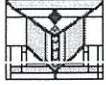


EO-2626



**FD 35852: Proposed Rail Construction - Inquiry Regarding
Government-to-Government and Section 106 Consultations**

David Navecky to: myoung

05/22/2015 12:50 PM

From: David Navecky/STB
To: myoung@pci-nsn.gov

Good afternoon, Megan -

Thank you so much for your prompt call back and for forwarding my voice mail message to the Tribal Attorney General and Tribal Historic Preservation Office.

Attached are the original letters of inquiry sent out in October 2014 regarding the railroad construction project proposed by the Canaveral Port Authority in Brevard County, Florida. I have also attached a copy of the presentation that was given to interested parties during the project scoping process in November 2014 and my agency's Notice of Intent to prepare the environmental impact statement.

The questions I have are:

1. Is the Tribe interested in being routinely updated about the project on a government-to-government basis or under Section 106 of the National Historic Preservation Act?
2. If yes, who are my contacts and what are their preferred methods of communication (e.g., mail, email, phone calls)?

As a very brief update on the project since the October 2014 letters, in the next month or two, we expect to finalize the alternatives that will be studied in detail for the Environmental Impact Statement (EIS) being prepared under the National Environmental Policy Act. We will then begin collecting the data and conducting the necessary field studies (including archaeological surveys) that will enable us to begin preparing the Draft EIS.

Please let me know if you have any questions.

Have a great weekend.

Thanks,

Dave

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



PCRE Poarch Creek Chairman Letter 10_27_2014.pdf



PCRE_Poarch Creek THPO Letter 10_27_2014.pdf



PCRE_Scoping Meeting Presentation_FINAL.pdf



44051.pdf



SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Environmental Analysis

October 27, 2014

Buford Rolin, Tribal Chairman
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

Re: Docket No. FD 35852, Canaveral Port Authority — Petition to Construct and Operate a Rail Line Extension to Port Canaveral, Florida: Government-to-Government Consultation

Dear Buford Rolin:

The purpose of this letter is to initiate formal government-to-government consultations with the Poarch Band of Creek Indians regarding the above-referenced project.

The Canaveral Port Authority (CPA) plans to file a request with the Surface Transportation Board (Board) pursuant to 49 U.S.C. § 10502 for authority to construct and operate approximately 11 miles of new rail line to Port Canaveral (Port) in Brevard County, Florida. The proposed Port Canaveral Rail Extension (PCRE) would also utilize approximately 17 miles of existing rail line at the National Aeronautics and Space Administration's (NASA) John F. Kennedy Space Center (KSC) to make a connection with a main line of the Florida East Coast Railway. The proposed PCRE would provide the Port with direct access to freight rail service. The new rail line would begin near the Port's North Cargo Area, extend west across the Banana River, enter KSC on Merritt Island south of Kars Park, and then turn north through KSC grounds where it would connect with KSC's existing rail line. The decision facing the Board whether or not to authorize the construction and operation of the new rail line is an undertaking subject to compliance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations at 36 C.F.R. Part 800. The Office of Environmental Analysis (OEA) is the office within the Board responsible for preparing the appropriate documentation for compliance with the National Environmental Policy Act (NEPA) as well as NHPA Section 106. For your reference, Attachment A to this letter includes a map of the project area including CPA's proposed alignments.

The Board is now interested in knowing your tribe's interest to consult with us regarding the broader range of impacts assessed under NEPA including those to tribal lands and resources such as plant gathering areas and religious sites.

If you have any questions or would like to discuss the project in more detail please contact Dave Navecky of my staff at 202-245-0294 (david.navecky@stb.dot.gov). Information on this project is also available on a Board-sponsored project website at www.portcanaveralraileis.com and on the Board's website at www.stb.dot.gov, by placing your

cursor on the "Environmental Matters" button, then clicking on the "Key Cases" button in the drop down menu and then selecting "Port Canaveral Rail Extension." I respectfully request that you respond to Dave Navecky of my staff at your earliest convenience. We look forward to hearing from you.

