

National Park Service
U.S. Department of the Interior

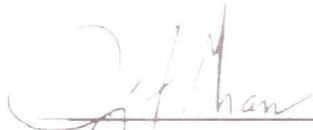


Canaveral National Seashore

**Finding of No Significant Impact to Grant a Special Use Permit for the
Construction of the Space Coast Trail**

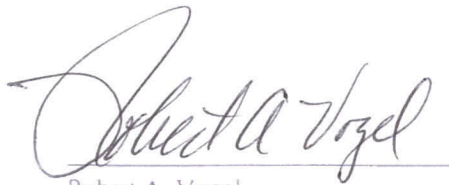
March 2020

Recommended


Jay Grass
Superintendent,
Canaveral National Seashore

3/3/2020
Date

Approved


Robert A. Vogel
Director, Region 2
National Park Service

3/16/2020
Date

INTRODUCTION

The Florida Department of Transportation (FDOT), in cooperation with the U.S. Fish and Wildlife Service (USFWS), the National Park Service (NPS), and the National Aeronautics and Space Administration (NASA), prepared an Environmental Assessment (EA) for the proposed Space Coast Trail on Merritt Island National Wildlife Refuge (MINWR or Refuge) and Canaveral National Seashore (CANA or Seashore) in Brevard and Volusia counties, Florida. The EA, USFWS' Finding of No Significant Impact (FONSI), and this FONSI constitute the record of the environmental impact analysis and decision-making process for granting a Special Use Permit to FDOT for temporary access to construct the Space Coast Trail within the CANA. The NPS has approved the selection of the Preferred Alternative identified in the December 2019 EA. This FONSI summarizes the findings of the EA and incorporates the public input provided during the public comment period.

The statements and conclusions reached in this FONSI are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below.

SELECTED ALTERNATIVE AND RATIONALE FOR THE DECISION

Based on the analysis presented in the EA, NPS selected the Proposed Action (Selected Action). The Selected Action within CANA would consist of the following: constructing a paved shared-use path from the Refuge boundary at Playalinda Beach Road to Parking Area No. 1 within the Seashore. To support these proposed trail alignments, bicycle/pedestrian roadway crossings within CANA would be added at the east side of the railroad crossing along the Seashore's entrance road before the fee booth and at the Seashore's curve where the entrance road turns north toward the parking areas.

Rationale

The Selected Action was selected because it best meets the purposes and goals of the Seashore. The Space Coast Trail would provide opportunities for the enjoyment of appropriate and compatible outdoor recreation, promote awareness and appreciation of natural resources, and protect, conserve, and manage wildlife, habitat, and cultural resources for the benefit of present and future generations.

