

**Canaveral Port Authority's Supplemental Response to
Surface Transportation Board Information Request No. 2-2
May 22, 2015**

I. Summary

In response to the Surface Transportation Board's Information Request 2-2, the Canaveral Port Authority (CPA) conducted a study into the feasibility of a rail alignment generally following State Road (SR) 528.

CPA's consultant TranSystems evaluated a 47,325 foot (8.96 mile) freight rail connection running from Port Canaveral to the FEC mainline near the intersection of SR 528 and US 1. The route would depart the North Cargo Area and follow SR 401 to its intersection with SR 528, travel west on an alignment parallel to SR 528 across the Banana River, Merritt Island, and the Indian River, and intersect the existing FEC mainline near US 1. To reduce costs and potential impacts of the alignment, TranSystems considered a path of alignment that would, to the greatest extent possible, fall within the FDOT rights of way for SR 401 and SR 528. TranSystems also recommended using bascule bridges for the three water crossings along the SR 528 route.

CPA has concluded, based on TranSystem's preliminary design, that an "SR 528" route is feasible. In reaching this conclusion, CPA attempted to identify major issues that could affect operational feasibility, including thorough discussions with the Florida Department of Transportation (FDOT) and Florida East Coast Railway (FEC). It is important to recognize, however, that additional feasibility issues may be identified as the design is further refined. In addition, CPA has not at this time identified the funding necessary to construct an SR 528 route, which would cost significantly more than the routes previously identified.

II. SR 528 Alignment Description

The SR 528 route would follow the path illustrated in the attached maps.¹ Generally, the route would travel from the Port's North Cargo Area to the FEC mainline near the intersection of SR 528 and US 1. The lead line from the North Cargo Area would make a grade-separated crossing of SR 401 to access a new marshaling or interchange yard on the north side of SR 401. This marshaling/interchange yard is where trains would be built, and is required for all route alternatives. The alignment follows SR 401 as it curves south around the western portion of the West Turning Basin and across the channel at the eastern end of the Canaveral Locks to the intersection of SR 401 and SR 528. The alignment then follows SR 528 west across the Banana River, Banana River Road, Sykes Creek, Route 3, and the Indian River. Once across the Indian River crossing, the alignment would follow SR 528 until merging with the FEC mainline. The route would require three water crossings, each of which is proposed to be a bascule bridge.

The route would connect to the FEC mainline using an approach that would follow the north shoulder of SR 528 from the Indian River crossing between stations 159+00 and 182+00 and turn northwest along the northern side of the westbound SR 528 off ramp to US 1 in the

¹ The accompanying maps show an alignment on the north shoulder of SR 528, and an alignment in the SR 528 center median. Based on presently available information, CPA considers these alignments equally feasible.

vicinity of station 120+00. Staying northeast of the off ramp and following the road curvature, the alignment would elevate to cross US 1, and then descend and merge with the northbound FEC mainline. Several thousand feet to the north, a 4,400 foot siding would be constructed for diversion of southbound trains. A runaround track might be constructed to move locomotives from the north to the south end of the train in order to pull the train onto the southbound mainline.

III. Potential Environmental Effects

CPA has preliminarily assessed potential environmental effects of this route. Environmental Services, Inc. (ESI) reviewed published environmental information on jurisdictional wetlands, protected species, and cultural resources to determine potential impacts on environmental, natural and cultural resources by the proposed project. ESI also conducted a preliminary field assessment of the alignments to verify existing environmental information and identify any potential areas of concern.

An alignment running along SR 528 would involve several environmental and physical effects that could affect any proposed alignment of the new rail connection. These constraints include protected species, wetlands, and sea grasses. The alignment generally falls within the existing FDOT Right of Way (RoW).

A. Protected Species

The protected species located within and adjacent to the proposed alignment include Florida scrub-jay, bald eagles, wading birds, gopher tortoises and manatees.

1. Florida Scrub-Jay

The Florida scrub-jay is a federally threatened species that falls under the jurisdictional purview of the U.S. Fish and Wildlife Service (“FWS”). There is some Florida scrub-jay habitat located adjacent to the SR 528 RoW. The RoW is currently devoid of scrub-jay habitat, and therefore the alignment should not have a direct impact on any scrub-jay habitat.

2. Bald Eagle

Bald eagles were removed from the endangered species list in 2007; however, they are still protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. FWS and the Florida Fish and Wildlife Conservation Commission (FWC) have established Bald Eagle Monitoring Guidelines for construction activities that occur within 660 feet of a bald eagle nest during the eagle nesting season. All of the known eagle nests are greater than 660 feet from the RoW, so no impacts to the bald eagle are expected from an alignment along SR 528.

3. Wading Bird Colonies

The Kennedy Space Center (KSC) has identified a number of wading bird colonies located on the dredge spoil islands in the Banana River. These colonies can support a number of species that are protected by both FWS and FWC. The SR 528 alignment would not impact any

of these colonies; therefore, no authorization likely would be required regarding to the wading bird colonies.

4. Gopher Tortoise

Gopher tortoises are a State threatened species and are known on areas adjacent to the SR 528 RoW. But none are known to occur within the alignment. Thus, no direct impacts to gopher tortoises are expected to occur.

5. Manatees

Manatees are known to occur within the Banana River and the Indian River. Open water crossings for both alignments would be required in the Banana River and the Indian River. The construction of the railway bridges would require adherence to the Standard Manatee Guidelines for In-water Construction Activities.

B. Jurisdictional Wetlands

The RoW does support wetlands that may fall under the jurisdictional purview of U.S. Army Corps of Engineers (ACOE), the State of Florida through the Florida Department of Environmental Protection (FDEP), or the St. Johns River Water Management District (SJRWMD). The preliminary wetland information collected along the SR 528 alignment indicates that both forested wetlands and herbaceous wetlands could be impacted.

C. Submerged Aquatic Vegetation

Submerged aquatic vegetation (seagrass) is known to occur within the Banana River and the Indian River and could be impacted by the railway crossings for both the Banana and Indian Rivers. Historic seagrass maps of the area show narrow bands of seagrass along both causeways for SR 528 shorelines, which could be impacted. A current seagrass survey of the proposed alignment would be conducted to determine the extent of any seagrass impacts and to determine the seagrass mitigation that might be required.

D. Cultural Resources

A number of cultural resource evaluations have been conducted along the SR 528 corridor in the vicinity of the proposed railway alignment. This previous work identified the existing FEC railway and the Canaveral Locks as properties that may be considered eligible for National Register listing. ESI recommends conducting some additional archaeological investigation during the environmental review and permitting process.

IV. Conclusion

Based on currently available information, including the preliminary feasibility and design work discussed above, and subject to the potential for funding opportunities, CPA considers the SR 528 route to be feasible.