennessee, apart from Memphis, that is located directly on the Mississippi River but above the 100-year floodplain. The port facility was the subject of an Environmental Assessment by the U.S. Army Corps of Engineers, which found no significant environmental impacts. NWTRPA proposes to construct a rail line approximately 5.5 miles in length to connect the port facility with the existing Tennken Railroad. The railroad would also serve a new industrial park located near the port facility.

The preceding information provided by NWTRPA, and the fact that members of OEA have explained in detail the Surface Transportation Board's environmental review process to NWTRPA's representatives, lead OEA to believe that it has adequate information, and that NWTRPA is sufficiently aware of the environmental review process, to grant this request.

If we can be of further assistance, please contact me or Joshua Wayland of my staff at (202) 245-0330.

Sincerely,

A handwritten signature in blue ink, appearing to read "Victoria Rutson", is written over the printed name and title.

Victoria Rutson

Director

Office of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

January 29, 2014

Mr. John D. Heffner, Esq.
Strasburger & Price, LLP
1025 Connecticut Ave., N.W., Suite 717
Washington, DC 20036

Re: Northwest Tennessee Regional Port Authority- Lake County, Tennessee;
Approval of Third-Party Consultant

Dear Mr. Heffner:

Your request for approval under 49 CFR 1105.10(d) and 40 CFR 1506.5 for retention of ENSAFE as an independent third-party consultant for the above referenced project is approved. ENSAFE will prepare the appropriate environmental document on behalf of the Surface Transportation Board (Board) in connection with a proposed project by the Northwest Tennessee Regional Port Authority (NWTRPA) to construct a rail line of approximately 5.5 miles in length to serve NWTRPA's port facility on the Mississippi River and an adjacent industrial park.

We have attached a disclosure statement that we ask you to forward to ENSAFE to complete. Once the statement is signed by ENSAFE, we request that ENSAFE send it directly to us. As we discussed in our meeting in December 2013, the Board's Office of Environmental Analysis will directly supervise, review, and approve all environmental documents prepared by the independent third-party contractor.

If we can be of further assistance, please do not hesitate to contact me or Joshua Wayland of my staff at (202) 245-0330.

Sincerely,

Victoria Rutson
Director

Office of Environmental Analysis

Enclosure

SURFACE TRANSPORTATION BOARD

DISCLOSURE STATEMENT

On behalf of _____, I certify that _____ has
(name of contractor) (name of contractor)

no financial or other interests in the outcome of the prospective petition of the

_____ to construct a rail line in _____.
(name of petitioner) (location of proposed rail line)

Signature: _____

Printed Name: _____

Title: _____

Date _____