

January 27, 2016

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BY E-FILING

Mr. Josh Wayland
Office of Environmental Assessment
Surface Transportation Board
395 E Street, S.W.
Room 1105
Washington, D.C. 20423

**RE: STB FD 35802, Northwest Tennessee Regional Port Authority
Construction and Operation Exemption - in Lake County, TN**

Dear Mr. Wayland:

On December 28, 2015, the Board's Office of Environmental Analysis ("OEA") released its Draft Environmental Assessment ("EA") in connection with the Northwest Tennessee Regional Port Authority ("NWTRPA")'s plan to build and operate a new line of railroad to serve the Port of Cates Landing ("the Port"). The Draft EA states that comments must be submitted to OEA by January 27, 2016, to be considered in the preparation of the Final EA.

The Draft EA reviewed three different Action Alternatives identified as Alternatives A, B, and C and a No Action Alternative (i.e. not to build the railroad). A fourth alternative identified as Alternative D was rejected. The EA concludes that none of the three "build" alternatives would have any significant adverse environmental or historic impacts if the 32 suggested mitigation measures are imposed. Significantly, the Draft EA states "OEA has not yet selected its environmentally preferable alternative. After reviewing public comments on this Draft EA, OEA will prepare a Final EA, which will identify OEA's environmentally preferable alternative and will specify OEA's final recommendations to the Board."

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NWTRPA has reviewed OEA's Draft EA and offers the following comments from an engineering perspective. Simply stated, NWTRPA urges OEA to select Alternative A as the "environmentally preferable alternative." In support of its position, NWTRPA offers the following reasons in support of Alternative A:

- a. Requires smallest acreage.
- b. Impacts the fewest number of land owners.
- c. Potentially serves the largest acreage (without additional drainage ditch crossings) in a future Industrial Park expansion build-out.
- d. Provides a better buffer from local residences and from the two existing prisons.

While NWTRPA regards Alternative B as its second choice, that option has four disadvantages over Alternative A. They are:

- a. Requires additional acreage.
- b. Impacts more land owners than Alternative "A".
- c. Potentially would require additional drainage ditch crossings to serve a future expanded Industrial Park build-out on the west side of ditch.
- d. Provides a less buffered screen from the two existing prisons.

NWTRPA regards alternative C as its "least favored" option for the following reasons:

- d. Requires additional acreage.
- b. Impacts more land owners than Alternatives "A" or "B".
- c. Location would block vehicular traffic from turning off of State Route 22 into a future expanded Industrial Park build-out where future roads could potentially be added anywhere along the route crossing from State Route 22 over

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the rail to access industrial roads or industrial sites. This disadvantage could range from only a nuisance to a major time delay if unit trains are serving the Port/Industrial Park.

d. Creates potential additional hazards for vehicle and train accidents due to additional future crossings into the expanded Industrial Park.

e. Is closest of three options to local residences along the route.

f. Impacts the most acreage in the existing Industrial Park site potentially losing developable site acreage.

Alternative D which OEA properly rejected presents two additional problems that OEA did not identify. They are:

a. The eastern half of the connector track from the Tennken Railroad to the Lake County Industrial Park would be in the drainage basin of Reelfoot Lake. Alternatives "A", "B", and "C" have natural drainage away from Reelfoot Lake and sensitive environmental areas.

b. In addition, this option would also require additional earthwork to transition the vertical grade differences.

In conclusion, NWTRPA urges OEA to pick Alternative A as its "environmentally preferable alternative." NWTRPA thanks OEA and the Board for the time it has spent carefully examining its project and routing alternatives. It looks forward to receiving the Final EA and a decision approving the project on its merits.

Respectfully submitted,



John D. Heffner
Counsel for Petitioner

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cc: John Lannom, Esq.