

**MINUTES OF THE  
TREASURE COAST REGIONAL PLANNING COUNCIL  
MARCH 21, 2014**

Vice Chairman Mowery called the meeting to order at 9:40 a.m. and welcomed everyone to the meeting. He led the pledge of allegiance and requested roll call.

The following members and alternates were present:

Indian River County:           Commissioner Solari  
  Councilmember Fletcher

Martin County:                 Commissioner Haddox  
  Commissioner Fielding  
  Commissioner Krauskopf  
  Commissioner Smith (Alternate)

St. Lucie County:               Commissioner Lewis  
  Commissioner Mowery  
  Commissioner Perona  
  Mayor Faiella

Palm Beach County:             Mayor Taylor  
  Vice Mayor Burdick  
  Councilwoman Gerwig  
  Mayor DuBois  
  Mayor Ferreri  
  Mayor Golonka  
  Councilmember Brinkman  
  Vice Mayor Hmara (Alternate)  
  Commissioner Szerdi (Alternate)  
  Councilman Guyton (Alternate)

Gubernatorial Appointees:    Michael Davis  
  Michael Houston  
  Tobin Overdorf  
  Reece Parrish  
  Peter Sachs  
  Steven M. Weaver, Sr.

Ex-Officios:                    Kathy LaMartina, South Florida Water Management District  
  Ann Benedetti, St. Johns River Water Management District  
  Lynda Westin, South Florida Regional Transportation Authority  
  Lois Bush, Florida Department of Transportation

Council Staff:                 Kate Boer  
  Michael Busha

Phyllis Castro  
Kim DeLaney  
Anthea Gianniotos  
Liz Gulick  
Stephanie Heidt  
Dana Little  
Peter Merritt  
Greg Vaday

Council Attorney: Roger Saberson

The Executive Director announced a quorum is present.

### **AGENDA APPROVAL**

Mayor Taylor moved approval of the agenda. Vice Mayor Burdick seconded the motion, which **Motion** carried unanimously.

### **ANNOUNCEMENTS**

Staff indicated that funding for the regional planning councils is included in the House budget. As of yet, there is no information regarding inclusion in the Senate budget.

### **CHAIRMAN'S COMMENTS**

Vice Chairman Mowery welcomed everyone to the meeting noting that with the large crowd he wanted to keep the meeting succinct and conduct the meeting as efficiently as possible to ensure all Council business is accomplished. He indicated that with respect to the baseball discussion at the February meeting, both Palm Beach and St. Lucie Counties were actively working to maintain baseball activities on the east coast.

### **COUNCIL MEMBER UPDATE**

Commissioner Solari indicated that the Indian River County Board of County Commissioners had forwarded to Council a resolution requesting a name change for the Seven50 Plan. He noted that it was not on the current agenda and asked if it could be placed on the May agenda. Vice Chairman Mowery stated that the resolution had been presented to the Southeast Florida Regional Partnership for consideration and direction, and asked staff to provide an update. Staff indicated that the resolution had been on the agenda for the Seven50 Executive Committee March 20, 2014 meeting, because the name of the plan is owned by the Partnership and South Florida Regional Planning Council. Staff indicated that the Executive Committee chose to not discuss the request. Staff stated that the Seven50 grant is closed and that the plan was not for just the seven county governments within the region, but the data and work covered the geographic region of the seven counties. Staff stated that a request from a member local government needs to be taken seriously and asked for direction from Council. Vice Chairman Mowery stated he would entertain a request to have the item added to the agenda. Commissioner Solari indicated he did not want it added to the current agenda because it needed to be properly noticed. He also noted that he was not aware that the Executive

Committee had this request on their agenda. He stated he understands that staff is against the request, but feels that it is worth Council discussion. Mr. Saberson indicated that the request should be put on the next scheduled meeting agenda, which is in April.

As the Chairman of the Seven50 Executive Committee, Mayor Ferreri stated that the item was on the March 20<sup>th</sup> agenda and had been properly noticed. He stated that the exact resolution had been provided to the Committee and the discussion was that the grant from the U.S. Department of Housing and Urban Development was put together by the Southeast Florida Regional Partnership and the two regional planning councils to cover seven counties. He stated that the end result was not a plan, but a resource guide with implementation tools for counties to use. He noted that there had been discussion at the meeting that one of the counties that had officially removed themselves, St. Lucie County, had requested information from the research guide to help them with a grant that would save millions of dollars. He indicated that the Committee chose to take no action, stating that the original grant application covered the two regional planning council territories, which are the seven counties, and was not specific to any plan that covers them directly.

