

**Re: 528 Route for cargo train - Port Canaveral** **David Navecky** to: Sarahhodge

03/09/2016 09:09 AM

From: David Navecky/STB
To: Sarahhodge <hodge_sarah@yahoo.com>

Dear Ms. Hodge:

Thank you for your email. Below, I have tried to address your concerns and explain what my agency—the Surface Transportation Board or STB—must do to comply with the law before making a decision whether to approve or deny CPA's request to build and operate a new rail line.

Why the Agency Must Examine Alternative Routes

The STB's review of the proposed Port Canaveral rail extension is subject to the federal National Environmental Policy Act, or NEPA, and its implementing regulations. NEPA requires federal agencies to consider the impacts of its decisions on the environment. When assessing the potential environmental impacts of a proposed action (here, the proposed rail line), NEPA requires that the federal agency assess the potential impacts of not only the alternative that may be preferred by a project proponent (such as the CPA), but a range of reasonable and feasible alternatives.

Furthermore, the responsibility of deciding which alternatives constitute a range of reasonable and feasible alternatives lies with the federal agency, not the project proponent or CPA. Therefore, despite any preference of the CPA, it is the STB's role to determine which potential rail line alternatives are reasonable and feasible and will be studied in the Environmental Impact Statement (EIS) for the proposed Port Canaveral rail extension.

Why We Sent an Information Request to CPA

At the time the CPA requested, and the STB granted, a suspension of the environmental review process, the STB had not discarded any potential alternatives and was nearing a decision on the reasonable and feasible alternatives to study in the EIS. Pertaining to the potential alternatives that traverse Merritt Island and parallel State Route 528, the STB is lacking some information critical to assessing whether those potential alternatives are reasonable or feasible. This missing information was requested in the STB letter dated February 12, 2016.

The STB chose to submit the letter at this time to (1) provide adequate time for CPA to respond and (2) ensure the STB has all the information it needs to make a timely decision on the range of reasonable and feasible alternatives once the CPA submits its feasibility study of a potential rail alternative on the Cape Canaveral Air Force Station (CCAFS). Waiting to submit this information request until the STB receives the CCAFS feasibility study would have resulted in additional and unnecessary delays in the environmental review process.

Other than the February 2016 information request, the STB is not doing any substantive work on the EIS during the suspension period. Once the STB receives the CCAFS feasibility study, the STB will independently review those results, as well as the reply to the February 2016 information request and all other information collected to date, and will then make decision on the alternatives to carry forward for detailed study in the EIS.

The Public Has an Important Role in the Agency's Environmental Review

Your thoughts and opinions are important to us. When CPA submits its feasibility study on the CCAFS alternative, we will start work again on the EIS. We will receive CPA's study in writing and will place it on the STB's website under the Environmental Matters button and searchable under Environmental Correspondence using the docket number for the Port Canaveral case: FD 35852. When we finish the Draft EIS, we will make it publicly available and will ask for comments from the public on everything in the EIS, including routing alternatives.

Regards,

Dave Navecky

Dave Navecky
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423
202-245-0294
www.stb.dot.gov

Sarahhodge

I am writing regarding your request for more infor...

03/05/2016 12:28:47 AM

From: Sarahhodge <hodge_sarah@yahoo.com>
To: David.Navecky@stb.dot.gov
Date: 03/05/2016 12:28 AM
Subject: 528 Route for cargo train - Port Canaveral

I am writing regarding your request for more information from the CPA consultant on the Merritt Island Routes proposed by the Canaveral Port Authority. Can you tell why you have requested this information, as the Port Commissioners voted to pause your EIS until the Air Force makes a decision whether the cargo train can go on Air Force property. This seems to be a waste of taxpayer money to have a highly paid consultant provide information for routes that the Port Commissioners are not pursuing and have paused at this time till a decision on the Air Force Route is made, which is the preferred route for all involved. If you know something that the public is not being told about the route by the Port Commission, the affected homeowners should be told immediately! Playing with our property values and peace of mind is unconscionable!!!

I would appreciate your response at your earliest convenience.

Sarah Hodge
Sent from my iPad

