

EXPLANATION OF CONSENT AGENDA ITEM E.2.c.(4) – December 16, 2015

ITEM:

Consideration of approving an increase to purchase order P14455 to TranSystems Corporation the amount of \$107,000.00 for additional professional services associated with further study and evaluation of rail feasibility on Cape Canaveral Air Force Station. (Pending Approval from CCAFS)

EXPLANATION:

In November 2013; CPA Commissioners approved a purchase order to TranSystems for \$250,000 under their continuing services contract for preliminary design, environmental work, and permitting for rail connectivity between Port Canaveral and Florida East Coast Railway (FEC) via NASA lands with phased segments. In February 2014, an increase was approved for \$20,000 for vibration analysis in designated KSC facilities. This increase is to study specific rail feasibility and alignments on CCAFS.

In August 2012, CPA initiated discussions with CCAFS command regarding the possibility of a rail connection through the CCAFS and CPA consultants were allowed access to determine possible route alignments. In January 2013, CPA was provided a power point presentation dated August 20, 2012 that outlined the many obstacles and concerns from the Air Force.

In August 2014, the CPA initiated an environmental review of a rail infrastructure project that was being led by the Surface Transportation Board (STB) Office of Environmental Analysis (OEA). The STB is the Federal agency with jurisdiction over the construction and operation of any common carrier rail service to the Port and has been evaluating a number of possible alternatives, including a possible rail route on CCAFS, during their scoping process. During this scoping process, the STB and a team of CPA consultants had been allowed access to CCAFS to evaluate the feasibility of a possible rail line. During the initial feasibility, OEA identified many potential obstacles through the CCAFS routes that would require additional study to determine any mitigation. In response to this information, the CPA asked the STB to pause their environmental review process to allow us ample time to review and ultimately conclude if a rail route through CCAFS is feasible.

On December 3, 2105, CPA requested access to CCAFS to further study any feasibility of rail routes through the CCAFS. We are currently waiting for a response to our request and anticipate approval in the near future.

This request includes additional services to provide CPA and the Surface Transportation Board with information and all pertinent data gathered at the CCAFS and the most feasible alignment from the perspective of avoiding, to the greatest extent possible, those CCAFS facilities, sites, thoroughfares, utility infrastructure, intersections, environmentally sensitive areas, critical habitat, archeological sites and etc. that create operational restrictions for any reason (USAF mission operations, security, mission expansion, environmental and archeological). To the greatest extent possible, secure operational restriction reductions or exemptions to maximize the operability of the

proposed freight rail alignment on the CCAFS. This includes project management, cost estimates for various rail infrastructure elements and operational configurations leading to the final rail system configuration for tenant cargo – rail operations at the North Cargo area.

Funding Review by Finance (Pat Poston):

The total NTE amount of \$107,000 is included in the FY16 Capital Budget and no increase is required. [Budget item 2235 - Rail Connectivity]

Staff Recommends Approval

Prepared by Jim Dubea

CCAFS Rail Alignment Feasibility Assessment

I. Scope and Task Detail:

CCAFS

1. Meet with CCAFS operations, planning, facilities engineering and security staff to determine all restrictions at operational and support facilities, administrative and security facilities, sensitive utility sites and infrastructure, thoroughfares, critical intersections, access (installation) gates and etc. Determine the nature and duration of operational restrictions and prohibitions imposed by operational (CCAFS mission), security and mission expansion concerns and issues.
2. Visit each site or piece of CCAFS infrastructure that involves an operational restriction or prohibition for any reason and determine the duration, frequency, specifically prohibited activities and the required avoidance zone.
3. Meet with CCAFS environmental and planning staff to ascertain and verify all critical habitat areas, ecologically sensitive areas and archeological sites.
4. Develop an “avoidance” map of the CCAFS that clearly depicts:
 - All areas, sites, thoroughfares, intersections, facilities, utilities and infrastructure that pose construction and freight rail operational restrictions or prohibitions. Develop an accompanying spreadsheet to indicate the severity of those prohibitions and restrictions based upon frequency, duration and potential for mitigation or reduction through modification to freight rail structure or operations.
 - All areas that pose significant or infeasible environmental mitigation requirements because of negative impact upon protected habitat, ecologically valuable and sensitive areas or archeological sites.
 - Review the “Avoidance Map” with CCAFS staff and Port Staff to validate accuracy. Make any needed amendments.
5. Using the prepared and validated avoidance map, develop a freight rail alignment that to the greatest extent possible avoids construction and operational restrictions and prohibitions. Collect sufficient site engineering data to validate constructability and validate the operational feasibility of the alignment (grade crossings, inclines and declines and radii of curvature).
6. Perform adequate alignment engineering and design to provide the CPA with a sufficiently accurate opinion of probable development cost.

