

1 PORT CANAVERAL RAIL EXTENSION
2 PUBLIC SCOPING MEETING

3 *****

4 November 18, 2014

5 *****

6
7
8 EASTERN FLORIDA STATE COLLEGE
9 Titusville Campus
10 John Henry Jones Gymnatorium
11 1311 North U.S. 1
12 Titusville, Florida 32796

13 *****

14
15 PRESENTATION BY:

16 Mr. David Navecky
17 Office of Environmental Analysis
18 Surface Transportation Board
19 395 E Street, SW
20 Washington, DC 20423

21 *****

22 Margaret Eddy Sheffield, Court Reporter
23 Notary Public, State of Florida at Large
24 14 Suntree Place, Suite 101
25 Viera, Florida 32940

1 TITUSVILLE, FLORIDA; November 18, 2014

2 WHEREUPON:

3 MS. PIGGOTT: Okay. Thank you for coming
4 out this evening. I'd like to introduce Dave
5 Navecky with the Surface Transportation Board
6 Office of Environmental Analysis.

7 Dave?

8 MR. NAVECKY: Good evening, everyone.
9 Thanks for coming out on a cold, damp night.
10 I'm from Washington, DC and it feels cold to me
11 even down here. So ...

12 Again, my name is Dave Navecky. I'm with
13 the Surface Transportation Board and we're
14 located in Washington, DC. We're a federal
15 agency. And I'm specifically in the Office of
16 Environmental Analysis. We're the group through
17 -- within my agency that insures that we comply
18 with the National Environmental Policy Act and
19 other environmental statutes.

20 I've prepared a brief slide presentation
21 for you this evening. It'll take about 15 or 20
22 minutes. And then after that we'll jump into
23 the public comments section of the meeting.

24 What we'll be covering is why we're
25 preparing an environmental impact statement,

1 what agencies are involved in the document
2 preparation, the purpose and need of the
3 proposed rail line, description of the project,
4 the categories of potential impacts we'll be
5 evaluating.

6 Then we'll address the next steps and then
7 move into the hearing your views and your
8 comments and questions.

9 Why are we preparing an environmental
10 impact statement. The board as I mentioned is a
11 federal agency. And we must comply with the
12 National Environmental Policy Act.

13 What the Port Authority would like to do is
14 construct and operate a rail line. And that
15 type of activity is under the jurisdiction of my
16 agency. Whether we approve with conditions or
17 deny that project is considered a major federal
18 action. That's one of the two criteria for
19 preparing an EIS.

20 The other is whether or not we anticipate
21 that there could be potentially significant
22 impacts from the project. And we believe there
23 could be. So it satisfies the second criteria.

24 So we have a major federal action with
25 potential of having significant impacts to the

1 human and environment -- human environment and
2 the environment.

3 So we're preparing an EIS. And that's
4 where we initiated -- issued our notice of
5 intent last month.

6 The Surface Transportation Board is a
7 federal agency that must approve or deny the
8 proposed project. We'll be the lead agency.

9 We have -- that's kind of our bread and
10 butter. We do real construction, real operation
11 projects. So we have the expertise of looking
12 at the issues that are unique to rail line
13 construction.

14 Having said that, any of the other
15 cooperating agencies on this project could have
16 stepped forward and done the EIS equally, as
17 well. They include National Aeronautics and
18 Space Administration. They're involved because
19 the proposed rail line would be located largely
20 on Kennedy Space Center grounds and would
21 involve also the Port Authority operating the
22 existing 17 miles of rail line on Kennedy Space
23 Center.

24 So NASA needs to basically give their
25 thumbs up to the project and provide some type

1 of agreement or easement or some other type of
2 acknowledgement permitting the Port Authority to
3 move forward.

4 The US Army Corps of Engineers is also a
5 cooperating agency. They will need to issue
6 permits under Section 404 of the Clean Water Act
7 and Section 10 of the Rivers and Harbors Act
8 which largely entail placing fill within
9 wetlands and other waters of the US.

10 The US Coast Guard is involved as a
11 cooperating agency because the proposed crossing
12 of the Banana River will also require a bridge
13 permit from the Corp of Engineers. I mean --
14 I'm sorry -- from the US Coast Guard.

15 And finally, US Fish and Wildlife Services
16 is a cooperating agency. They will need to
17 concur with the project. And they also have
18 special expertise since the grounds on the
19 Kennedy Space Center are largely -- many of the
20 areas or most of the areas are managed as part
21 of the Merritt Island National Wildlife Refuge.

22 The purpose and need. I want to point out
23 that the project we're talking about, the
24 proposed rail line, is not my project. It's not
25 the project of the Surface Transportation Board.

1 We're a regulatory agency. And the Port
2 Authority has come to us to construct this rail
3 line.

4 So what you're seeing here tonight is what
5 the Port Authority has provided to us. It's not
6 our project. It's not our purpose and need and
7 it's not our project description.

8 The proposed rail line would provide the
9 Port with the capability to transport bulk,
10 break-bulk and containerized cargo; bulk
11 materials including things such as salt and
12 slag.

13 The break-bulk materials are things that
14 come in as bulk and then they containerize them
15 in bays. Salt, for example, for some other use
16 and then the containers, those large containers,
17 that you are likely familiar with that come over
18 from China and elsewhere.