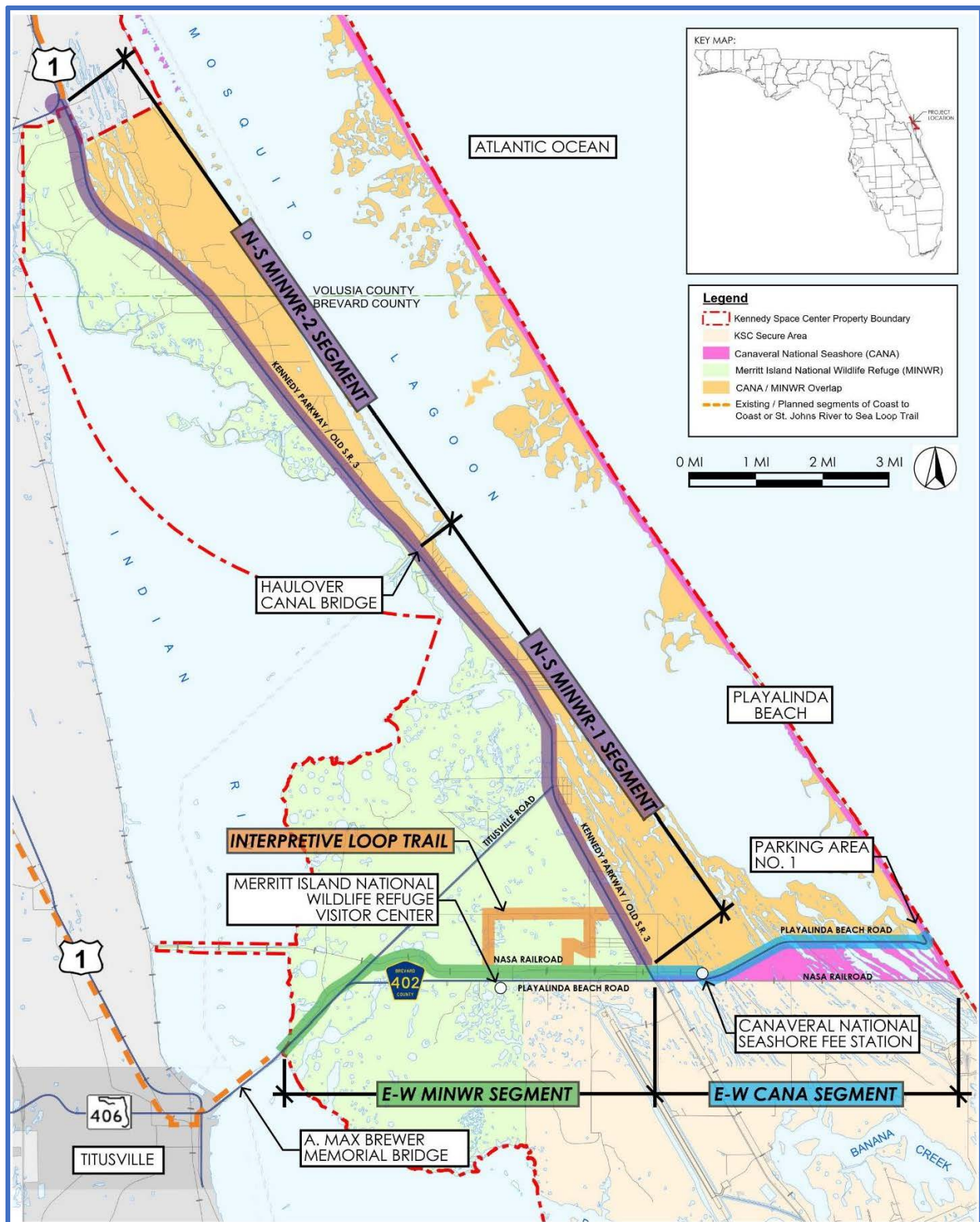




Figure 1.2 – Selected Action

Rationale (cont.)

In addition, the Selected Action would help meet goals and objectives identified in the Seashore's General Management Plan (GMP). These goals and objectives include providing trails for additional "wildlife first" opportunities for observing wildlife, photographing wildlife, and participating in environmental education and interpretation. The facility would be designed to discourage uses such as racing or other higher speed activities, high-speed cycling, off-road/trail mountain biking, and exercise/fitness focused uses, which are incompatible with the Refuge and Seashore's purposes, goals, and objectives.

MITIGATION MEASURES

The NPS places strong emphasis on avoiding, minimizing and mitigating potential adverse environmental impacts. The Selected Action will incorporate the mitigation measures below.

Cultural Resources

- A qualified archaeological monitor will be present during ground-disturbing activities in the vicinity of the Crook/Watton Cemetery (8BR01626).
- Construction plans will include notes referencing the Florida Statutes Chapter 872.05 regarding unanticipated finds and associated requirements per the statute.

Waters of the U.S., NPS Wetlands and Floodplains

- Contractor staging, and storage areas will be coordinated with the USFWS and CANA staff and would be placed in previously disturbed or paved areas.
- Best Management Practices (BMPs) to control erosion and sedimentation in accordance with FDOT's Standard Specifications for Road and Bridge Construction would be implemented.
- Wetlands compensation will be provided at a 10:1 ratio or approximately 20 acres as identified in Appendix B – NPS Wetlands Statement of Findings. Compensatory mitigation would include enhancement of the existing estuarine intertidal and palustrine emergent wetlands through removal of exotics (primarily Brazilian pepper) adjacent to the trail, and along other berms and railroads in the CANA that have been disturbed as part of the mosquito impoundment ditching.

Wildlife, including Protected Species

- The Standard Protection Measures for the eastern indigo snake during construction would be implemented.
- During construction, if there are stock pile areas, these should be covered when not in use to avoid potential nesting least terns (April – August).

- Eagle nest monitoring should take place during design and permitting prior to construction. Coordination with USFWS Migratory Bird Division should occur following the updated survey, when the current condition of the nest is known. Minimization measures should include restrictions on construction timing, contractor education to avoid impacts to nests, and nest monitoring during construction.
- The listed excerpt from the Standard Manatee Conditions for In-Water Work (2011) would be followed.
 - Siltation and turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured and shall be regularly monitored to avoid manatee entanglement and entrapment.
 - Barriers shall be installed as to not impede manatee movement.
- Contractor staging, and storage areas would be coordinated with the USFWS and CANA staff and would be placed in previously disturbed or paved areas.
- Pre-construction surveys for gopher tortoises would be conducted and, impacts will be addressed on the Refuge or Seashore, as applicable.
- Construction would occur during daylight hours only.
- Trail would be open during daylight hours only.
- Contractor education materials would be provided to minimize effects on wildlife that could be encountered.