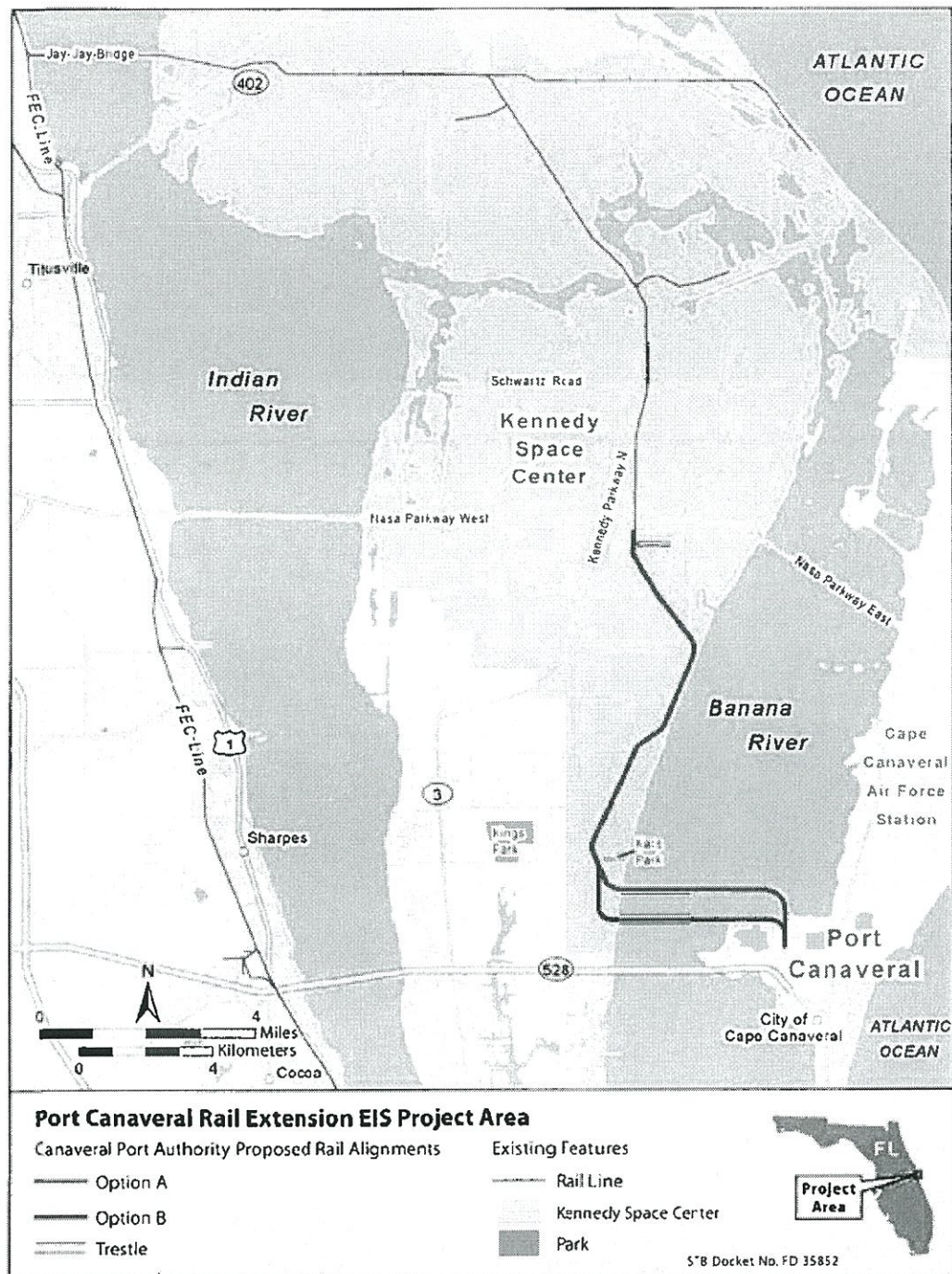
Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Director
Office of Environmental Analysis

Enclosure: Map of the project area including CPA's proposed alignments
cc: THPO

ATTACHMENT A: MAP OF PROJECT AREA and PROPOSED ALIGNMENTS





SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Environmental Analysis

October 27, 2014

Robert Thrower, Tribal Historic Preservation Officer
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

Re: Docket No. FD 35852, Canaveral Port Authority — Petition to Construct and Operate a
Rail Line Extension to Port Canaveral, Florida: Government-to-Government Consultation

Dear Robert Thrower:

The purpose of this letter is to initiate formal government-to-government consultations with the Poarch Band of Creek Indians regarding the above-referenced project.