19 The construction of the rail line would
20 satisfy the Port's stated need to have an
21 additional land-based mode of transportation for
22 goods moving in and out of the Port. Currently
23 anything that comes in and out of the Port needs
24 to move by truck. And the rail line would also
25 facilitate potential future cargo growth at the

1 Port.

2 Product description. The new rail line
3 would run approximately 11 miles based on the
4 alignment that has been proposed by the
5 Port. The project would also use an additional
6 17 miles of the existing rail line on the
7 Kennedy Space Center. That is a component of
8 the project that was appealing to NASA and by
9 and so decreasing federal budgets.

10 NASA spends about 10 million dollars a year
11 maintaining their 17 miles of rail line that
12 they don't need that often. But it is a needed
13 mode of transportation for them.

14 What the Port Authority has proposed is to
15 allow them to construct their 11 miles of rail
16 line. The Port would also maintain and operate
17 the 17 miles of existing rail line saving NASA
18 10 million dollars a year. Then the existing
19 Kennedy Space Center line connects with the East
20 Coast Railway main line north of Titusville
21 which the line runs north and south roughly
22 parallel to US Route 1.

23 Here is a map of the alignment as proposed
24 by the Port Authority. They have two options to
25 cross the Banana River. They'd exit from the

1 Port from the north cargo area and then go
2 across the Banana River. As they've proposed it
3 the eastern portion of the crossing would be a
4 causeway and the western portion would be a
5 trestle with a vascular bridge.

6 The -- either option enters the Kennedy
7 Space Center on Merritt Island south of Kars
8 Park and then proceeds north until it connects
9 with the existing Kennedy Space Center line and
10 the Kennedy Space Center industrial area.

11 That existing line then continues north to
12 the top of the map and then turns west, goes
13 across the existing Jay Jay Bridge and there it
14 connects with the Florida East Coast Railway
15 main line.

16 The construction of the new rail line would
17 be would be a single track. It would be
18 constructed with continuous welded rail. That's
19 the more modern construction technology where
20 they use the long strings of steel rail and they
21 weld them together.

22 Its primary benefit is to reduce
23 maintenance requirements of the rail line. But
24 it also provides some other benefits including
25 it reduces what we refer to as wayside noise.

1 That's the noise of a passing train. And this
2 portion of the noise that you might be familiar
3 with from the older tracks which use jointed
4 rail was the clickety-clack, clickety-clack as
5 the railcars moved down the rail line.

6 They would use concrete ties. The
7 right-of-way would be up to 100 feet wide. They
8 would have crossings of local roads, utility
9 corridors and corridors and waterways including
10 the Banana River, of course.

11 For train operations the Port anticipates
12 three to four trains per week. The trains would
13 be moving at approximately 10 miles per hour.
14 The Port anticipates approximately -- moving
15 approximately 170 round trip hopper and boxcars
16 a week. The hopper cars would be moving the
17 bulk materials which is the salt or slag or
18 other materials.

19 The boxcars would be moving the break-bulk
20 materials which have been containerized at the
21 Port. Additionally they could have up to 15
22 round trip double-stacked container cars per
23 week in a couple of years.

24 Categories of potential impacts. We'll
25 look at impacts to transportation systems and

1 safety. Some of those impacts we'll look at are
2 delays of vehicles at public -- at grade
3 crossings. We'll look at delays to emergency
4 vehicles that may be caught at a crossing trying
5 to reach its destination. We'll also look at
6 accident rates before and after construction of
7 the rail line.

8 We'll look at the impacts on the land use
9 for both removing existing land use from its
10 current use, placing it into rail use and also
11 looking at the impacts of operating the rail
12 line on the land uses that remain on either side
13 of the right-of-way.

14 We'll look at the impacts to recreation
15 particularly on the Banana River whether it's
16 fishing or boating, kayaking, whatever that
17 might be. We'll look at impacts to the
18 biological resources including vegetation,
19 sensitive species, Florida endangered species
20 like the Florida manatee and the Florida scrub
21 jay.

22 Water resources. We'll look at impacts to
23 water resources. Again, we'll be looking at the
24 Banana River and the impacts of the proposed
25 crossing, the causeway and bridges on water

1 quality and water circulation. Things like
2 that. And additionally, navigation on the
3 Banana River.

4 Air quality. We'll look at the impacts of
5 constructing and operating the rail line and air
6 quality. Construction impacts primarily will be
7 to the use of construction equipment and any
8 fugitive dust that be may be generated during
9 construction.

10 But also air quality. The emissions from
11 the train locomotives. Just like your cars the
12 train locomotives have been under increasingly
13 stringent emission controls over the past 10 or
14 20 years. So the emissions of a modern day
15 locomotive are much less than a locomotive from
16 10 or even 20 years ago.

17 We'll also look at the benefits to air
18 quality from the proposed project. We use a
19 general ratio of one railcar equals four
20 tractor-trailer trucks. So for every railcar
21 that's used to move bulk goods out of the Port
22 that's removing four tractor-trailers from local
23 roadways.

24 We'll look at noise and vibration of
25 operating the train. We'll do modeling. We'll

1 model the noise both to evaluate the impacts
2 from daytime and nighttime operations. Daytime
3 if they were to occur.

4 We will look at those impacts on what we
5 refer to in my agency as noise-sensitive
6 receptors as being homes, churches, nursing
7 homes, libraries, schools. Things of that
8 nature.

9 Socioeconomics. We'll look at the impacts
10 of constructing the rail line from a
11 socioeconomic standpoint; what benefits it might
12 have on the local economy. We'll look at the
13 impacts to cultural and historic resources.
14 We'll look at archeological sites, impacts on
15 historic structures, traditional and cultural
16 properties, traditional -- other traditional
17 sites or religious sites of importance to Native
18 Americans.