KSC

1. Meet with KSC planning, environmental and rail staff to plan and develop the freight rail alignment that will travel from the existing plant rail in the KSC Industrial Area, to the southeast and cross the Banana River on the NASA Causeway to enter the CCAFS in the vicinity of the Administrative Area. While such meetings have been performed in the past with the KSC, this is a new alignment and will require collaboration with the KSC staff to insure avoidance of ecologically sensitive areas and mission-related avoidance zones.
2. Perform on-site inspection and data gathering with new focus on the NASA Causeway and its water crossing to properly evaluate feasibility of placement of a railroad bed on the existing causeway either with or without structural reinforcement and determine the means and infrastructure that will be required to span the opening between segments of the causeway on the Banana River.
3. Develop the precise rail alignment from the KSC Industrial Area and the junction with the existing KSC plant rail, southeast to the NASA Causeway, across the Banana River on the Causeway and new bridge and onto the CCAFS at the Administrative Area.
4. Collect sufficient site engineering data to validate constructability.
5. Perform adequate alignment engineering and design to provide the CPA with a sufficiently accurate opinion of probable development cost.

Final Feasibility Evaluation

1. Provide the GLRM Group with information and all pertinent data gathered at the CCAFS and the most feasible alignment from the perspective of avoiding, to the greatest extent possible, those CCAFS facilities, sites, thoroughfares, utility infrastructure, intersections, environmentally sensitive areas, critical habitat, archeological sites and etc. that create operational restrictions for any reason (USAF mission operations, security, mission expansion, environmental and archeological). GLRM personnel with appropriate expertise will, to the greatest extent possible, secure operational restriction reductions or exemptions to maximize the operability of the proposed freight rail alignment on the CCAFS.
2. TranSystems will prepare a final feasibility analysis and evaluation that will present and address:
 - Determination of the most feasible and least impacted rail alignment
 - Constructability and Permit-ability (Environmental Impact and Mitigation)
 - Operability as an efficient and effective freight rail connection
 - Cost of Development

The final report will be collaboratively prepared with the KSC, CCAFS and the CPA. Should sufficient feasibility be determined for a recommendation to the STB that the CCAFS Freight Rail Alignment be included in the EIS, TranSystems will provide the STB with:

- All project and site background data,
- the methodology and rationale for the most feasible alignment's positioning,
- the preliminary design and engineering that support constructability,
- the engineer's opinion of the probable cost of development,
- the environmental and archeological research that support permit-ability without infeasible mitigation measures,
- the predicted operability of the freight rail line in terms of days of possible operation per year and
- all data gathered from both the KSC and USAF (CCAFS) that would pose operational, security, archeological and environmental restrictions with all corresponding (alignment) measures taken and operating allowances negotiated to maximize operability and constructability.

II. Study Schedule:

<u>Task Location and Number</u>	<u>Duration</u>
CCAFS Tasks 1 – 3	NTP to Day 40
KSC Tasks 1 and 2	NTP to Day 40
CCAFS Task 4	Day 40 to Day 60
KSC Tasks 3 and 4	Day 40 to Day 60
CCAFS Tasks 5 and 6	Day 60 to Day 90
KSC Task 5	Day 60 to Day 90
Final Feasibility Evaluation Task1	Day 75 to Day 110

Final Feasibility Evaluation Task 2

Day 110 to Day 120

Total Duration from NTP

120 Days

III. Estimated Fee:

1. Project management, supervision and effort coordination; direct interface, collaboration and coordination among: CPA, KSC, CCAFS, the GLRM Group; direction and coordination of the most feasible and least impacted alignment positioning, schedule and budget management and coordination and preparation of the final feasibility evaluation for the CPA: **\$46,153.60**
2. Engineering: Preliminary design of the rail alignment through the KSC and CCAFS to include a new water crossing of the Banana River on the NASA Causeway and development of an opinion of probable cost of development. Evaluation of constructability and schedule, given final negotiated restrictions on operation and construction: **\$35,782.88**
3. Environmental: Research and evaluate all environmental and archeological restrictions at both the KSC and CCAFS in the general vicinity of the rail alignment. Negotiate the alignment of the least environmentally damaging rail route with the KSC and CCAFS Environmental Management staff. Coordinate with consulting engineers to plan and assist in preliminary engineering of the route. Prepare the environmental feasibility evaluation in the final feasibility evaluation: **\$25,000.00**

Total: Not to Exceed (billed on CPA approved hourly scale): \$106,936.48



December 3, 2015

SAF/IEE
1160 Air Force Pentagon
Washington, DC 20330

Dear Mr. Hartley,

As follow-up to our meeting on Friday, November 13, 2015, we would like to outline the steps taken thus far by the Canaveral Port Authority (CPA) in regards to our rail feasibility study with the Surface Transportation Board, and to request access to Cape Canaveral Air Force Station (CCAFS) for purposes of continuing that feasibility study.

In August 2012, CPA initiated discussions with CCAFS command regarding the possibility of a rail connection through the CCAFS and CPA consultants were allowed access to determine possible route alignments. In January 2013, CPA was provided a power point presentation dated August 20, 2012 that outlined the many obstacles and concerns from the Air Force.

In August 2014, the CPA initiated an environmental review of a rail infrastructure project that was being led by the Surface Transportation Board (STB) Office of Environmental Analysis (OEA). The STB is the Federal agency with jurisdiction over the construction and operation of any common carrier rail service to the Port and has been evaluating a number of possible alternatives, including a possible rail route on CCAFS, during their scoping process. During this scoping process, the STB and a team of consultants had been allowed access to CCAFS to evaluate the feasibility of a possible rail line. OEA identified potential obstacles through the CCAFS routes that would require additional study to determine any mitigation. In response to this information, the CPA asked the STB to pause their environmental review process to allow us ample time to review and ultimately conclude if a rail route through CCAFS is feasible.

On March 19, 2015, the 45th Space Wing provided correspondence to the STB that outlined further study of the feasibility of rail routes on the CCAFS would be required for all routes traversing CCAFS. A copy of this letter is attached outlining the 45th Space Wing's determination. Consistent with this March 19 letter, CPA and its consultants would like to gain access to CCAFS to further study any feasibility of rail routes through the CCAFS.

Also attached is a letter from the Surface Transportation Board's Office of Environmental Analysis (OEA) stating they have temporarily suspended the environmental review under the National Environmental Policy Act of CPA's proposed rail extension. The purpose of this suspension is to allow further exploration of a potential rail alternative through CCAFS. If the CPA review demonstrates a feasible route through CCAFS, STB will include the route in its environmental review process.



To be clear, the access we are requesting is to further evaluate feasibility of a rail line for the STB to determine if operation of a common carrier rail service is eventually possible through CCAFS. In order to provide the information required by the STB, CPA formally requests access to CCAFS. To facilitate this request we would like to make arrangements to meet with CCAFS in the near future so we can continue our rail feasibility review.

We look forward to working together in this effort and appreciate your continuing assistance in this matter.

Sincerely,

A handwritten signature in black ink that reads 'Jim Dubea'.

