



EI-20713

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES

William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102

August 12, 2014

Mr. Brian Yates
ENSAFE, Inc.
5724 Summer Trees Drive
Memphis, Tennessee 38134

RE: Northwest Tennessee Regional Port Authority – Rail Construction
STB Finance Document No. 35802

Dear Mr. Yates:

Thank you for contacting the Division of Water Resources for a review of the proposed rail construction for the Northwest Tennessee Regional Port Authority (NTRPA) in Lake County. According to the information submitted by the Surface Transportation Board in their July 24, 2014, the NTRPA Regional Port Authority is proposing to construct 5.5 miles of rail line to serve the Port of Cates Landing.

NTRPA will need to ensure that all appropriate permits are in place before construction may begin including, but not limited, to an Aquatic Resource Alteration Permit (ARAP), needed for any alterations to waters of the state, and coverage under Tennessee's General NPDES Permit for Discharges of Storm Water Associated with Construction Activities (CGP) needed for any land disturbance of one acre or more. Also, appropriate erosion prevention and sediment control measures must be installed and maintained throughout the duration of the project. From our information, it does not appear that any public water supply sources are in such close proximity of the project that they would be impacted. It does not appear that the proposed route of the rail line itself will have an impact upon wetlands that would require an ARAP or any endangered species; however, just past the northern end of the rail line where I presume the riverport itself is going to be constructed is the habitat the Interior Least Tern and the area is also considered wetlands. Jimmy Smith is the Manager of the Natural Resources Unit within the Division of Water Resources and will be the contact regarding ARAP permits. He can be reached at jimmy.r.smith@tn.gov or at (615) 532-0648. Roger McCoy, Director of the Division of Natural Areas can be reached at (615) 532-0437 or roger.mccoy@tn.gov regarding endangered species information.

If you have any further questions, I will be glad to try to assist you. You may reach me at (615) 532-0170 or tom.moss@tn.gov.

Sincerely,

Thomas A. Moss
Environmental Review Coordinator