19 We'll look at aesthetics. Again, I'm going
20 back to the Banana River. We'll likely do some
21 photo simulations of the proposed rail line and
22 the crossing. We'll select some key points or
23 vantage points where people -- either homes on
24 the river or fishing -- popular fishing points
25 on the crossing of 528 or also maybe then

1 probably vantage points from the water itself
2 that may be visible to people recreating on the
3 water.

4 And we'll also be looking at environmental
5 justice which is whether or not there's a
6 disproportionate burden of the impacts on the
7 environmental justice community which are
8 minority and low income populations.

9 Next steps. Tonight -- tonight we're in
10 scoping. We're here to listen to your comments
11 about the project, what are your concerns about
12 the project, what do you think we should be
13 addressing in the project, what type of impacts
14 do you think are going to occur that you think
15 we should be looking at.

16 We want to hear from you on alternatives.
17 We have an alignment that I've showed you
18 earlier that was proposed by the Port Authority.
19 Are there alternative alignments you think we
20 should look at.

21 We want to hear from you on mitigation. If
22 there are -- if you anticipate there's going to
23 be an impact, what type of mitigation would you
24 like to see.

25 Again, we'd like you to be as specific as

1 possible. I mean if -- what we'd like to hear
2 is, you know, we understand some of you may not
3 want the project. But if you can take it the
4 next step for us. Tell us: "I don't like this
5 project because." That would be helpful for us
6 in understanding what the issues are of concern
7 to you so that we can evaluate those impacts,
8 quantify those impacts in the EIS.

9 We'll take the spoken comments that we
10 receive from you and from the scoping comment
11 meeting tomorrow night and all the comments that
12 we receive by mail and electronically at my
13 agency and we'll develop a range of alternatives
14 that will be studied when we draft the EIS
15 including the no action alternative.

16 We'll identify the topics to analyze in the
17 draft EIS and then we'll issue a final scope of
18 study. It's a little unique to my agency.
19 We'll take the scoping comments and we'll
20 publish a final scope of study that will let you
21 know what alternatives we're studying in the
22 draft EIS and what impacts we're going to
23 address in the EIS.

24 Although the scoping period ends on
25 December 19th don't expect that final scope of

1 study quickly. It might take us a couple of
2 months to settle on the alternatives that we're
3 going to study in the draft EIS. Just so I'm
4 not receiving phone calls on December 28th; you
5 know: "Where's the final scope of study?"

6 Once we issue the final scope of study then
7 we go into the draft environmental impact
8 statement evaluating the alternatives that we
9 identified including the no action alternative.

10 We'll identify the preliminary mitigation
11 that we think would be appropriate to impose on
12 the Port Authority if the project is approved.
13 And then we'll issue the draft EIS for a public
14 comment period which will be 45 days.

15 And then we'll be back here to hold public
16 hearings on the project. It'll be a format
17 similar to what you'll see shortly. It'll be a
18 more formal affair where we're here solely to
19 hear your comments on the draft EIS.

20 You really won't hear me speaking. But we
21 want to come down and listen to your comments;
22 what did you like, what did you not like, did we
23 miss something, do we need to go into something
24 in a little more detail. That type of thing.

25 Again, that'll be for at least a 45-day

1 period for the review of the draft EIS.

2 Then we'll begin preparing the final EIS.
3 And that document will actually provide
4 responses to your comments. And it will also
5 include changes to the document itself to
6 reflect the comments that we've received from
7 you as appropriate.

8 We'll then issue the final environmental
9 impact statement. That will identify a
10 preferred alternative from the office that I
11 work for, the Office of Environmental Analysis.
12 What we will say in that document, if the board,
13 the agency that I work for chooses to approve
14 this project or approve the project with
15 conditions we recommend that they approve for an
16 alternative.

17 We also will have our final mitigation --
18 final recommended mitigation and the final EIS.

19 And, again, we will recommend to the board
20 that if you choose to approve this project we
21 recommend that you adopt all of these mitigation
22 measures.

23 Then my job basically is done at that
24 point. And then the board itself -- we have a
25 three-member board. They're nominated by the

1 President and confirmed by the Senate. It's a
2 bipartisan board. So the party in the White
3 House is the dominant party on the board.

4 So currently we have two Democrats and one
5 Republican. They'll review the final EIS in the
6 entirety on the record including the draft EIS
7 and the comments received on the draft EIS.

8 And they will also consider the
9 transportation merits of the project. And then
10 they will make a decision; the decision being
11 made by a vote. And they each vote on whether
12 it's approved, approved with conditions or
13 denied. And it requires at least a two-to-one
14 vote for them to approve or approve with
15 conditions.

16 It is at that point then the process moves
17 on to the cooperating agencies. And each of the
18 cooperating agencies will then need to issue
19 their own decisions on the project; their own
20 members' decision.

21 So tonight we're here to get your comments
22 as I mentioned earlier. We're -- there are a
23 number of options for you tonight. One option
24 I'll talk about first is your verbal comments,
25 your oral comments. We asked you previously to

1 sign up at the registration desk if you'd like
2 to speak.

3 If you would like to speak and haven't
4 registered then we'd please ask you to go over
5 and fill out a card and so that we can call you
6 by name. And you'll have approximately three
7 minutes we're going to give to each person.

8 Tonight you can also provide us your
9 comments in writing. In the brochure that you
10 received when you came in this evening there's a
11 comment form on there you can fill out and leave
12 that with us. Or we have a couple of computers
13 over there where Chris is standing where you can
14 submit your comments electronically. You can
15 type them into a comment form on my agency's
16 website.