Jim Dubea

Deputy Executive Director, Canaveral Port Authority

Cc: Tom Eye at CCAFS

Robert Moriarty at AFCEC



DEPARTMENT OF THE AIR FORCE
45TH SPACE WING (AFSPC)

MAR 19 2015

MEMORANDUM FOR SURFACE TRANSPORTATION BOARD

395 E Street SW
Washington, DC 20423-0001
ATTN: Dave Navecky, Environmental Filing Docket No. FD 35852

FROM: 45 SW/XP
1201 Edward H. White II Street
Patrick AFB FL 32925-3238

SUBJECT: Rail Extension to Port Canaveral, Florida – Potential Rail Alignments
(Your letter, 20 Feb 15)

1. We have received your letter requesting comments on the feasibility of potential rail alignments that would traverse Cape Canaveral Air Force Station (CCAFS). The 45th Space Wing recognizes the potential economic benefit rail service to Port Canaveral would have to Brevard County and the local community. However, such benefit must be carefully weighed against the ability of the wing to safely support our growing launch mission manifest and those operations of our mission partners operating on CCAFS.
2. Routes referred to as 1a and 1b of your letter are not considered feasible because in both of these scenarios, the route crosses the CCAFS airfield; rendering that facility unusable to support our mission. In addition, route 1a is shown running past our critical launch complexes 37, 40 and 41. Any route proposed in proximity to these complexes would likewise be considered not feasible due to safety, security and hazardous operations related to those facilities.
3. Based on the information provided, it is not possible to evaluate the feasibility of route 1c running along CCAFS's western transportation corridor. Due to the multiple hazardous operating facilities, critical telemetry and radar equipment, and cultural and natural resources located along the route, the 45th Space Wing would require the Surface Transportation Board to provide a planning assessment, similar to the one performed for the NASA routes, in order to evaluate potential mission impacts and possible mitigation strategies before such a determination could be made. We do not have any comment on route 1d since it traverses Kennedy Space Center (KSC) and is not CCAFS property.
4. In summary, none of the proposed rail routes that traverse CCAFS property are currently feasible without further study. We look forward to working with Surface Transportation Board and reviewing any assessments you can provide to further evaluate the overall feasibility of any rail route that traverses CCAFS. If you have any further questions, please contact me directly at 321-494-3398 or via e-mail at Thomas.Eye@us.af.mil.



THOMAS A. EYE
Director, Plans and Programs

2 Attachments:

1. Rail Line Extension to Port Canaveral, Florida – Potential Rail Alignments, 20 Feb 15
2. 45 SW Response to Rail Extension to Port Canaveral, Florida, 9 Dec 2014

GUARDIANS OF THE HIGH FRONTIER

cc:
NASA KSC/AD
45 OG/CC
45 MSG/CC
45 LCG/CC
45 SW/SE



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

November 9, 2015

Kathryn Kusske Floyd
Venable LLP
575 Seventh Street NW
Washington, DC 20004

Re: Docket No. FD 35852, Canaveral Port Authority — Construction and Operation Exemption — Rail Line Extension to Port Canaveral, Florida; Applicant's Request to Temporarily Suspend OEA's Environmental Review

Dear Ms. Floyd:

The Board's Office of Environmental Analysis (OEA) has received your October 29, 2015 letter requesting that OEA temporarily suspend its environmental review of the proposed project while the Canaveral Port Authority (CPA) further evaluates a potential rail alternative through the Cape Canaveral Air Force Station (CCAFS). As discussed below, OEA will grant your request for temporary suspension.

Background

A potential CCAFS rail alternative for this project would originate at Port Canaveral, extend north through CCAFS (generally parallel to Phillips Parkway), turn west to cross the Banana River to Kennedy Space Center (KSC) via NASA Parkway East, and finally connect with KSC's existing rail line. To assist in OEA's evaluation of this potential rail alternative, Dave Navecky of my staff traveled to CCAFS in July 2015, met with U.S Air Force 45th Space Wing (45 SW) personnel to discuss the potential alternative, and received a tour of the CCAFS grounds encompassing the corridor of the potential alternative.

Following this site visit, OEA sent an August 10, 2015 letter to 45 SW requesting written confirmation of information conveyed during the July 2015 45 SW meeting and site visit and requesting additional information OEA needed to complete a feasibility evaluation of this potential alternative. A written reply from 45 SW's was received on October 6, 2015.