Visitor Experience

- To ensure the Selected Action meets NPS requirements and minimizes impacts to wildlife and habitat, the proposed trail would not provide opportunities for sport, exercise, competitive races, or any type of extreme sporting events.

PUBLIC INVOLVEMENT/AGENCY CONSULTATION

Initial scoping began with Tribal scoping letters sent in March 2016 to the five potentially interested Native American Tribes; the joint letter was signed by the Regional Director of the USFWS Southeast Region and by the CANA Park Superintendent. This was followed by the publication of the proposal on the FDOT's ETDM system on April 4, 2016 (<https://etdmpub.florat.org/est/>). Multiple state and federal agencies submitted scoping comments through the ETDM system. The proposal was published on the NPS' Planning, Environment & Public Comment (PEPC) site in August 2016 (<https://parkplanning.nps.gov/projectHome.cfm?projectID=67041>). Scoping continued with a public meeting open house on December 7, 2017 at the City of Titusville City Hall to obtain feedback from the public on the proposed alternatives and potential benefits and impacts. The

public meeting open house was advertised within the local newspaper (Florida Today), on the Florida Administrative Register, and on the Refuge's website and NPS' PEPC site. Flyers were distributed by email and mailed to those on the Refuge and Seashore mailing lists. All advertisements and notifications included information on how to submit comments. Approximately 38 people attended the open house and five written comments were received. All comments expressed support for the proposed Space Coast Trail, and most expressed a preference for providing some separation between the proposed trail and the existing roadways. Two commenters specifically expressed concern over the "sharrow" option that would allow bicyclist and vehicles to share the roadway within the Seashore segment. Three commenters specifically identified a preference for a shared-use path along Kennedy Parkway North as opposed to buffered bike lanes. A total of 21 comments were submitted during scoping. Prior to the public scoping, only a sharrow option within the Seashore was considered. Following the public scoping, a shared-use path option within the Seashore was considered and developed as part of the Selected Action.

Comments on the Environmental Assessment

Availability of the EA was advertised in the Florida Today newspaper and through a Joint News Release on September 17, 2019. Copies of the News Release were sent to those individuals on the Refuge and Seashore interested parties mailing lists and on the PEPC website. The EA was made available for public review during a 30-day comment period ending October 21, 2019. During the 30-day public review period copies of the EA were made available for public review on the NPS PEPC website at: <https://parkplanning.nps.gov/projectHome.cfm?projectID=67041>. Links to the EA were also available on the Merritt Island NWR website (https://www.fws.gov/refuge/Merritt_Island/) and the Canaveral National Seashore website (<https://www.nps.gov/cana/index.htm>). Copies of the EA were also available upon written request.

Agency Consultation

Endangered Species Act

As this was a joint EA with USFWS and NPS, the USFWS MINWR staff led the Endangered Species Act, Section 7 consultation with the USFWS Ecological Services Office. The USFWS determined that the Selected Action would have no adverse effects on federally endangered or threatened species. The following effects determinations were made:

FEDERAL SPECIES EFFECTS DETERMINATIONS	
Federally Listed Species	Effect Determination
West Indian manatee	May affect, not likely to adversely affect
Southeastern beach mouse	May affect, not likely to adversely affect
Wood stork	May affect, not likely to adversely affect
Florida scrub-jay	May affect, not likely to adversely affect

FEDERAL SPECIES EFFECTS DETERMINATIONS	
Federally Listed Species	Effect Determination
Audubon's crested caracara	No effect
Piping plover	No effect
Red knot	No effect
Atlantic green sea turtle	No effect
Hawksbill sea turtle	No effect
Kemp's ridley sea turtle	No effect
Leatherback sea turtle	No effect
Loggerhead sea turtle	No effect
Eastern indigo snake	May affect, not likely to adversely affect
Atlantic saltmarsh snake	May affect, not likely to adversely affect
American Alligator	No effect
Gopher tortoise	May affect, not likely to adversely affect

A copy of the Section 7 consultation is included in Appendix A. In an email, dated September 6, 2019, National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS) concurred with a no effect determination for swimming sea turtles and smalltooth sawfish and they did not anticipate a need for Section 7 consultation with NMFS for the project.

Fish and Wildlife Coordination Act (FWCA)

The Selected Action would result in unavoidable direct impacts to approximately 2 acres of wetlands within the CANA (wetlands WL 1- 0.93 acres, WL3 – 0.01 acres, WL 7 – 0.59 acres and SW1 – 0.48 acres). The proposed impacts occur to wetlands that are immediately adjacent to the existing road and grassed shoulder.