17 Some alternatives. You can take the
18 comment forms with you, fill them out and mail
19 them to me. Or you can fill out your comment
20 form and scan it and submit it to us on our
21 website. Or you can type up a document,
22 whatever word processing software you have;
23 Word, Google Docs. You can then attach that
24 document through the board's website. And there
25 are instructions we have here for you to help

1 you through that process if you think you'd like
2 to use that method.

3 So, again, verbal comments, written
4 comments tonight, electronic comments tonight or
5 you can provide us written comments either by
6 sending them to me at that address which is
7 provided on our brochure and in our comment
8 forms. Or you can do it at the agency's website
9 at www.std.dot.gov.

10 And not -- I don't want to confuse you.
11 But we also have set up a project website called
12 portcanaveralraileis.com. And that contains
13 some specific -- more specific information about
14 -- about that -- about the proposed project.
15 It's just easier to -- well, let's step one
16 back.

17 You see these other folks here working at
18 the meeting tonight. Those are folks working
19 for me through a third-party contractor process.
20 They work for ICF International. And they have
21 a lot more resources than we have at our agency.
22 So they are very, very skilled at setting up new
23 websites and getting them formatted. And it
24 would take forever for us to try and do
25 something of this nature at my agency.

1 So you'll -- there's a lot of information
2 on that website. But we still need to provide
3 your comments electronically through my agency's
4 website. Because we like to maintain that
5 control over those comments to make sure no one
6 else has access to those comments.

7 But once we do have them all, the comments
8 that you provide to us either in writing tonight
9 or electronically tonight or in writing later,
10 electronically later; all that is posted on our
11 website for anyone to see.

12 Tonight's transcripts -- when you speak,
13 your comments, those transcripts will also be
14 made available on our website.

15 So you can go back and view what was said
16 tonight or you can go back and see what was said
17 at the scoping meeting that we're having
18 tomorrow evening down in Cape Canaveral.

19 Thank you. Let's see. I think that's it.

20 MS. HAMILTON: Dave, could you just clarify
21 one statement that you made?

22 You said in approximately two and a half
23 years there will be 50 round trips. Was that
24 per day or per week or --

25 MR. NAVECKY: That's per week.

1 MS. HAMILTON: That's per week.

2 MR. NAVECKY: Per week. Yes.

3 MS. HAMILTON: 50 round trips.

4 MR. NAVECKY: That's on the container --
5 the cargo -- cargo railcars.

6 MS. HAMILTON: Okay. So that's in addition
7 --

8 MEMBER OF THE AUDIENCE: We can't hear the
9 question. You gotta have a mike for them.

10 MR. NAVECKY: The question was
11 clarification on the proposed operations on the
12 rail line. There would be three to four trains
13 -- round trip trains per week. And those trains
14 would be moving approximately 170 hopper, box
15 and -- box and container cars per week. And
16 there could be an additional 50 round trip
17 containerized railcars per week.

18 But they would remain at three to four
19 trains per week.

20 Okay. We'll -- Jennifer will take it from
21 here. She'll explain to you how the process is
22 going to work. Again, we want to hear your
23 comments and we want to hear -- you may have
24 questions. I had questions earlier this evening
25 that I said I don't know the answer to those

1 questions yet.

2 So if you have questions that you want us
3 to answer or address in the draft EIS we want to
4 hear those, also.

5 MS. PIGGOTT: Great. Thank you, Dave.

6 So as Dave said, we're going to give three
7 minutes for each person who's signed up to
8 speak. Also as Dave said we have a court
9 reporter here this evening that's going to be
10 recording all of your comments.

11 We do ask at the start of your comments
12 that you state your name. And if you have a
13 tricky last name like I do please spell it for
14 the court reporter so we can have an accurate
15 record of all those who spoke this evening.

16 Those of you who maybe have extended
17 comments we do ask that you stay to the three
18 minutes. And if time is available at the end of
19 hearing everyone who signed up to speak we'll
20 bring you back up if you would like to expand
21 upon your comments if time allows.

22 So the Surface Transportation Board will
23 not be responding directly to your comments this
24 evening. However, your comments will be
25 considered when the board prepares as Dave said

1 the final scope of study and the draft
2 environmental impact statement.

3 The board will consider all of the comments
4 equally whether you write them tonight or submit
5 them electronically or you provide oral comments
6 here in just a few minutes. So all the comments
7 are equal. But it's just a forum we're about to
8 move into for you to provide your comments. But
9 it's not a question and answer session.

10 So at this time we're going to take a
11 really quick break. Five minutes or less.
12 Those who have already signed in to speak if you
13 would go ahead and move to the front row it just
14 expedites the process of getting everyone up to
15 speak.

16 If you have decided you have a comment and
17 you haven't signed up, please go to the
18 registration table and we'll get you signed up.

19 While we'll on our quick break we'll set up
20 the microphone. Again, we'll resume the process
21 here in three to five minutes and we'll have the
22 first person come up to speak. Thank you.

23 (Whereupon, a break was taken after which
24 the meeting continued, as follows:)

25 MS. PIGGOTT: Okay, ladies and gentlemen,

1 we're ready to begin the oral portion of this
2 meeting. So if you would, please take a seat
3 again.

4 (Pause.)

5 MS. PIGGOTT: Okay. Before I call our
6 first speaker. There will be given three
7 minutes for each speaker this evening. I'm
8 going to call you up in the order in which you
9 signed up.

10 And additionally we have a timekeeper up
11 front. Pam is going to hold up a sign that says
12 30 seconds. It's yellow. You've got 30 seconds
13 left of your time. And then Pam's going to hold
14 up a red stop sign that says "please stop".

