

July 10, 2014

Ananth Prasad, P.E.
Secretary, Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399

Dear Secretary Prasad:

In Governor Rick Scott's June 9 letter to All Aboard Florida (AAF) President Michael Reininger, he requested that AAF "...please be sensitive to the impact of additional rail traffic in the rail corridor to our communities, their home values and public safety." The Governor also expressed that there must be a detailed conversation about the expansion of rail services, in order to respond to questions from the community.

We, the concerned citizens of Citizens Against Rail Expansion in Florida (CARE FL), are grateful for that sentiment and for the State of Florida's commitment to a detailed conversation on this topic. CARE FL is a new coalition of community groups located along Florida's Treasure Coast¹, and we write to you today to express our ongoing concerns with the proposed AAF high-speed passenger rail project and the related Florida East Coast Railway (FEC) freight rail expansion. This letter seeks to expand upon the correspondence we sent to the Governor on Tuesday of this week. Recognizing your Administration's commitment to a detailed and open conversation, we look forward to a timely response to the inquiries set forth in that letter and this one.

As we await the forthcoming Draft Environmental Impact Statement (DEIS) from the Federal Railroad Administration (FRA) and the opportunity it presents to submit formal comments on certain issues, we want to reiterate our communities' safety-related concerns about this proposed rail expansion—stemming from the increase in both the number and the length of freight trains passing through our communities each day, as well as the speed of the proposed high-speed passenger trains.

Our communities will have to contend with the serious negative aspects of AAF and increased freight traffic, which are numerous and include safety issues at grade crossings, first responder inaccessibility, environmental issues, disruption of maritime traffic and commerce, decreased property values and increased noise, that overall will degrade the quality of life we currently enjoy as Floridians.

In order to better understand the impacts that AAF and/or increased freight will have on our communities, we respectfully request factual information related to the following requests and questions:

¹ Current CARE FL groups: Mariner Sands Country Club in Stuart, FL; Loblolly in Hobe Sound, FL; Frenchman's Creek Beach and Country Club in Palm Beach Gardens, FL; The Club at Admiral's Cove in Jupiter, FL; Jonathan's Landing in Jupiter, FL; and the Marine Industries Association of Palm Beach County, Inc. in Riviera Beach, FL.

- Regarding AAF specifically, we are concerned that the Florida Department of Transportation (FDOT) has not taken concrete steps toward addressing the fact that under state law there is no regulation addressing the safety of trains traveling faster than 79 miles per hour. As the proposed AAF passenger trains are expected to run at up to 110 miles per hour, what steps is FDOT taking to address this issue and ensure safety? Is your office depending upon federal regulations, or do you believe the State of Florida has a regulatory role in this important issue?
- We have reviewed with interest the on-site engineering field report issued by FRA on March 20, 2014 that included a diagnostic safety review of grade crossings between Miami-Dade and St. Lucie counties. This “Part 1” review included a total of 263 public and private grade crossings and we eagerly await the publication of “Part 2” that will include the approximately 90 grade crossings between Indian River County and Cocoa Beach. We encourage you to request the second part of this safety review be completed and made public prior to the issuance of the DEIS, so that we may better understand the safety risks and costs involved in mitigating them. Equally important, who will have to pay for the resulting safety upgrades? We believe AAF should be required to pay 100 percent of the installation costs but that does not appear to be the case. Is FDOT content with these costs being heaped on the local communities?
- What assurance will communities have that AAF/FEC operations will be halted during tropical storms and hurricanes that prompt evacuations along the route?
- Regarding the disruption of maritime traffic and commerce, we have concerns regarding the inaccessibility of waterways at various rail bridges and related safety issues, given the proposed influx of new passenger trains and increased freight. We are seeking factual data in order to better understand the impact that the new trains will have on our communities and maritime interests, including:
 - Background information on the rail bridges over the St. Lucie and Loxahatchee Rivers, including the ages of the bridges, their dimensions, the age of the motor that lifts the bridge, an understanding of the standard service/maintenance cycle and how often they have been overhauled or repaired;
 - The specific number of boats in the St. Lucie, Loxahatchee and New River basins that are west of the rail bridges, including both commercial and recreational vessels; and
 - Specific boat traffic information for the St. Lucie, Loxahatchee and New Rivers, including how many vessels are crossing the rail bridges on a daily basis (both high season and low season), how that traffic increases on weekends, how many are commercial vessels and how many are recreational vessels.

We also read with interest the statement in the Governor’s June 9 letter to AAF regarding public subsidies. He noted that “...the All Aboard Florida proposal is a private sector venture to construct, operate and maintain a passenger rail system. There will be no state subsidies for this project.” CARE FL respectfully disagrees with the accuracy of the statement for several reasons:

- First, we believe that the significant costs associated with meeting FRA safety requirements at grade crossings throughout the proposed AAF route are likely to be financed with state assistance. These yet-to-be determined costs may not be financed by AAF itself and could be passed directly to our local communities, which would require grant funding from the state. There also exists a real possibility that the railroad could pile on these costs significantly, for its own benefit. Can we get your commitment that the costs associated with meeting safety requirements at grade crossings will not be passed along to the communities?
- Second, we and almost everyone in the state believe the \$200+ million the Administration has pledged to finance the railroad hub at Orlando International Airport amounts to a state subsidy for AAF. While we understand that the Orlando terminal may ultimately serve as a transportation hub for multiple public and privately-financed trains, the \$200+ million in state funding for the Orlando terminal will directly and exclusively benefit AAF, unless and until public funding is finalized for other projects.

Again, thank you for agreeing that our concerns must be addressed seriously and promptly. We look forward to your response. Should you wish to speak with our organization directly, please contact CARE FL Steering Committee Member Bill Ward at 772.419.5321 or BWard@marinersands.com, or our attorney, Stephen Ryan at sryan@mwe.com.

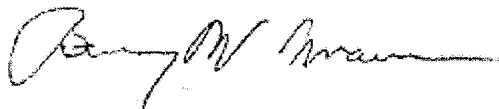
Sincerely,



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Stuart, FL
CARE FL Steering Committee Member



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