Secondary impacts were also considered based on a 25-foot buffer from the direct wetland impact. The Selected Action could result in approximately 4.28 acres of indirect proximity effects. Potential secondary impacts could include introduction of more people into the CANA access roads and closer to the existing wetlands and shoreline. During the corridor evaluation through this Project Development and Environment (PD&E) Study, alternatives were coordinated closely with USFWS, NPS, and NASA, and alternatives were developed to avoid and minimize areas where the introduction of cyclists and pedestrians could adversely affect wildlife nesting, breeding or roosting. Trash and refuse could increase, but through signage and the existing and proposed educational programs, the public will be made aware of the importance on the MINWR and CANA. Trash receptacles could be considered at strategic points as well. NASA missions periodically result in closures of MINWR and CANA. Thus, the trail may be closed periodically to the public.

National Park Service Wetlands

Wetland Surface Water No.	Resource	Cowardin Classification	Wetland Impacts to NPS Properties	
			Permanent	Type
SW – 1	Bays and Estuaries	E1UB	0.48	Fill
WL – 1	Mangrove Swamps	E2SS	0.93	Fill
WL – 3	Freshwater Marsh	E2EM1	0.01	Fill
WL – 7	Freshwater Marsh (Roadside Ditches)	PEM1F	0.59	Fill

The wetland definition for the Clean Water Act, Section 404 permit program (33 CFR 328.3) is narrower than the NPS wetland definition, so a broader range of shallow aquatic habitat types fall under NPS procedures. Field delineations of the wetlands and surface waters using aerial interpretation and ground truthing was performed on October 24, 25 and 26, 2016 and November 8 and 9, 2016. Wetland delineations will be re-verified during final design and permitting. Wetlands were identified and classified in accordance with "Classification of Wetlands and Deepwater Habitats of the United States" (Cowardin et al. 1979). Based on coordination with the NPS, the selected alternative is consistent with the policies and procedures of NPS Director's Order #77-1 (Protection of Wetlands). A NPS Wetlands/Floodplains Statement of Findings has been prepared (Appendix B).

Floodplains

Approximately 1.48 acres of the Selected Action lie within the mapped 100-year floodplain. The FEMA-FIRM maps show portions of Playalinda Beach Road in the 100-year floodplain. Depending on the actual elevation, the road and adjacent shoulders may have been built above the flood elevation; thus, the actual potential impacts on the 100-year floodplain could be less.

Because of the location of the Seashore within and adjacent to the Indian River and Mosquito Lagoons, complete avoidance of floodplains is not possible with a build alternative. Floodplain impacts have been minimized to the extent practical, by locating the trail on previously developed/disturbed areas. The proposed Space Coast Trail would minimize floodplain encroachments by constructing the trail as near to the existing ground levels as possible or with

the construction of boardwalks for water crossings. While the pavement of the proposed trail would decrease the pervious surface area, given that the Seashore is a large managed natural area, the negative impacts to the pervious surface would be minor to negligible. A combined NPS Wetlands/Floodplains Statement of Findings has been prepared (Appendix B).

Magnuson-Stevens Act, as amended by the Sustainable Fisheries Act of 1996

Essential Fish Habitat (EFH)

Seagrass and mangrove swamps are the two types of EFH and Habitat Area of Particular Concern (HAPC) within the study area. The Selected Action would have no impacts to seagrass and would result in approximately 0.12 acres of direct impacts to mangroves with the Seashore. Coordination during the study with NMFS was conducted and NMFS indicated that consultation will occur during design and permitting (NMFS September 06, 2019).

Section 106 National Historic Preservation Act Compliance

Based on the background research and results of the field investigations, the Selected Action would have no effect on any archaeological resources that are listed, determined eligible, or that appear potentially eligible for listing in the National Register of Historic Places (NRHP) within the archaeological Area of Potential Effect (APE). In addition, the three eligible historic resources, NASA Kennedy Space Center (KSC) Railroad System Historic District (8BR02932), NASA Railroad at KSC (8BR02931), and the Haulover Canal Bridge (8BR02957) would not be affected by the Selected Action. The Cultural Resource Assessment Survey was submitted to the State Historic Preservation Office (SHPO) for concurrence on the findings. The SHPO concurred with the determination in a letter dated August 6, 2019, that no historic properties will be adversely affected by the proposed undertaking on the condition that a qualified archaeological monitor be present during ground-disturbing activities in the vicinity of the Crook/Watton Cemetery (8BR01626).