15 So, again, we would appreciate if you would
16 abide by the timekeeping to allow everyone the
17 opportunity who signed up to speak and then
18 we'll provide you additional time if it allows
19 at the end of our meeting this evening.

20 So our first speaker this evening is Mr.
21 Ron Bobay.

22 MR. BOBAY: Can you hear me okay?

23 I appreciate the opportunity to speak with
24 you this evening as you approach this task with
25 what I suspect are some very strong feelings on

1 both sides of the issue.

2 A former colleague of mine once reminded me
3 of the importance of three things in addressing
4 a body such as yours. Be short, be sincere, be
5 seated. In this spirit I intend to be succinct.

6 I am not in favor of the current proposal
7 for the following five reasons:

8 Number one, the best scrub jay habitat is
9 in the south end of the wildlife corridor where
10 the new rail is needed.

11 Number two, at least three endangered
12 species and ten endangered bird populations call
13 the wildlife refuge home supporting the
14 diversity of the Indian River Lagoon.

15 Number three, aggregate intrusions need to
16 be considered and the board needs to be aware of
17 the private space industry's desire to develop a
18 launch site with China on the north end of the
19 wildlife refuge, another complete topic.

20 Number four, recent passage of Florida's
21 Amendment 1 shows strong support of the 75
22 percent approval rate in protecting the
23 environment.

24 Number five, the coast-to-coast bike trail
25 currently parallels the rarely used existing

1 rail which would surely require further
2 potential intrusion into the wildlife refuge in
3 developing an alternative route if the rail
4 traffic is increased:

5 Having stated my concerns I recognize the
6 need for the Port to have a rail outlet for
7 freight to be competitive as a port. The cost
8 is much less than would be required. And
9 trucking goods out of the Port is the only
10 option.

11 I would, therefore, suggest the use of the
12 existing 528 Beachline corridor for the
13 following four reasons.

14 Number one, it minimizes environmental
15 disruption.

16 Number two, it has the potential for
17 integration with other passenger rail efforts
18 and the possibility of a passenger rail to
19 Orlando International Airport from the Port. A
20 win for everyone and something that appears to
21 be supported by the Port.

22 The 528 -- number three, the 528 corridor
23 is a recommendation for further study by
24 Governor Scott's East Central Florida Task Force
25 in addressing the comprehensive future

1 transportation needs for the East Central
2 Florida region concluding their work on a
3 December 2014 deadline.

4 Their discussions have included the need to
5 minimize environmental impacts.

6 Number four, enhancing existing corridors
7 with a significant recommendation from this
8 group, also from the document "How Shall We
9 Grow?" developed by myregion.org representing
10 major -- representing major stakeholders in the
11 Central Florida region who are focused on being
12 forward thinking concerning growth in the
13 Central Florida region.

14 In summary, this could be a win for
15 everyone. Decisions need to be considered
16 regionally, not just incrementally affecting
17 limited areas.

18 This provides an opportunity to integrate
19 available funds to accomplish what I believe
20 would address both concerns; the preservation of
21 the wildlife refuge and enhance the Port
22 operations.

23 The sixth lane of State Road 528 already is
24 poised to be funded and accomplished. So this
25 is an excellent opportunity to integrate efforts

1 with funding.

2 Again, I appreciate your efforts to bring
3 objectivity to the task and hopefully to address
4 some preferred alternatives for consideration.

5 MR. NAVECKY: Thank you.

6 MS. PIGGOTT: Thank you for your
7 comments.

8 MEMBERS OF AUDIENCE: (Applause.)

9 MS. PIGGOTT: Our next speaker this evening
10 is Commissioner David Sinton.

11 And I apologize if I butcher anyone's last
12 name. My last name is a tough one and it always
13 gets butchered. So I apologize.

14 MR. SINTON: The previous speaker -- am I
15 live?

16 MS. PIGGOTT: You are. Would you please
17 state your name for the court reporter?

18 MR. SINTON: David Sinton S-I-N-T-O-N.

19 The previous speaker expressed a lot of my
20 concerns, what I was going to talk about.

21 But I now understand that this study is
22 really limited to the environmental impact of
23 this particular proposal. They'll be an
24 environmental impact with at least two more
25 proposals coming out of the Port Authority.

1 But my concern at the moment while
2 accepting everything that's being said is the
3 scope of this study. And the real issue is not
4 just four or five -- three trains a week and 170
5 cars.

6 If the Port really does grow the way some
7 people would like to see it grow we need to have
8 a scoping of an option that says at least one to
9 two trains a day with nearly a thousand cars a
10 month to see what the difference is in terms of
11 environmental impact for that larger activity
12 and effort.

13 And that's something that I think could be
14 added to the final scope of this project.

15 Thank you.

16 MR. NAVECKY: Thank you.

17 MEMBERS OF AUDIENCE: (Applause.)

18 MS. PIGGOTT: Thank you for your comments.

19 Our next speaker this evening is Lois
20 Lacoste.

21 MS. LACOSTE: My name is Lois Lacoste. And
22 I live in Port St. John, Florida. I just have a
23 brief comment.

24 I am not in favor of this project. The
25 Port signed a 35-year partnership with

1 Gulftainer, a United Arab based cargo operator.
2 And you also want to use the existing rail
3 system that runs through Kennedy Space Center
4 which may I remind you is a restricted area to
5 transport cargo from the Port to a rail line
6 connecting to the existing Florida East Coast
7 Rail.

8 I'm worried and I'm concerned about the
9 impact that this will have on our manatee
10 preserves, our wetland, our scrub jay and our
11 bald eagle habitat.

12 I'm also concerned with the product that
13 these bulk cargo barges are offloading onto
14 these trains. We're told they're going to be
15 carrying fertilizer, sand, wood pallets and
16 petroleum product. And God forbid if any of
17 these rails drop fertilizer or petroleum
18 products into the river as it's going over these
19 trestles.

20 I'm worried about the spilling off of the
21 train into the river.

22 I also am concerned about the security
23 issue. That's a significant concern to me as
24 the trains would both roll through miles of the
25 Center's restricted area and pass close to some

1 spacecraft processing facilities.

2 Thank you for your time.

3 MR. NAVECKY: Thank you.

4 MEMBERS OF THE AUDIENCE: (Applause.)

5 MS. PIGGOTT: Thank you for your comments.

6 The next speaker this evening is Jack
7 Ratterman.

8 MR. RATTERMAN: Hello. My name is Jack
9 Ratterman. I live on North Merritt Island. I
10 have a couple of questions.

11 Who will regulate how many trains will
12 travel through this area each week? What about
13 the Christmas rush? You said three. But, you
14 know, when that happens what are you going to
15 do? What criteria will be used to judge what's
16 effective and what is unsafe for having an
17 intolerable negative effect on both humans and
18 animals?

19 Will gas, oil, chemicals and other
20 petroleum products or hazardous products be
21 transported along this rail line? With sealed
22 containers how could this paramount safety need
23 be guaranteed to this community and to the
24 State? What guarantee is it that this will be
25 the only rail line and that this is not opening

1 the flood gates to other rail lines in other
2 directions?

3 Last question. What expertise or previous
4 experience is the Port going to rely on to
5 safely operate this rail line?

6 Thank you.

7 MR. NAVECKY: Thank you.

8 MS. PIGGOTT: Thank you for your comment.

9 MEMBERS OF THE AUDIENCE: (Applause.)

10 MS. PIGGOTT: Our next speaker this evening
11 is Mary Hillberg.

12 MS. HILLBERG: Hello. I'm Mary Hillberg.
13 I live at 3780 Sierra Drive in North Merritt
14 Island.

15 I'm elected by the citizens of North
16 Merritt Island to represent their interests on
17 the North Merritt Island Special Advisory Board
18 as well as the vice president of the North
19 Merritt Island Homeowners Association. We have
20 several thousand I think -- around 7,000 people
21 that live there.

22 And they are very concerned about their
23 environment and their property values and all of
24 the incidentals that go with this.

25 In addition, the building of the railroad

1 through the wetlands and flood plains of North
2 Merritt Island will significantly reduce the
3 drainage of surface waters which is costing the
4 citizens currently hundreds of thousands of
5 dollars to continually take care of.

6 So there -- the health and the safety and
7 the environment of the area is of maximum
8 concern.

9 In addition to the significant
10 environmental damage and flooding dangers the
11 property values on North Merritt Island will
12 certainly decrease. And this is a concern of
13 our people, as well. Although it's not
14 technically an environmental concern.

15 It makes no sense to spend millions of
16 dollars to protect our lagoon and for -- and
17 clean our water in order to contaminate it at
18 the same time. We have legislature --
19 legislative action that is giving us millions of
20 dollars to clean the lagoon on one hand and then
21 we're going to build a railroad through it on
22 the other. That doesn't make any sense to me.

23 It makes no sense to spend millions of
24 dollars to protect our citizens from flood and
25 from surface waters and then to obstruct the

1 drainage flow at the same time. That doesn't
2 seem fair either.

3 In closing I would like to say that this --
4 this same proposal was proposed in 1991. I
5 guess everyone knows that. But it went up
6 through the Canaveral Air Force Station and went
7 out and connected up to the existing railway and
8 went across. And where to do that wouldn't have
9 to be built across our Indian River Lagoon which
10 is an estuary of national significance. It's
11 the most diverse in North America I believe.

12 In addition, as far as making a comment
13 about the reason that that wasn't done is
14 because the people objected to it
15 environmentally as well as -- as -- you know as
16 a point of development, the property values of
17 their homes. And this is ridiculous.

18 This time the same proposal was done but
19 the Air Force wouldn't approve of it going
20 through their area. So, you know, that's I
21 guess why we have to go through our Indian River
22 Lagoon. This is a very significant lagoon and I
23 would hope that this board will consider that
24 carefully. Because this is really, really
25 important to all of us. We've all worked very

1 hard and spent an awful lot of time to protect
2 ourselves and protect our lagoon and our
3 wildlife and our habitat.

4 And we just -- we really don't want this
5 destroyed.

6 Reference points in terms of an alternative
7 because I hate to say please don't do this. But
8 use an alternative is what the first gentleman
9 said and I think the second or third was that
10 528 is a fine idea. It's a straight shot
11 across. It hooks up with the FEC. It goes
12 right to the airport.

13 And, of course, all the bridges have to be
14 reinforced.

15 Am I overtime? Are you nodding to someone?

16 Thank you very much.

17 MR. NAVECKY: Thank you.

18 MS. PIGGOTT: Thank you very much.

19 MEMBERS OF THE AUDIENCE: (Applause.)

20 MS. PIGGOTT: Okay. Our next speaker is
21 Chris Cook.

22 MR. COOK: Good evening. My name is Chris
23 Cook. I'm the president of the North Merritt
24 Island Homeowners Association. I'm also a
25 member of the Merritt Island Redevelopment

1 Agency and the North Merritt Island Special
2 Advisory Board.

3 We have over 500 members in our group. We
4 live there. That's our neighborhood. That's
5 our backyard. So as you can note everyone's
6 very interested in this.

