



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 17, 2014

Tim Flinn
US Army Corps of Engineers
Memphis District, Regulatory Branch
167 N. Main Street, Room B-202
Memphis, TN 38103-1894

RE: **Cooperating Agency Invitation for Environmental Review**
STB Finance Docket No. 35802—Northwest Tennessee Regional Port
Authority—Rail Construction and Operation—in Lake County, Tennessee.

Dear Mr. Flinn,

I am writing to invite you to participate as a cooperating agency in an environmental document to be prepared by the Surface Transportation Board (Board) in conjunction with a proposal by the Northwest Tennessee Regional Port Authority (NWTRPA) to construct and operate a new rail line in Lake County, Tennessee.

Pursuant to the National Environmental Policy Act (NEPA) and the Board's rules, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project and the reasonable and feasible alternatives to the proposal. Under NEPA and applicable rules of the Board and the Council on Environmental Quality (CEQ), an Environmental Impact Statement (EIS) will be required if the proposed project would have significant environmental impacts. If the proposed project appears unlikely to have significant environmental impacts, then an Environmental Assessment (EA) may be prepared instead.

Because we believe that NWTRPA's proposal would have the potential to impact resources under your jurisdiction, we are writing to you now, consistent with 40 C.F.R. § 1501.6, to ask you to join us as a cooperating agency in the preparation of an appropriate environmental document for this project.

Description of the Proposed Rail Project

NWTRPA is a political subdivision and noncarrier established by the counties of Dyer, Lake, and Obion in northwest Tennessee for the purpose of owning, constructing, and operating a regional river port facility in Lake County, Tennessee. On June 27, 2014, NWTRPA filed a petition with the Board seeking authority to construct

and operated approximately 5.5 miles of new rail line. The new rail line would provide rail service to the newly constructed Port of Cates Landing on the Mississippi River and would connect to the existing Tennken Railroad near Tiptonville, Tennessee. The enclosed map shows the project area and the location of the proposed rail line.

If the proposed rail line is constructed, NWTRPA intends to enter into a contract with the Tennken Railroad to provide common carrier service to customers located at the Port of Cates Landing and at the adjacent Lake County Industrial Park, which is currently under development in conjunction with the port. As you are aware, the harbor at the Port of Cates Landing was the subject of an EA prepared by your agency between 2000 and 2004, which concluded that the construction of the harbor and the port facility, as mitigated by compensatory wetland restoration and other actions, would not significantly affect the quality of the human environment.

The proposed rail line would begin at an intersection with the existing Tennken Railroad near Tiptonville, Tennessee and would extend to the northwest in the direction of the port. Approximately three miles from the connection with the existing railroad, the proposed rail line would bisect the Lake County Industrial Park. Approximately 2.5 miles northwest of the Industrial Park, the proposed rail line would enter the Port of Cates Landing and would parallel the port's slack water harbor to the main dock facility. The proposed rail right-of-way would primarily cross open farm land and could cross as many as two public roads.

The proposed rail line would be used to transport shipments of agricultural products, as well as industrial and energy commodities and products. Once the port facility and the adjacent industrial park are fully developed, NWTRPA anticipates that the rail line would also transport raw materials for industrial products, finished manufactured goods, agricultural commodities and products, and special cargoes. NWTRPA predicts that rail traffic on the line would initially consist of fewer than 1,000 carloads annually, but would eventually increase to more than 1,000 carloads annually as the port facility and industrial park becomes fully developed.

Cooperating Agency Involvement

We expect your agency's involvement to include primarily those issue areas under your agency's jurisdiction and special expertise. No direct writing or analysis should be required of your agency for the document's preparation. The activities we plan to undertake to facilitate interagency cooperation will likely include the following:

1. Invite you to participate in any public or stakeholder meetings;
2. Consult with you on any relevant technical studies that will be required for the project;
3. Provide you with project information, including study results;
4. Request your review of relevant sections of the environmental document prior to its release for comment by the public and other agencies;
5. Encourage your agency to provide input on subjects within your jurisdiction

- and expertise; and
6. Include information in the environmental document required by your agency to discharge its NEPA responsibilities and any other requirements regarding jurisdictional approvals, permits, licenses, and/or clearances.

Please be assured that we will work closely with you to ensure that the environmental document allows you to discharge your jurisdictional responsibilities. And we ask that you feel free to tell us if, at any point in the process, your needs are not being met. We expect that at the end of the environmental review, the environmental document and our public involvement process will satisfy all of our NEPA requirements, including those related to project alternatives, environmental consequences, and mitigation.

If you have any questions or would like to discuss the proposal in more detail or our agencies' respective roles and responsibilities during the preparation of the environmental document, please contact Josh Wayland at 202-245-0330 (e-mail address: **joshua.wayland@stb.dot.gov**), or Bryan Yates of EnSafe, Inc., our independent third party contractor for this project, at (901) 372-7962 (e-mail address: **byates@Ensafecom.com**). Please forward confirmation that you will participate as a cooperating agency to us by November 1, 2014. We look forward to your response and to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and "R".

Victoria Rutson
Director
Office of Environmental Analysis