



DEPARTMENT OF THE ARMY
MEMPHIS DISTRICT CORPS OF ENGINEERS
167 NORTH MAIN STREET B-202
MEMPHIS, TENNESSEE 38103-1894

March 11, 2020

Mr. Kent Evetts
CSR Consulting, Inc.
1116 Main Street
Pleasant View, TN 37146

Dear Mr. Evetts:

This is in reference to the Ken Tenn Regional Rail Partners, Inc.'s request for information regarding resources within the jurisdiction of the United States Army Corps of Engineers concerning construction and operation of approximately 11.4 miles of common carrier rail line in Obion County, Tennessee and Fulton County, Kentucky. The location of the proposed project is shown on the enclosed map.

In general, the deposition of dredged or fill material within waters of the United States requires a permit from the Corps of Engineers under Section 404 of the Clean Water Act. Additionally, work below the ordinary high water mark of navigable waters requires a permit from the Corps of Engineers under Section 10 of the Rivers and Harbors Act of 1899. Depending on the location and type of work as well as the extent of potential impacts to waters, these actions may not require a permit, may require verification under a Nationwide Permit (NWP), or may require a standard permit. Please review the attached terms and conditions for NWP No. 14 (Linear Transportation Projects) as this permit may be applicable for any work within waters of the United States.

Please review this information carefully and pay particular attention to the section regarding Notification Requirements (Section 32). Additionally, please review the sections regarding Historic Properties (Section 20), Endangered Species (Section 18), and projects built by the United States (Section 31); any of these provisions could also require that a pre-construction notification be submitted prior to work. Please note that we should be able to use information from the environmental review that is being prepared by the Surface Transportation Board's Office of Environmental Analysis for National Environmental Policy Act compliance.

The Memphis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, we invite you to complete a Customer Service Survey found at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. Your comments, positive or negative, will not affect any current or future dealings with the Corps of Engineers.

Please notify us as project plans develop (including specific locations and proposed methods of work) so that we can quickly address any permitting considerations. If you have questions, please contact Mitch Elcan at (901) 544-0737 and refer to File No. MVM-2020-056.

Sincerely,

A handwritten signature in black ink, appearing to read "R. S. Allan", with a long horizontal stroke extending to the right.

Roger S. Allan
Supervisor
Regulatory Branch

Enclosures