

August 14, 2014

Kathryn K. Floyd

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VIA EMAIL

David Navecky
Office of Environmental Analysis
Surface Transportation Board
325 E Street, SW
Washington, DC 20423

Re: Finance Docket No. 35852, Canaveral Port Authority – Petition For An
Exemption From 49 U.S.C. §10901 To Construct and Operate a Rail Line
Extension to Port Canaveral, Florida

Dear Dave:

As you are aware, the Canaveral Port Authority (“CPA”) plans to construct and operate a new rail line that will connect existing Florida East Coast Railway (“FEC”) mainline to Port Canaveral, Florida. This project is known as the Port Canaveral Rail Extension (“PCRE”).

The basic purpose of the PCRE is to provide the Port, its customers, and shippers with efficient, direct rail transportation from the Port to the FEC mainline. The line extension—consisting of approximately 17 miles of existing infrastructure on the Kennedy Space Center (“KSC”) and approximately 11 miles of new construction—would travel west from the Port over the Banana River and then continue north to connect to the KSC rail at its terminus in the KSC Industrial Area. The KSC rail infrastructure travels across the Indian River and the Intracoastal Waterway on the Jay-Jay Bridge and connects to the FEC mainline near Titusville, Florida. CPA intends to file a petition for exemption with the STB for construction and operational authority for the line extension.

On August 12, 2014, PCA representatives met with you and Vicki Rutson at STB’s offices. We discussed information compiled during the PCRE’s development phase, as well as various environmental and planning considerations relevant to the project.

To the extent that 49 C.F.R. §1105.6(a) might be read to apply to the PCRE, PCA hereby requests a waiver of the 49 C.F.R. §1105.10(a) requirement that an applicant consult with OEA at least 6 months prior to the filing of a petition for an exemption from 49 U.S.C. §10901 to construct and operate a rail line, if the proposed construction would require preparation of an Environmental Impact Statement. We believe that the six-month

David Navecky
August 14, 2014
Page 2

prenotification is not needed with respect to this project for several reasons. First, as you are aware, PCA is continuing to prepare substantial engineering and environmental data, and plans to submit further information to OEA in the future. Second, pursuant to the Board's procedures, PCA intends to utilize an independent third-party consultant, to be selected by OEA, to prepare the necessary agency environmental documentation for the project. Third, in light of the overall PCRE schedule, a six-month delay would needlessly impede the progress of this important project.

Please let me know if you have any questions. We greatly appreciate your assistance and look forward to working with you on this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathryn Kusske Floyd", followed by a stylized flourish or initials.

Kathryn Kusske Floyd

cc: Vicki Rutson
Jim Dubea