Commissioner Solari made a motion to include the request for the Indian River County Board of County Commissioners on the April meeting agenda. Commissioner Haddox seconded the motion, which carried by a vote of eleven to eight. **Motion**

Mayor Faiella stated that the City of Port St. Lucie had been issued the record of decision on the Crosstown Parkway Bridge and the city is pursuing the next phase of the project.

Commissioner Fielding cautioned that proposed House Bill 703 and Senate Bill 1464 would be eliminating the opportunity for Martin County to enforce previously adopted comprehensive plan amendments that allow them to more clearly focus on water quality issues. He stated that these bills would also eliminate home rule and are retroactive, affecting all counties in the state. Vice Chairman Mowery indicated this would be discussed under Legislative Matters.

Commissioner Fielding encouraged Council members to convene forums of the municipalities within their counties to address water quality issues on a consistent, county-wide basis. He also emphasized the importance of all counties and cities continuing to provide updated information to the regional planning councils on any comprehensive or zoning changes in order to keep the regional database current.

Councilman Guyton indicated that a referendum to change the Riviera Beach city charter to allow for private development in the city marina passed with seventy-four percent voter approval. He stated this will allow the city to move forward with a proposed \$375 million marina project to make the city a regional destination point.

Mayor Taylor stated that Palm Beach County will be undertaking workshops dealing with promoting agriculture and smart growth.

#### **PUBLIC COMMENT ON CONSENT AGENDA ITEMS**

Alex Larson expressed her concern with the amendments to the West Palm Beach Comprehensive Plan. She stated that the proposal to put six condominiums on the intracoastal is scary to her as she

has lived through Hurricane Andrew and has seen the damage that can be done. She stated planners in the fifties and sixties knew not to build over a story or two. She noted that the proposed amendments would exceed traffic, water, and everything else. She stated that the City of West Palm Beach for many years violated their water permit with overuse and abuse. She noted a recent article in the Palm Beach Post that stated the city was lying about their water testing and telling their employees to let the water run quite a while, because the numbers were not right. She stated this happens all over the state. She stated that several years ago the Florida Department of Environmental Protection indicated that ninety-five percent of the water in the state was compromised, which Ms. Larson stated meant it was poisoned. She asked the Council members to use common sense and understand that many people cannot afford insurance and taxes. She stated that greed has overtaken our state, country, and world. She asked Council members to speak up when they see proposals that will exceed services at the detriment to the community.

Vice Chairman Mowery noted that Representative Gayle Harrell's bill dealing with the Everglades and the Indian River Lagoon had passed through committee by a vote of fourteen to one.

### **CONSENT AGENDA**

Mayor Ferreri moved approval of the Consent Agenda. Commissioner Fielding seconded the motion, which carried unanimously. **Motion**

Items on the Consent Agenda were: 6A, Financial Report – January 31, 2014; 6B, Minutes – February 21, 2014; 6C, Small Quantity Generators Program Management Agreement; 6D, City of Boynton Beach Comprehensive Plan Amendment No. 14-1ESR; 6E, Indian River County Comprehensive Plan Amendment No. 14-1ESR; 6F, Village of Palm Springs Comprehensive Plan Amendment No. 14-1ESR; 6G, Village of Tequesta Comprehensive Plan Amendment No. 14-1ESR; 6H, City of West Palm Beach Comprehensive Plan Amendment No. 14-1ESR; and 6I, Intergovernmental Coordination Review Log.

### **BUDGET AMENDMENT FOR FISCAL YEAR 2013-2014**

Staff reported that the Budget/Personnel Committee had met on March 10, 2014 to review a proposed budget amendment. The Committee recommendation was to approve the proposed amendment which includes an increase of \$968,698 in confirmed revenue through state, federal, and local sources.

Vice Mayor Burdick moved approval of the budget amendment. Mayor Taylor seconded the motion, which carried unanimously. **Motion**

### **ALL ABOARD FLORIDA UPDATE**

Vice Chairman Mowery indicated that the format for this item would be comments by Michelle McGovern from Senator Nelson's office, a staff update on the proposed project, comments from the applicant, and then public comment. He asked that those commenting adhere to the three minutes allowed. He noted the project is an issue of growing concern for many throughout the region. He stated Council staff has taken an active role in trying to assist and act as a liaison. Staff noted that the intent of the update is to provide current information to all local governments on the project as it

is moving through the process; explain the Environmental Impact Statement (EIS) process that is being undertaken; and provide a public forum to provide an opportunity for everyone to express their concerns.

