



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

July 25, 2019

John D. Heffner
Clark Hill
1001 Pennsylvania Avenue NW
Suite 1300
Washington, DC 20004

**Re: STB Docket No. FD 36328, Hickman-Fulton County River Port Authority—
Construction and Operation Exemption—In Obion County, Tenn. and Fulton
County, Ky.; Waiver Approval of Six-Month Prefiling Notice Requirement**

Dear Mr. Heffner:

Pursuant to 49 C.F.R. § 1105.1(c), we are granting your request of July 8, 2019, for a waiver of the six-month prefiling notice generally required for construction projects under 49 C.F.R. § 1105.10(a)(1). On June 18, 2019, the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) met with representatives from Hickman-Fulton County River Port Authority (HFCRPA). Meeting participants included: John Heffner and Sloane Carlough of Clark Hill; Bobby King and Chuck Dawes of DT Multimodal; Bedford Dunavant IV and Clay Billingsley of the Union City Development Board; and Victoria Rutson and Danielle Gosselin of OEA.

At the meeting, you explained that HFCRPA – a public agency and political subdivision of HFCRPA in Kentucky and the Union City Industrial Development Authority in Tennessee – seeks to construct approximately 18.9 miles of new rail line (the Line), of which a portion would be built over existing but abandoned former Louisville and Nashville right-of-way and the remainder would be constructed over new right-of-way. HFCRPA also intends to rehabilitate another 27.2 miles of deteriorated track presently operated by two short line railroads, the Tennken Railroad and the Indiana Business Railroad, Inc. doing business as the Union City Terminal Railroad. The Tennken Railroad would connect to a soon-to-be constructed line that was previously authorized by the Board (See Docket No. FD 35802, Northwest Tennessee Regional Port Authority—Construction and Operation Exemption—in Lake County, Tenn., April 21, 2016). When constructed by Northwest Tennessee Regional Port Authority (NWTRPA), the Board-authorized line will serve the Port of Cates Landing on the Mississippi River. You explained that ultimately, the HFCRPA Line would join the Tennken Railroad with the Union

City Terminal Railroad to create a 46.1-mile loop that would connect with the Canadian National Railroad's Illinois Central Railroad subsidiary at both Dyersburg and Rives, TN.

You stated that both HFCRPA and NWTRPA facilities are important because they are located on the only developable land between the confluence of the Mississippi and Ohio Rivers to the north and the deep-water draft at Baton Rouge, Louisiana to the south. Moreover, you noted that HFCRPA believes that its proposal would enable the port to attain its full potential in attracting industry and employment to the rural agricultural and economically depressed areas of Southwest Kentucky and adjacent Tennessee.

Although HFCRPA seeks construction and operating authority from the Board, it intends to contract with the Tennken Railroad or the Union City Terminal Railroad for operations. HFCRPA anticipates that once fully operational, rail traffic would be limited to one roundtrip per day and consist of approximately 60 percent agricultural and approximately 40 percent industrial materials and products.

At the meeting, OEA provided a general overview of the Board's environmental review process, OEA's role in conducting the environmental review, and the role of third-party contractors. In addition, OEA discussed the importance of adequate public outreach, as well as the role of the public, including federal, state, and local agencies, parties of record, communities and other interested parties in the review process.

Based on the information from this initial meeting, OEA believes that it has adequate information and the applicant is sufficiently aware of the environmental process to grant this request. If we can be of further assistance, please contact Diana Wood of my staff at 202-245-0302 or diana.wood@stb.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis