

Savannah Industrial Logistics, LLC and Savannah Industrial Transportation, LLC After-the-Fact Construction and Operation of Rail Line

Effingham County, Georgia

Docket Nos. FD 36723 and FD 36723 (Sub-No. 1)

FINAL ENVIRONMENTAL ASSESSMENT



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1. Introduction to Final EA

Background

On September 28, 2023, Savannah Industrial Logistics, LLC (SIL) filed a petition in Docket No. FD 36723 seeking authorization from the Surface Transportation Board (the Board) for after-the-fact authority to construct an 11,404-foot rail line in Effingham County, Georgia (the Line), and Savannah Industrial Transportation, LLC (SIT), an affiliate of SIL, filed for after-the-fact authority to lease and operate the same Line in Docket No. 36723 (Sub-No. 1). SIL and SIT are both holdings of OmniTRAX Holding Combined, Inc. (OmniTRAX). The Line, which is located in the Savannah Gateway Industrial Hub (SGIH), an industrial park, near the City of Rincon, provides dual access to two large Class I railroads, Norfolk Southern Railway (NSR) and CSX Transportation, Inc. (CSXT). The Line has no mileposts and extends from a connection with NSR to the west, near NSR milepost 16.6, to a connection with CSXT to the east, near CSXT milepost S484.0. The SGIH is located 12 miles from the Port of Savannah, Georgia and five miles northwest of Interstate 95 (I-95), the main north-south interstate on the East Coast.

These proceedings began on May 12, 2021, when SIT filed a petition for an exemption in Docket No. 36489 to operate as a common carrier over track leased from SIL. OmniTRAX and SIL had previously constructed the Line as a part of a larger project to construct the SGIH, without seeking Board authorization or undergoing environmental review under the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321-4370m-11, and historic review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, by the Board. On August 1, 2023, the Board served a decision finding that SIT and its parent company, OmniTRAX, intended to operate and were operating the Line as a common carrier rail line for which Board authority should have been obtained under 49 U.S.C. § 10901 or § 10502 before construction and operation commenced.¹ The Board therefore held SIT's petition in abeyance, ordered SIL to file for after-the-fact construction authority, and ordered SIT to file for after-the-fact acquisition authority. The Board also granted SIT a limited exemption to continue providing service to any shippers located on the track as of August 1, 2023, during the pendency of the construction and acquisition proceedings.² As noted above, on September 28, 2023, SIL petitioned the Board for a construction exemption in Docket No. FD 36723, and SIT petitioned

¹ Savannah Indus. Transp., LLC—Operation Exemption—in Effingham Cnty., Ga. (August 2023 Decision), FD 36489, slip op. at 4, 6 (STB served Aug. 1, 2023).

² On August 30, 2023, SIT informed the Board that as of that date it was providing rail service to only one shipper on the Line, Quantix SCS, Inc. f/k/a A&R Logistics, Inc (Quantix). (SIT Suppl. 1, Aug. 30, 2023, FD 36489.)

the Board for a lease and operation exemption in Docket No. FD 36723 (Sub-No. 1).³ On February 9, 2024, SIL and SIT filed a petition for clarification or other relief seeking Board authority to serve additional shippers during the pending construction and lease and operation proceedings, which the Board denied.⁴

Environmental Review

Before deciding whether to authorize the after-the-fact construction, lease, and operation of the Line, the Board must consider the impacts of that decision on the environment. The after-the-fact-environmental and historic review of the construction and operation of the Line is provided in the Draft Environmental Assessment (Draft EA). The Draft EA describes the affected environment, where possible, estimates the impact from construction of the Line, which occurred in 2020, and evaluates the potential impacts from the Line’s continued operation.

The Board’s Office of Environmental Analysis (OEA) issued the Draft EA on April 11, 2025, for a 30-day public comment period. Typically, following the public comment period, OEA issues a Final EA that considers and responds to all comments received on the Draft EA and makes any modifications necessary to the existing environmental analysis and the recommended mitigation.

In this case, OEA received one comment from the U.S. Fish and Wildlife Service (USFWS), indicating that it had reviewed the Draft EA and had no concerns with the statements or Endangered Species Act (ESA) determinations in the Draft EA. USFWS reaffirmed its earlier comment (EI-33569), in response to OEA’s preliminary environmental consultation (EO-3929), that the project is not anticipated to impact species listed under the ESA. Because OEA only received one comment that does not require any changes to the analysis in the Draft EA or the recommended mitigation, this Final EA incorporates by reference the Draft EA and includes OEA’s final recommended mitigation and a response to USFWS’s comment.