The Canaveral Port Authority (CPA) plans to file a request with the Surface Transportation Board (Board) pursuant to 49 U.S.C. § 10502 for authority to construct and operate approximately 11 miles of new rail line to Port Canaveral (Port) in Brevard County, Florida. The proposed Port Canaveral Rail Extension (PCRE) would also utilize approximately 17 miles of existing rail line at the National Aeronautics and Space Administration's (NASA) John F. Kennedy Space Center (KSC) to make a connection with a main line of the Florida East Coast Railway. The proposed PCRE would provide the Port with direct access to freight rail service. The new rail line would begin near the Port's North Cargo Area, extend west across the Banana River, enter KSC on Merritt Island south of Kars Park, and then turn north through KSC grounds where it would connect with KSC's existing rail line. The decision facing the Board whether or not to authorize the construction and operation of the new rail line is an undertaking subject to compliance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations at 36 C.F.R. Part 800. The Office of Environmental Analysis (OEA) is the office within the Board responsible for preparing the appropriate documentation for compliance with the National Environmental Policy Act (NEPA) as well as NHPA Section 106. For your reference, Attachment A to this letter includes a map of the project area including CPA's proposed alignments.

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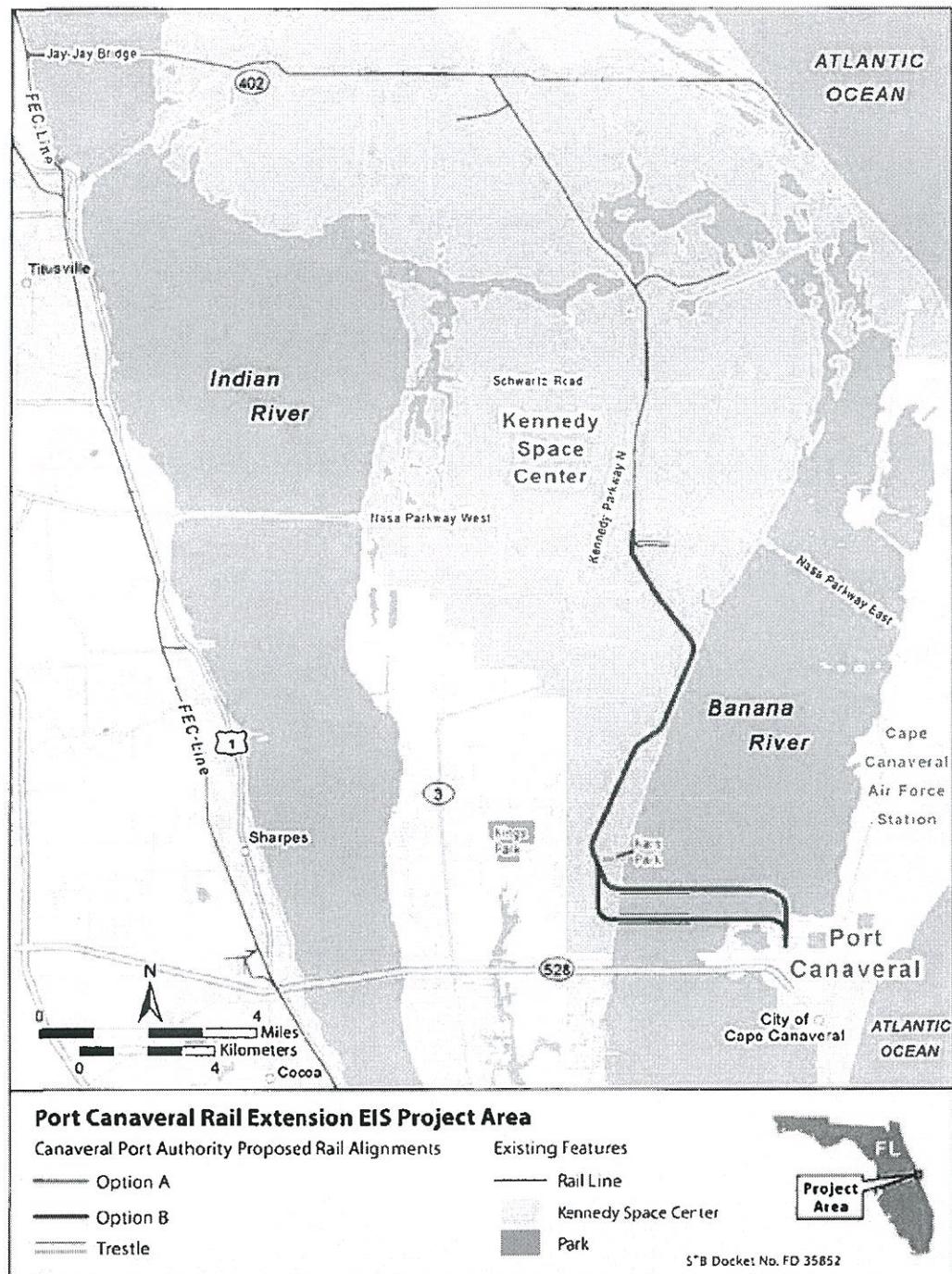
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Victoria Rutson
Director
Office of Environmental Analysis