Native American Tribes Consultation:

Initial scoping began with Tribal scoping letters sent in March 2016 to the five potentially interested Native American Tribes; the joint letter was signed by the Regional Director of the USFWS Southeast Region and by the CANA Park Superintendent. These tribes include the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, the Muscogee (Creek) Nation, the Poarch Band of Creek Indians and the Seminole Nation of Oklahoma. The Seminole Tribe of Florida responded in a letter dated April 6, 2016, that they had no specific comments to provide regarding historic or cultural resources but wanted to ensure that adequate provisions are made to identify and assess effects to any historic properties. The Seminole Tribe of Florida wanted to continue to be notified of any developments regarding this project. No comments were received from any of the other Native American tribes.

FINDING OF NO SIGNIFICANT IMPACT

As described in the EA, the Selected Action has the potential for adverse impacts on floodplains, wetlands, federally listed species, historic districts, and visitor access; however, no potential for significant adverse impacts was identified.

Approximately 1.48 acres of selected alternative lie within the mapped 100-year floodplain. The FEMA-FIRM maps show portions of Playalinda Beach Road in the 100-year floodplain.

Depending on the actual elevation, the road and adjacent shoulders may have been built above the flood elevation; thus, the actual potential impacts on the 100-year floodplain could be less. Because of the location of the Seashore within and adjacent to the Indian River and Mosquito Lagoons, complete avoidance of floodplains is not possible with a build alternative. Floodplain impacts have been minimized to the extent practical, by locating the trail on previously developed/disturbed areas. The Selected Action would minimize floodplain encroachments by constructing the trail as near the existing ground levels as possible or with the construction of boardwalks for water crossings. While the pavement of the proposed trail would decrease the pervious surface area, given that the Seashore is a large managed natural area, the negative impacts to the pervious surface would be minor to negligible.

The Selection Action would result in approximately 2.0 acres of direct fill impacts to wetlands and approximately 4.28 acres of temporary secondary impacts. Mitigation will be provided at a ratio of 10:1. The Selected alternative was designed to minimize potential adverse impacts to wetlands within the Seashore by reducing the width of the trail from 12 feet to 8 feet and by placing the trail adjacent to the existing already disturbed roadway. Standard design criteria for a trail in Florida is 12 feet but can be reduced in areas with environmental concerns. Avoidance and minimization of wetland impacts will continue to be evaluated during the final design, permitting and construction phases of this project and all possible and practicable measures to avoid or minimize these impacts during design, construction and operation will be incorporated.

Soils may be adversely affected during construction activities from compaction and disturbance by heavy construction equipment in the project area. However, adherence to required local, state, and federal regulations; implementation of sediment and erosion control plans and stormwater pollution prevention plans; and associated permitting requirements will minimize such impacts. Overall soil disturbance from construction will be minimal and not significant.

Construction will result in negligible impacts to wildlife habitat due to vegetation clearing. The USFWS and NPS determined that federal and state listed species would not be adversely impacted by the Selected Action with the implementation of the minimization measures described previously.

The construction and operation of the trail as identified by the Selected Action would not interfere with resource protection activities conducted by the NPS and would not have adverse impacts to resource protection of the Seashore. While requiring additional maintenance activities, the Selected Action would not adversely impact the personnel, operations, and maintenance of the Seashore.

There will be no significant impacts on public health, public safety, or unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the NPS Selected Action will not violate any federal, state, or local environmental protection law.

CONCLUSION

As described above, the Selected Action does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The Selected Action will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

Based on the foregoing, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

Appendix A

Non-Impairment Determination

Why is a Non-Impairment Determination Required?

Section 1.4.7 of *Management Policies 2006* states that:

[b]efore approving a selected alternative that could lead to an impairment of park resources and values, an NPS decision-maker must consider the impacts of the selected alternative and determine, in writing, that the activity will not lead to an impairment of park resources and values.

Actions that require preparation of EAs and EISs constitute actions that may have the potential to impair park resources or values. Therefore, a non-impairment determination must be made for any action selected in a FONSI or ROD that could impact park resources and values and to which the NPS is a signatory. The non-impairment determination is completed only for the Selected Action.

What is Impairment?

Sections 1.4.5 and 1.4.6 of *Management Policies 2006* provide an explanation of impairment. Section 1.4.5 defines impairment as:

an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values.

Section 1.4.5 goes on to state that:

[a]n impact to any park resource or value may, but does not necessarily, constitute impairment. An impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park
- Key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- Identified as a goal in the park's general management plan or other relevant NPS planning documents as being of significance.

An impact would be less likely to constitute an impairment if it is an unavoidable result of an action necessary to preserve or restore the integrity of park resources or values and it cannot be further mitigated.