Issuance of this Final EA completes the environmental review for these proceedings. The Board will now issue a final decision on whether to grant after-the-fact authority for the construction, lease, and operation of the rail line. In making its final decision, the Board will consider the entire record, including the information presented on the transportation merits, the Draft EA, Final EA, and all public and agency comments received. If the Board decides to authorize the

³ Additional background information can be found in the Board’s decisions in Docket Nos. FD 36489, FD 36723, and FD 36723 (Sub-No. 1). These decisions and related filings can be found on the Board’s website at www.stb.gov.

⁴ Savannah Industrial Transp., LLC—Operation Exemption—In Effingham Co., Ga., FD 36489, slip op. at 3 (STB served May 28, 2024). There, the Board reiterated that its August 2023 decision “clearly prohibits SIT from providing rail transportation on the Line to anyone other than Quantix, the single shipper that was already located on the Line and receiving rail service from SIT as of August 1, 2023” until SIT obtains the needed Board authority.

after-the-fact construction, lease and operation, the Board may impose conditions on SIL and SIT as part of its decision, including environmental mitigation conditions.

2. Final Recommended Mitigation

Introduction

OEA's final recommended mitigation set forth below is based on information available to date, consultation with appropriate agencies, and the environmental analysis presented in the Draft EA. The mitigation, if imposed by the Board, would avoid, minimize, or mitigate potential environmental impacts associated with the after-the-fact construction, lease and operation of the Line.

OEA recommends that if the Board grants after-the-fact authority to construct, lease, and operate the Line, such authority should be subject to the mitigation measure below. Because the Line has already been constructed, OEA is recommending final mitigation resulting from impacts associated with rail operations. If a resource area is not listed, OEA did not identify any adverse impacts that warrant mitigation and has therefore not proposed mitigation measures for this resource area.

Conditioning Power of the Board

The Board has the authority to impose conditions to mitigate environmental impacts, but that authority is not limitless. Any mitigation measure the Board imposes must relate directly to the transaction before the Board, must be reasonable, and must be supported by the record before the Board. OEA's consistent practice has been to recommend mitigation only for those impacts that would result directly from a proposed action. The Board does not require mitigation for preexisting environmental conditions.

Sometimes applicants propose voluntary mitigation to address potential environmental impacts of their proposals. Voluntary mitigation could replace, supplement, or extend further than mitigation measures the Board might otherwise impose. The Board's practice is to require compliance with any voluntary mitigation agreed to by applicants in its final decisions. SIL and SIT have not submitted any voluntary mitigation to date. However, as explained in the Draft EA, SIT's compliance with regulatory requirements applicable to operating the Line would minimize potential environmental impacts.

Water Resources

WAT-MM-1. During rail operations, SIT shall ensure all culverts and bridges along the previously constructed rail line are clear of debris to avoid flow blockages, flow alteration, and increased flooding. SIT shall inspect all culverts and bridges semi-annually (or more frequently, as seasonal flows dictate) for debris accumulation and shall remove and properly dispose of debris promptly.

3. Response to Comments on the Draft EA

Introduction

OEA received one comment from U.S. Fish and Wildlife Service (USFWS) on the Draft EA. USFWS's comment did not result in a revision (addition, deletion, correction, etc.) to the Draft EA; therefore, no changes were made to the Draft EA.

The full text of USFWS's comment can be found on the Board's website (www.stb.gov) by searching "Environmental Comments" for the docket numbers of SIT and SIL's petitions (Docket Nos. FD 36723 and FD 36723 (Sub-No. 1)).

Comment and Response

Letter from U.S. Fish and Wildlife Services (EI-33891):

USFWS's comment letter states, "[USFWS has] reviewed the Surface Transportation Board's Office of Environmental Analysis draft environmental assessment and appendices ([Draft] EA) for Savannah Industrial Logistics and Savannah Industrial Transportation's construction and operation of an 11,404-foot rail line in Effingham County, Georgia.

[USFWS has] no concerns with any of the statements or Endangered Species Act determinations in the [Draft] EA. [USFWS's] comment that the project is not expected to impact ESA listed species is still valid."

Comment Response

Comment noted.