7 And surface water and drainage is a huge
8 issue. Right now we are -- this year we've had
9 severe flooding. And this will dramatically
10 affect it.

11 So I would suggest that you get in touch
12 with the Merritt Island Redevelopment Agency, as
13 well. Because we do a lot of work along 528
14 which is as everyone said the way to go with
15 this route.

16 And another agency I think you need to talk
17 to is the US Air Force. They have several
18 facilities that are directly along this route.
19 And I didn't see them on the list of people to
20 talk to. Also maybe the Navy, as well, too.
21 NOTU does a lot of operations at the Port. They
22 may be affected by this freight train, as well.
23 You may want to get with them.

24 And also the Metropolitan Transit --
25 Regional Metropolitan Transportation Agency is

1 the one doing the 528 study. And it's being
2 expanded. Originally the Port was going to do
3 it and it was a little more expensive; thought
4 this would be a little bit more or less -- more
5 economically viable.

6 But with the future expansion and the
7 existing infrastructure in place it seems like a
8 great opportunity for everyone to work together
9 and get a project that we can all live with
10 without impacting the wildlife refuge.

11 Thank you.

12 MR. NAVECKY: Thank you.

13 MS. PIGGOTT: Thank you for your comments.

14 MEMBERS OF THE AUDIENCE: (Applause.)

15 MS. PIGGOTT: Our next speaker this evening
16 is Carol Hamilton.

17 MS. HAMILTON: I'm going to pass.

18 MS. PIGGOTT: Okay. Our next speaker is
19 Linda --

20 MS. BEHRET: I'm going to pass, also.

21 MS. PIGGOTT: Okay. And our final speaker
22 this evening is Alex Gorichky.

23 MR. GORICHKY: First of all, I'd like to
24 state my name. It's Captain Alex Gorichky
25 G-O-R-I-C-H-K-Y.

1 I'm the owner and operator of Local Lines
2 Guide Services. I run and operate out of
3 Merritt Island, Florida. I was born and raised
4 on North Merritt Island. I love these people
5 from North Merritt Island. They've got it going
6 on.

7 Okay. My biggest opposition to this plan
8 in its entirety so to -- in its entirety so to
9 speak is the impacts to the Banana River Lagoon.
10 Okay? I spend my entire life out there on the
11 Banana River Lagoon. I've been there since I
12 was child. Okay? I make my living off of that
13 body of water.

14 I specialize in doing kayak fishing. We
15 utilize the no motor zone. Okay? Both of these
16 proposed routes across the lagoon will do
17 nothing but cause a dead zone in between them.

18 If you've been in our rivers any time in
19 the past -- I don't know -- three years? you'll
20 notice a significant change. There's no sea
21 grass. Okay? There's no sea grass south of 528
22 causeway.

23 528 causeway is the cutoff point at this
24 moment in time for what supports our entire
25 lagoon's health. And that's both in the Indian

1 and Banana River Lagoons.

2 By putting another earthen causeway across
3 our lagoon you're going to impede yet again as
4 every other earthen causeway has our flow from
5 north to south by the wind.

6 This has continuously over the years choked
7 our lagoon to the point of collapse. I
8 challenge anybody in this room that has the
9 capabilities to please show me a single acre of
10 grass south of 528 in either lagoon until you
11 get way down to Sebastian Inlet. It is not
12 there.

13 This is a wildlife refuge of immense
14 significance to the entire health of the Banana
15 River Lagoon. By cutting this off yet again
16 with yet another causeway you will significantly
17 reduce that flow yet again.

18 I've asked at the beginning meetings if we
19 could potentially have elevated the entire way.
20 "It's not cost effective. It won't happen."

21 The idea of going the 528 corridor; if it's
22 hugged right along that causeway is a
23 substantially better option. Okay?

24 Do I want any of it? Absolutely not. Our
25 lagoons are dying. Our fish kills, our dead

1 manatees, our dead sea birds make national news.
2 Our lovely little Brevard County just spent
3 millions of dollars boosting the ecotourism to
4 this area. Okay?

5 And these plans will further drive that
6 nail in the coffin.

7 And to you, Mr. Dave, I implore you to not
8 just take this in but actually come see these
9 waters. Come see the lack of grass south of
10 there and understand how the flow works. I've
11 been here my entire life. I'd be glad to help
12 you kind of realize it.

13 Thank you and have a nice night.

14 MR. NAVECKY: Thank you.

15 MEMBERS OF THE AUDIENCE: (Applause.)

16 MS. PIGGOTT: Thank you for your
17 comments.

18 We have one additional speaker. Then I
19 will see if there's any others.

20 Mr. Stan Johnston.

21 MR. JOHNSTON: Hello?

22 MS. PIGGOTT: You're on.

23 MR. JOHNSTON: Stan Johnston. 860
24 Poinsettia Avenue, Titusville, Florida. And I
25 want to have some -- give you some suggested

1 recommendations that people are talking
2 here. And let's say -- I want to say that
3 there's a presentation and then right after the
4 presentation you said we're not going to have a
5 question and answer period.

6 We did. I don't -- well, we did have one
7 question -- one or two questions answered. But
8 I want to talk about as far as giving you a
9 suggestion/recommendation is that in order to
10 have communication it should be two way, not
11 somebody saying something and then people
12 listening, other people saying something and
13 listening.