Section 1.4.6 of *Management Policies 2006* identifies the park resources and values that are subject to the no-impairment standard:

The “park resources and values” that are subject to the no-impairment standard include:

- the park's scenery, natural and historic objects, and wildlife, and the processes and condition that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structure, and objects; museum collections; and native plants and animals;
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
- the park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- any additional attributes encompassed by the specific values and purposes for which the park was established.

How is a Non-Impairment Determination Made?

Section 1.4.7 of *Management Policies 2006* states that

"[i]n making a determination of whether there would be an impairment, an NPS decision maker must use his or her professional judgment. This means that the decision-maker must consider any environmental assessments or environmental impact statements required by the National Environmental Policy Act of 1969 (NEPA); consultations required under Section 106 of the National Historic Preservation Act (NHPA); relevant scientific and scholarly studies; advice or insights offered by subject matter experts and others who have relevant knowledge or experience; and the results of civic engagement and public involvement activities relating to the decision.

Management Policies 2006 further define "professional judgment" as

"a decision or opinion that is shaped by study and analysis and full consideration of all the relevant facts, and that takes into account the decision-maker's education, training, and experience; advice or insights offered by subject matter experts and others who have relevant knowledge and experience; good science and scholarship; and, whenever appropriate, the results of civic engagement and public involvement activities relation to

the decision.

Non-Impairment Determination for the Selected Action

This determination on impairment has been prepared for the preferred alternative described on pages 1-3 and 12-14 of the EA. An impairment determination is made for all resource impact topics analyzed for the preferred alternative. An impairment determination is not made for visitor experience, socioeconomic, public health and safety, environmental justice, land use, and park operations, geologic resources and soils, ethnographic resources, cultural landscapes and air quality because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act and cannot be impaired in the same way that an action can impair park resources and values.

Floodplains

Approximately 1.48 acres of the Selected Action lie within the mapped 100-year floodplain. The FEMA-FIRM maps show portions of Playalinda Beach Road in the 100-year floodplain. Depending on the actual elevation, the road and adjacent shoulders may have been built above the flood elevation; thus, the actual potential impacts on the 100-year floodplain could be less.

Because of the location of the Seashore within and adjacent to the Indian River and Mosquito Lagoons, complete avoidance of floodplains is not possible with a build alternative. Floodplain impacts have been minimized to the extent practical, by locating the trail on previously developed/disturbed areas. The proposed Space Coast Trail would minimize floodplain encroachments by constructing the trail as near the existing ground levels as possible or with the construction of boardwalks for water crossings. While the pavement of the proposed trail would decrease the pervious surface area, given that the Seashore is a large managed natural area, the negative impacts to the pervious surface would be minor to negligible. There will be no impairment to Park resources from implementation of the Selected Action.

Wetlands and Surface Waters

Wetlands and Surface Waters

The Selected Action will result in unavoidable impacts to wetlands and surface waters. The impacts to wetlands and surface waters for the Selected Action area within the Seashore are shown in *Tables 4.2-1* and *4.2-2* of the EA.

Because of the expansive number of wetlands within the Seashore and the location of many of the wetlands immediately adjacent to the existing roads, berms, and railroad, complete avoidance of wetlands is not possible. Wetland impacts have been minimized by locating the trail where practical on existing disturbed areas (railroad and road shoulders). Furthermore, the trail may be

reduced to a width of 8-10 feet in areas of severe constraints and/or construct boardwalks in areas to minimize impacts.

The Selected Action would result in unavoidable direct impacts to approximately 2 acres of wetlands (wetlands WL 1- 0.93 acres, WL3 – 0.01 acres, WL 7 – 0.59 acres and SW1 – 0.48 acres). The proposed impacts occur to wetlands that are immediately adjacent to the existing road and grassed shoulder.

Secondary impacts were also considered based on a 25-foot buffer from the direct wetland impact. The Selected alternative could result in approximately 4.28 acres of indirect proximity effects. Potential secondary impacts could include introduction of more people into the CANA access roads and closer to the existing wetlands and shoreline. During the corridor evaluation through this PD&E Study, alternatives were coordinated closely with USFWS, NPS, and NASA, and alternatives were developed to avoid and minimize areas where the introduction of cyclists and pedestrians could adversely affect wildlife nesting, breeding or roosting. Trash and refuse could increase, but through signage and the existing and proposed educational programs, the public can be made aware of the importance on the MINWR and CANA. Trash receptacles could be considered at strategic points as well. NASA missions periodically result in closure of MINWR and CANA. Thus, the trail may be closed periodically to the public.