Based on OEA's July 2015 site visit and 45 SW's October 6, 2015 written reply, OEA is concerned that numerous and substantial constraints would be associated with siting, constructing and operating a common carrier rail line through CCAFS. The siting constraints identified to date at CCAFS include:

- Historic cemeteries and Native American burial sites including recently repatriated remains;
- National Historic Landmark designation;
- Several Federally listed threatened and endangered species and associated critical habitats;
- Wetlands;
- Stormwater management ponds that assist in managing contaminated groundwater and reducing nonpoint source pollution;
- Facilities essential to CCAFS's mission that are sensitive to potential vibration impacts including satellite-payload processing facilities, munitions storage sites, and rocket launch and satellite communication buildings;
- Utility lines including water, sewer, natural gas, electric, telephone, mission-critical communication, high-pressure helium and nitrogen gas; and
- Explosive Quantity Distance (EQD) arcs; that is, defined zones within which activities are temporarily or permanently prohibited for safety and security purposes.

There appear to be other constraints to constructing and operating a potential rail line through CCAFS. Numerous mission-critical activities take place at CCAFS, including activities related to 45 SW and commercial rocket launches and to U.S. Navy operations at the CCAFS-located submarine turning basin and wharf. During these activities, all rail construction activities and train movements likely would have to stop. The days during which these prohibitions would occur apparently are so-called "mission critical" or "no dig" days. The types of activities that would result in mission critical/no dig days include rocket launches, national disaster/national security exercises, naval ordnance movements and other naval operations, rocket payload movements, and prescribed burns for Florida scrub jay (a Federally listed threatened species) habitat maintenance. The duration of the prohibition of rail-related activities would range from several hours to several weeks, but the majority of the prohibitions are likely to extend for approximately five days per event. Based on the information supplied in 45 SW's October 6, 2015 letter, OEA estimates that future mission critical/no dig days could reach or exceed 200 days annually in the foreseeable future.

Feasibility of a Potential CCAFS Rail Alternative

Collectively, these above-mentioned constraints suggest that it is not reasonable or feasible to site, construct or operate a common carrier rail line through CCAFS, and that a potential CCAFS alternative should not be studied in the Draft Environmental Impact Statement (EIS). However, your October 29, 2015 letter indicates that CPA intends to further evaluate a potential CCAFS route with a new project partner, the Gilbane-Renuart-Larkin-Mid-Atlantic Railway Services Group. OEA believes it is appropriate to temporarily suspend the Board's environmental review process so that CPA and its new partner can attempt to resolve or mitigate the numerous constraints associated with routing a common carrier rail line through CCAFS.

CPA should notify the Board when it has completed its further evaluation and request that the temporary suspension of the environmental review process should be lifted. If, after

completing its further review, CPA believes that a potential rail line through CCAFS remains potentially reasonable and feasible, OEA asks that CPA provide OEA with specific details on where and how a common carrier rail line through CCAFS could be successfully sited, constructed and operated. These details should include a preliminarily engineered route through the CCAFS that addresses the siting constraints mentioned above and should provide a thorough explanation of how the potential common carrier rail line could successfully operate (and be constructed) given the large number of mission critical/no dig days that are expected to occur, if the Board were to authorize a common carrier rail line through CCAFS.

Once OEA has received CPA's request to resume the EIS process and a detailed accounting (if any) of how CPA believes a potential rail line through CCAFS could be successfully sited, constructed and operated, OEA will consider CPA's response. OEA will then complete the Final Scope of Study for the Draft EIS with the assistance of the five Federal cooperating agencies. The Final Scope of Study will identify the alternatives being carried forward in the Draft EIS for detailed study and the alternatives being dismissed based on all the information that is available at that time.

We look forward to receiving CPA's evaluation of a potential CCAFS rail alternative. Please send your evaluation to Dave Navecky at 395 E Street, SW, Washington, DC, 20423, 202-245-0294 (David.Navecky@stb.dot.gov). Please feel free to contact Mr. Navecky if you have any questions. Thank you for your assistance.

Sincerely,

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

Victoria Rutson
Director
Office of Environmental Analysis

cc: Jay Johnson