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EI-20700

December 9, 2014

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Florida State Clearinghouse
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RE: Surface Transportation Board, Docket No. FD 35852 – Notice of Intent to Prepare an Environmental Impact Statement, Notice of Availability of the Draft Scope of Study for the Environmental Impact Statement, and Request for Comments on Draft Scope; SAI #FL201410297085; Canaveral Port Authority, Brevard County

Dear Ms. Milligan:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the Draft Scope of Study for the *Canaveral Port Authority – Petition for Exemption to Construct and Operate a Rail Line Extension to Port Canaveral, Florida*. We provide the following comments to assist the U.S. Department of Transportation, Surface Transportation Board in identifying potentially significant issues related to fish and wildlife resources. FWC will review the proposed project for consistency with the Coastal Zone Management Act/Florida's Coastal Management Program once the draft Environmental Impact Statement has been submitted.

Project Description

The Canaveral Port Authority (CPA) proposes to construct and operate approximately 11 miles of new rail line to Port Canaveral in Brevard County. The Surface Transportation Board, Office of Environmental Analysis (OEA), has submitted a Notice of Intent to Prepare an Environmental Impact Statement (EIS) and Draft Scope of Study for the EIS. The purpose of the Scope of Study is to review the range of actions, alternatives, and potential scope of environmental impacts, and issues to be addressed in the EIS. Subsequently, the Draft EIS will assess and compare the alternatives, address environmental issues and concerns, and contain OEA's preliminary recommendations for environmental mitigation measures.

The proposed rail extension is intended to provide Port Canaveral with direct access to freight rail service. The project includes construction of 11 miles of new rail line beginning near the Port's North Cargo Area located north of State Road 528, extending west across the Banana River to the John F. Kennedy Space Center (KSC) on Merritt Island, then turning north to connect with existing rail line in the KSC.

Comments and Recommendations

The Draft Scope of Study provides a summary of impact categories to be addressed in the EIS, including land use, recreation, biological resources, water resources, and navigation.

The EIS will analyze the potential direct, indirect, and cumulative impacts of the proposed project, as well as measures to avoid, minimize, or offset those impacts. FWC staff recommends that OEA consider the following comments on the impact categories when preparing the Final Scope of Study for the EIS.

Recreation

The Draft Scope of Study states that the EIS will evaluate the potential impacts of each alternative on recreational activities and opportunities in the project area. The proposed Port Canaveral Rail Line Extension would bisect the Merritt Island National Wildlife Refuge and cross the Banana River, both of which offer many recreational opportunities, including wildlife viewing and fishing. Additionally, the Refuge is part of the Great Florida Birding and Wildlife Trail (GFBWT), a program of the FWC. The GFBWT is a network of self-guided birding and wildlife viewing sites, containing sections that highlight different natural communities. FWC staff recommends that the Final Scope of Study and EIS include a commitment to consider the potential impacts to wildlife viewing and fishing locations when assessing rail line extension site alternatives.

Biological Resources

The Draft Scope of Study states that the EIS will evaluate existing biological resources in the area, include a description of the Merritt Island National Wildlife Refuge, and analyze the potential impacts to these resources that may result from each alternative. The proposed project location traverses several natural communities that are known to and/or have the potential to provide habitat for a variety of fish and wildlife species. The proposed new rail line will extend through oak scrub, pine flatwoods, mesic hammocks, hardwood wetlands, herbaceous wetlands, and seagrasses. The Draft Scope indicates that “several protected species will be addressed, including, but not limited to, bald eagle, Florida scrub-jay, gopher tortoise, manatee, eastern indigo snake, wood stork, and southeastern beach mouse.” In addition to these species, habitats within and adjacent to the project site may provide habitat for other wildlife, including the following that are state listed:

- Brown pelican (*Pelecanus occidentalis*, State Species of Special Concern [SSC])
- Florida sandhill crane (*Grus canadensis pratensis*, State Threatened [ST])
- Limpkin (*Aramus guarauna*, SSC)
- Beach nesting birds
 - American oystercatcher (*Haematopus palliatus*, SSC)
 - Black skimmer (*Rynchops niger*, SSC)
 - Least tern (*Sterna antillarum*, ST)
 - Snowy plover (*Charadrius alexandrinus*, ST)
- Wading birds
 - Little blue heron (*Egretta caerulea*, SSC)
 - Reddish egret (*Egretta rufescens*, SSC)
 - Roseate spoonbill (*Platalea ajaja*, SSC)
 - Snowy egret (*Egretta thula*, SSC)
 - Tricolored heron (*Egretta tricolor*, SSC)
 - White ibis (*Eudocimus albus*, SSC)

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The project area may also provide habitat for marine turtles. FWC staff recommends that the Final Scope of Study and EIS include the above information and include a commitment to consider the potential impacts to these species.

Navigation

The Draft Scope of Study states that the EIS will identify navigable waterways within the project area and analyze potential impacts to navigability that may result from each alternative. FWC staff would like to note that most of the Banana River north of Port Canaveral and State Road 528 is closed to motorized vessels in order to protect manatees. FWC staff recommends that the Final Scope of Study and EIS include information regarding motorized vessel use, and consider potential impacts that the project may have on non-motorized vessel use of the area.

We appreciate the opportunity to provide input on the Surface Transportation Board Scoping Notice for the proposed Port Canaveral Rail Extension Project. We look forward to coordinating with the Surface Transportation Board and the Canaveral Port Authority as analyses of project alternatives are conducted. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Laura DiGruttolo at (386) 758-0525 or by email at Laura.DiGruttolo@MyFWC.com.

Sincerely,



Jennifer D. Goff
Land Use Planning Program Administrator
Office of Conservation Planning Services

jdg/ld

ENV 1-3-2

Port Canaveral Rail Extension EIS_20075_120914

cc: Dave Navecky, Surface Transportation Board, David.Navecky@stb.dot.gov
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