A functional assessment using the Uniform Mitigation Assessment Methodology (UMAM) was completed for the impacted wetlands to determine the functional loss that would need to be mitigated. Details of the wetland impacts for the Selected Action, including functional values and UMAM credits needed, are included in **Table 4.2-3** of the EA. The UMAM analysis shows a functional loss of 0.19.

Mitigation will be provided for direct and secondary impacts to wetlands, Essential Fish Habitat (EFH), and listed species through exotic plant removal adjacent to the trail within the Seashore. There are three types of wetlands that would need to be mitigated including palustrine wetlands and estuarine intertidal, emergent, and scrub-shrub wetlands. The palustrine and estuarine intertidal wetlands are similar in characteristics and geographic location; thus, based on agency discussions, the compensation plan would be the same for both wetland types. Compensation would be provided at a 10:1 ratio or approximately 20 acres. Compensatory mitigation would include enhancement of the existing estuarine intertidal and palustrine emergent wetlands through removal of exotics (primarily Brazilian pepper) adjacent to the trail, and along other berms and railroads in the CANA that have been disturbed as part of the mosquito impoundment ditching. The Brazilian pepper would be removed using best available technologies which could include cutting and stump treatment with herbicide or basal bark treatment to kill in place. Additional details regarding the mitigation plan are included in the NPS Wetlands and Floodplains Statement of Findings included as Appendix B of the FONSI.

In accordance with Executive Order 11990, NPS has undertaken all actions to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities. Nonetheless, there is no practicable alternative to construction impacts occurring in wetlands. Any unavoidable impacts to wetlands will be mitigated to achieve no net loss of wetland function. Expansive areas of mangrove, surface waters, and marshes remain within the Seashore and adjacent Merritt Island National Wildlife Refuge. Thus, there will be no impairment to Park resources from implementation of the Selected Action.

Essential Fish Habitat

As stated in EA Section 4.2.2.1 Natural Resources – Essential Fish Habitat (EFH), seagrass and mangrove swamps are the two types of EFH and Habitat Areas of Potential Concern (HAPC) within the study area. The Selected alternative results in no impacts to seagrass. The Selected alternative within the Seashore will have 0.93 acres of permanent impacts and 3.38 acres of secondary impacts to mangrove swamps. These impacts are minor and are a result of the mangrove fringe growing close to the existing roadside. As discussed in the Wetland and Surface Water Section above, mitigation will be provided such that there is no net loss of wetland function. Thus, there will be no impairment to Park resources from implementation of the Selected Action.

Water Resources

The waters within the Seashore are designated by the State of Florida as Outstanding Florida Waters (OFW). There are no aquatic preserves within the study area. Impacts on water quality have been minimized by avoiding and minimizing direct impacts to wetlands and surface waters. Though the project will result in increased impervious surface, it will be utilized for cyclist and pedestrians and will not result in permanent impacts to adjacent waters or runoff that could contain contaminants, oils, greases etc. During construction, BMPs for erosion control will be employed to minimize impacts to the adjacent habitats, water column and sediments. BMPs could include hay bales and turbidity curtains. As a result, there will be no impairment to Park resources from implementation of the Selected Action.

Biological Resources

The proposed project will result in minor impacts to native habitat including 0.26 acres of palmetto prairie, 0.01 acres of upland hardwood forests, 0.23 acres of xeric oak, 0.02 acres of tropical hardwood hammocks, 0.02 acres of cabbage palm, 0.48 acres of bays and estuaries, 0.93 acres of mangrove swamp, and 0.61 acres of freshwater marshes. Based on evaluation of potential effects to 16 federally-listed species that were evaluated in the EA, and implementation of several minimization measures as detailed in the EA, NPS determined that the Selected Action would have no adverse effects on endangered and threatened species. As this was a joint EA with USFWS and NPS, the USFWS MINWR staff led the Section 7 consultation with the

USFWS Ecological Services Office. The USFWS determined that the Selected Action would have no adverse effects on federally endangered or threatened species. See EA Table 4.2-5 Federally Species Effects Determinations.

In an email, dated September 6, 2019, NMFS concurred with a no effect determination for swimming sea turtles and smalltooth sawfish and they did not anticipate a need for Section 7 consultation with NMFS for the project.

Thus, there will be no impairment to Park resources from implementation of the Selected Action.

Cultural Resources

A Cultural Resources Assessment Survey (CRAS) was conducted for the project. The Selected Action would have no effect on any archaeological resources that are listed, determined eligible, or that appear potentially eligible for listing in the NRHP within the archaeological Area of Potential Effect (APE). The three eligible historic resources would not be affected by the Selected Action considering NASA Kennedy Space Center has proactively completed mitigation measures of these historic properties scheduled for modification or demolition. The CRAS was submitted to the State Historic Preservation Office (SHPO) for concurrence on the findings. The SHPO concurred with the determination in a letter dated August 6, 2019, that no historic properties will be adversely affected by the proposed undertaking on the condition that a qualified archaeological monitor be present during ground-disturbing activities in the vicinity of the Crook/Watton Cemetery (8BR01626). Thus, there will be no impairment to Park resources from implementation of the Selected Action.