Enclosure: Map of the project area including CPA's proposed alignments
cc: THPO

ATTACHMENT A: MAP OF PROJECT AREA and PROPOSED ALIGNMENTS





Port Canaveral Rail Extension

Welcome to the Port Canaveral Rail Extension Environmental Impact Statement Public Scoping Meetings



Port Canaveral Rail Extension

Overview

- Why an Environmental Impact Statement?
- What Agencies are Involved?
- Purpose and Need
- Project Description
- Categories of Potential Impacts
- Next Steps
- Public Comments



Port Canaveral Rail Extension

Why an Environmental Impact Statement?

- Proposed project has the potential for significant environmental impacts
- Surface Transportation Board's Office of Environmental Analysis determined an Environmental Impact Statement is appropriate



Port Canaveral Rail Extension

What Agencies are Involved?

Lead Agency

- Surface Transportation Board

Cooperating Agencies

- National Aeronautics and Space Administration
- U.S. Army Corps of Engineers
- U.S. Coast Guard
- U.S. Fish and Wildlife Service



Port Canaveral Rail Extension

Purpose and Need

- Provide Canaveral Port Authority with the capability to transport primarily bulk, break-bulk, and containerized goods to and from Port Canaveral by rail
- Construct a rail line, satisfying the need for an additional mode of transportation to move bulk, break-bulk, and containerized freight to and from Port Canaveral
- Facilitate future cargo growth at Port Canaveral



Port Canaveral Rail Extension

Project Description

- Construct and operate approximately 11 miles of new rail line to Port Canaveral in Brevard County
- Use approximately 17 miles of existing rail line at the National Aeronautics and Space Administration's John F. Kennedy Space Center
- Connect with a Florida East Coast Railway main line





Port Canaveral Rail Extension

Construction

➤ Track Construction

- Single track
- Continuous welded rail
- Concrete ties
- Right-of-way of up to 100 feet in width
- Crossings of local roads, utility corridors, and waterways



Port Canaveral Rail Extension

Train Operations

- Approximately three to four trains per week with trains moving approximately 10 miles per hour
 - Approximately 170 roundtrip hopper and box cars per week
 - Additional 50 roundtrip double-stacked container cars per week within in 2.5 years



Port Canaveral Rail Extension

Categories of Potential Impacts

- Transportation Systems
- Safety
- Land Use
- Recreation
- Biological Resources
- Water Resources
- Navigation
- Geology and Soils
- Air Quality
- Noise and Vibration
- Energy Resources
- Socioeconomics
- Cultural and Historic Resources
- Aesthetics
- Environmental Justice



Next Steps

- Scoping Process
 - Compile scoping comments
 - Develop range of alternatives including “No Action” Alternative
 - Identify topics to analyze in Draft Environmental Impact Statement
 - Issue a Final Scope of Study
- Draft Environmental Impact Statement
 - Analyze potential environmental effects of alternatives
 - Develop preliminary mitigation
 - Prepare and issue Draft Environmental Impact Statement
 - Establish public comment period
 - Hold public meetings



Port Canaveral Rail Extension

Next Steps (cont.)

- Final Environmental Impact Statement
 - Respond to comments on the Draft Environmental Impact Statement
 - Prepare and issue the Final Environmental Impact Statement
 - Office of Environmental Analysis identifies its Preferred Alternative and recommends mitigation
- Final Decision
 - Final Decision to be made by the Board - equivalent to a Record of Decision
 - Cooperating Agencies issue Records of Decision



Port Canaveral Rail Extension

Public Comments

- To provide verbal comments
 - Sign up at the registration desk
 - Please limit comments to 3 minutes
- To provide written comments
 - Comments sheets are available tonight at the comment table
 - Mail written comments to the Surface Transportation Board
- To provide electronic comments
 - Submit comments on Board's website: www.stb.dot.gov
 - click on E-FILING (reference Docket No. FD 35852)

Please provide scoping comments by **December 19, 2014**



Port Canaveral Rail Extension

Contact Information

- Direct written comments and questions to

Dave Navecky

Surface Transportation Board

395 E Street SW, Washington, DC 20423-001

STB Docket No. FD 35852

For more information, visit www.portcanaveralrailais.com