



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

June 18, 2020

Dustin Boles
U.S. Fish and Wildlife Service
Tennessee ES Field Office
446 Neal Street
Cookeville, TN 38501

Re: Docket No. FD 36328, Ken Tenn Regional Rail Partners, Inc.– Construction and Operation Exemption–In Obion County, Tenn. and Fulton County, Ky.; FWS # 2020-I-0755, Section 7 consultation

Dear Mr. Boles:

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. § 1535), the Surface Transportation Board's Office of Environmental Analysis (OEA) is writing to provide you with an update on the status of our work identifying the threatened and endangered species and designated critical habitat in the above project area (described below).

As background, on February 28, 2020, OEA sent both USFWS field offices a letter explaining that Ken Tenn Regional Rail Partners (KTRRP), a non-profit corporation created by the Fulton County Industrial Development Authority of Kentucky and the Industrial Development Board of the City of Union City, Tennessee, is seeking to construct and operate an approximately 11.4-mile segment of rail line in Obion County, Tennessee and Fulton County, Kentucky (Proposed Line). Approximately 1.32 miles of the Proposed Line would be constructed over existing but abandoned right-of-way.

The letter, which began the NEPA consultation process, included a map of KTRRP's Proposed Line that described the project area and requested information on environmental resources that could be affected by the proposal, as well as the approvals and permits that might be required. After receiving your March response letter, OEA asked its third-party contractor CSR Engineering, Inc. (CSR) to gather all available NEPA-related resource data within a one-mile corridor (project area), as measured 0.5 miles from the centerline of the Proposed Line in order to identify potential environmental impacts. In early May, CSR prepared the attached series of maps showing that the Proposed Line would cross agricultural land, a number of public and private roadways, North Reelfoot Creek and its associated floodway (an impaired waterbody per Section 303(d) of the Clean Water Act), and continue near the Hickman Country Golf Course and the Wingfoot Golf Course, and the city limits of Hickman, Union City and Woodland Mills.

At the same time, CSR also conducted a search of USFWS' IPaC database (attached), which indicated that there are no wildlife sanctuaries or refuges, or federal or state parks or forests in the project area but did identify five threatened and endangered species within the project area: the gray bat (*Myotis grisescens*); the Indiana bat (*Myotis sodalis*); the northern long-eared bat (*Myotis septentrionalis*); the least tern (*Sterna antillarum*); and the fat pocketbook (*Potamilus capax*), all of which are endangered except the northern long-eared bat, which is threatened. There are no designated critical habitats.

As the maps of the one-mile rail corridor show, most of the project area is in agricultural production. Farming practices such as plowing, application of fertilizers and pesticides, and the use of drainage ditches appear to be commonplace. North Reelfoot Creek, the only tributary stream in the area, lacks the dense canopy coverage needed for pollutant buffering and is listed as 303(d) impaired because this waterbody has exceeded state water quality standards.

Based on the information available at present, OEA believes that construction and operation of the Proposed Line would not likely have an adverse effect on the five species, but will continue to consult with USFWS throughout the NEPA process in the development of the Draft and Final EAs to determine if you require additional information or believe that mitigation may be warranted.

If you have any questions, please do not hesitate to contact me or Diana Wood, OEA Project Manager at 202-245-0302 or by email at diana.wood@stb.gov.

Sincerely,



Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

IPaC Map and data sheet (EI-26920)
One Mile Corridor Map (EI-26918)