14 In order to have communication it should be
15 a two-way street. This particular presentation
16 we're having tonight is a unilateral more than
17 anything else type of communication. Although
18 people are coming to talk here. People are
19 coming to listen. You're making a presentation.

20 So I would suggest something additional.
21 And which I expect to find like responses to
22 some these comments. But it seems like it would
23 be more appropriate to have something like a
24 workshop or something like that that would
25 address people's concerns rather than having

1 them speak and not be addressed. So that's one
2 of the things I especially am concerned about.

3 Another thing I'd like to mention is that
4 when you say this train's going to go 10 miles
5 per hour that -- that's only -- that's a
6 six-minute mile. I can sprint faster than that.
7 So that's incredibly slow. It just seems like
8 it's an incredibly slow train. 170 cars. If
9 you have 170 cars at about 40-feet long each
10 that's well over a mile long.

11 So I don't know how long you expect this
12 train to be. But it's -- it's -- it looks like
13 it's significantly longer than a mile. So I'd
14 like to know what kind of what -- how long the
15 train's going to be.

16 The -- although this is an issue about
17 environmental impacts I believe that when we
18 talk about security that can also involve
19 environmental impact. So -- because you may
20 have to have advanced security. You may have to
21 have additional fencing and so forth like that.
22 Fencing may result in certainly changes and
23 that.

24 So the question is, you know, you're doing
25 an environmental impact statement without a

1 design then you add fencing or something like
2 that then it changes the situation.

3 So we need to know what this design is
4 going to include. Because it's going to affect,
5 for example, security. Are they going to change
6 security requirements? That can change the
7 environmental impact.

8 Thank you.

9 MS. PIGGOTT: Thank you for your comments.

10 MR. NAVECKY: Thank you.

11 MEMBERS OF THE AUDIENCE: (Applause.)

12 MS. PIGGOTT: Is there anyone else who
13 didn't sign up who would like to make an oral
14 comment this evening?

15 MEMBER OF THE AUDIENCE: (Indicating.)

16 MS. PIGGOTT: Sir?

17 MR. LEVI: My name is Charles Levi. I live
18 in Port St. John, Florida. My main concern is
19 on the environmental impact that this is going
20 to have as Captain Alex Garichky pointed out.

21 This area right here is the last living
22 section of the entire Banana River. I'm not
23 telling you that for a tearjerker. I don't want
24 sympathy for that. It's the honest to God's
25 truth. I've lived here my entire life. And the

1 Banana River from here all the way down to
2 Dragon Point -- I'm sure most of you guys are
3 familiar with Dragon Point -- is a complete and
4 utter dead zone. There's nothing there.

5 Not only is this important to us because
6 from 528 to the NASA property it's the only
7 stretch of shoreline probably even in the Indian
8 River south of 528 all the way down to Sebastian
9 that has a lively grassy area.

10 The beautiful thing about this -- and it
11 goes back to science. This is the only place
12 known on the planet where tarpon which are a
13 protected specie -- by the way now -- tarpon
14 mature and are born and raised here. For years
15 and years and years the thought was that the
16 silver king, probably the most valuable for
17 tourist dollars fish to our economy in the State
18 of Florida went offshore to breed and spawn and
19 do all those happy things they do all around the
20 rest of the world. It's not so.

21 We have fly tarpon that are found all the
22 time throughout the ditches, in culverts, in
23 canal systems that work through Merritt Island.
24 I've personally caught four-inch tarpon fly on
25 little tiny dry fly just to see what they were

1 on top on the surface.

2 There's no way that that little tiny dry
3 fly -- I mean that little tiny tarpon -- excuse
4 me -- came through the locks at the Port, out --
5 through the ocean, through the locks at the Port
6 all the way up into the no motor zone, into a
7 ditch, through a culvert and survived there.

8 So we have per Dr. Gary Mathers' own
9 recollection the only place on the entire planet
10 where that happens. We also have the only place
11 on the entire planet where redfish do the same
12 thing. Our redfish, our red drum which is --
13 probably should be the State's Capitol fish
14 nowadays which used to be nothing but a trash
15 fish is now considered one of the most prized
16 inshore species to be caught.

17 The same thing happens here. Our fish
18 don't go out through Port Canaveral locks to go
19 out into the ocean and spawn and do their thing.
20 All that happens right here.

21 A year and a half ago I witnessed the
22 largest school of redfish I've ever seen right
23 there at that point just south of Buck Creek.
24 And there was a school probably no smaller than
25 the size of this gymnasium living right there.

1 Those fish didn't come from down here.
2 Those fish came from up here. If this dies, all
3 that dies, too.

4 That's all I've got. Thank you.

5 MR. NAVECKY: Thank you.

6 MS. PIGGOTT: Thank you for your comments.

7 MEMBERS OF THE AUDIENCE: (Applause.)

8 MS. PIGGOTT: Does anyone else wish to make
9 an oral comment this evening?

10 MEMBERS OF THE AUDIENCE: (No response.)

11 MS. PIGGOTT: Anyone that has provided an
12 oral comment; does anyone wish to expand upon
13 their comments?

14 MEMBERS OF THE AUDIENCE: (No response.)

15 MS. PIGGOTT: Okay. Well, thank you so
16 much for coming to the public meeting this
17 evening. This concludes the formal portion.

18 We do have some more time so we will go
19 back into an open house setting and be around
20 for additional information and questions that
21 you might have over by the poster boards.

22 Thank you again for coming this evening.

23 (Whereupon, the public comment section of
24 the meeting was concluded at 7:00 p.m.)
25