Appendix B

NPS Wetlands/Floodplains Statement of Findings

Appendix C

**ENVIRONMENTAL ASSESSMENT
FOR THE PROPOSED SPACE COAST TRAIL
CANAVERAL NATIONAL SEASHORE**

ERRATA

The following changes have been made to the Environmental Assessment (EA) for the *Space Coast Trail on Merritt Island National Wildlife Refuge and Canaveral National Seashore, September 2019*.

General Changes:

The subject EA has been revised to provide technical clarification based on comments received during the public review. No substantive changes have been made to the Proposed Action.

As required by National Park Service (NPS) Director's Order 12, the following errata sheet responds to all substantive comments submitted on the Environmental Assessment (EA) for the Space Coast Trail on Merritt Island National Wildlife Refuge and Canaveral National Seashore..

Substantive comments from various individuals and organizations have been consolidated and paraphrased for purposes of this document. The comments, with USFWS/NPS' responses, are set forth below.

1. Comment – Reference KSC Integrated Cultural Resource Management Plan (ICRMP), especially for NASA/KSC Historic Properties.

The USFWS and NPS has amended the EA to the include recommended clarification to the end of paragraph 1, " *...in the late 1950s and 1960s. NASA has stewardship responsibility for managing the cultural resources on NASA-owned properties. NASA developed an Integrated Cultural Resource Management Plan (ICRMP) for KSC that reflects the commitment to the protection of archaeological sites and historic structures (NASA 2014). The ICRMP provides an inventory of significant cultural resources and a plan of action to identify, assess, manage, preserve, and protect those resources.*" located on page 26 of the revised EA, *Space Coast Trail on Merritt Island National Wildlife Refuge and Canaveral National Seashore, November 2019*.

2. Comment – There is no discussion of SWMU #071 Wilson's RR Yard and the associated Land Use Control and Implementation Plan (LUCIP) for soils contaminated with Polycyclic Aromatic Hydrocarbons (PAHs). Land Use Controls require maintenance of site as a railroad yard. Addition of a bike path through the property will alter land use agreement NASA has with FDEP.

The proposed Space Coast Trail would traverse on the north side of the existing railroad. The construction of the proposed trail would simply be a hard surface feature added to the site. In accordance with clarify info from FDEP information provided by NASA to FWS, NPS, and FDOT, the proposed trail would not require a revision to the LUCIP. The rail yard would remain at its current location and would not impact the proposed alignment of the trail. For the associated permitting and construction phases, FDOT will ensure that contracts and operations address related concerns from FDEP, as listed.

- Based on the Land Use Controls (LUCs) at this Solid Waste Management Unit (SWMU) as outlined in its LUC Implementation Plan, when the trail is being built all contracted personnel will be made aware they are working in a LUC area, the contaminants of concern at the site should be explained, what media (soil) and at what depth they may be found at, and appropriate personal protection equipment is to be worn.
- All contaminated soil that is removed from the path for trail construction will be appropriately evaluated and disposed of offsite.
- A Work Plan for trail construction will be made available to the Department for comment and concurrence before work commences.

3. Comment - Under contamination, add discussion of Wilson's RR Yard contamination and LUCIP. Also, change Wilson Corners to Wilson's Corner.

Changes made. Section 4.2.2.2 was updated to include Wilson's Railroad Yard and reference the LUCIP. NASA previously informed us that the official name of the site is Wilson Corners. Based on comments from FDEP, SWMU 001 references the site as Wilson Corners, but SWMU 071 references the site as Wilson's Railroad Yard; the EA has been updated to include both names.

4. Comment - Site No. 1 - There is no facility named V A Paving, Inc. Also, there is not presently a 10,000-gallon fuel oil AST on site, nor are there paving operations currently at that site.

Change made. The data included in Appendix G came from a search of state and federal databases. Since NASA is providing more current information that negates this information Site 1, in Appendix G has been updated to indicate this site is no longer active and does not contain the referenced 10,000-gallon fuel oil AST.

5. Comment - The information stated is outdated, however, the land use control information is correct. Add SWMU #071 to table.

Change made. SWMU 071 was added.

6. Comment - Schmalzer 2002 reference - T&E plant list updated in 2015 KSC ERD.

Reference has been added.