Michelle McGovern thanked Council on behalf of Senator Nelson. She noted the Water Resources Development Act (WRDA) is still in conference, but they are watching it very closely, particularly with respect to the Central Everglades Planning Project and cleaning our lagoon. She indicated the Senator wanted her to mention the Commerce Committee is planning to conduct a hearing in Miami next month to focus on Sea Level Rise from the perspective of commerce. She indicated she would forward more information as it becomes available. With respect to All Aboard Florida (AAF), she noted the Senator's office was talking to everyone on this issue and she offered to assist with the Transportation Investment Generating Economic Recovery (TIGER) grant applications, stating they would be happy to advocate on behalf of the cities and counties in that regard. She thanked Council members for their service.

Vice Chairman noted that Ann Bolduc from Representative Magar's office was also in attendance.

Commissioner Smith asked Ms. McGovern to convey Council's appreciation to Senator Nelson for his efforts with respect to WRDA.

Staff provided an update on existing and proposed passenger rail projects. The presentation included a project history for the AAF project; an overview of the draft EIS approval process being conducted by the Federal Railroad Administration (FRA); Council's involvement to date on the project; early findings and potential impacts including: passenger rail station status; grade crossing improvements and quiet zones; potential collaboration for support and funding to assist local governments; potential conflicts with bridge and marine navigation; access to broadband capacity; a freight rationalization study; land use and transportation impacts; an update on the Tri-Rail Coastal Link access negotiations; and finally, recommendations on how Council should proceed. Staff also indicated that due to the level of concern and questions regarding the EIS process, it was suggested that Council request the FRA to conduct workshops with the local governments along the proposed corridor to ensure everyone fully understands the process and what opportunities exist for the FRA to impose modifications to the project.

Councilmember Weaver asked how we can move forward without having studies done to quantify the negative impacts on property values, nor financial impact statements to address the obvious deterring factor of the residential redevelopment and residential property values along the corridor. Staff indicated that the EIS has not yet been published, but this is an issue that has been raised on a number of occasions from the public and local governments, so there should be a recommendation to ensure that is addressed in the EIS. Councilmember Weaver asked if the draft contained that information. Staff indicated that there is not currently a draft available, just a list of recommendations, issues, and concerns for the FRA to consider during the EIS process, that has been assembled as a result of staff's outreach efforts.

Councilmember Davis stated that it is important to make sure the draft EIS also addresses positive impacts. He indicated the National Environmental Protection Act (NEPA) requires the EIS address both negative and positive impacts. He stated the positive side is often overlooked and the focus is

on the negative impacts to the communities and environment. He stated that in this case there may be positive impacts to property values, and he wants to ensure the analysis is balanced.

Councilmember Overdorf noted that in the agenda summary, it is indicated that no environmental impact permits are proposed for the project. He asked staff to clarify that comment. Staff indicated that through discussions with FRA staff, the apparent reason for the EIS is because Florida East Coast Industries (FECI) has submitted an application for a Railroad Rehabilitation and Improvement Financing (RRIF) loan. Staff noted that in the absence of that request, federal permits would not be required because FECI is proposing to install tracks where historically there were already tracks and modify grade crossings under the company's control. The only permit that appears to be necessary is for the rehabilitation of the Loxahatchee River Bridge. Staff stated that the company is still required to comply with environmental regulations at the state and federal level. Staff noted the EIS process is to the benefit of the region, because it requires the improvements to be packaged, analyzed, and presented for everyone's review and is much more transparent. In the absence of that, it would be a very disjointed permitting process that would not necessarily allow for open discussion.

Councilmember Houston asked what had been reviewed during the EIS process for the section of the project from Miami to West Palm Beach. Staff noted that review was more narrow in scope, focused on the double tracking improvements which are to replace tracks that had historically been there. Additionally, staff indicated replacing the second track has long been identified by public agencies and local governments as something that is desired to allow commuter rail service between Miami to West Palm Beach. FECI has control over the grade crossings so there is not the same level of review when a company owns the grade crossings and wants to modify the safety infrastructure. The impacts to bridges and the stations that are to be constructed were not addressed.

Councilman Guyton asked if the section between Mangonia Park and Jupiter is included in the Tri-Rail Coastal Link extension. Staff indicated that the current system concept for the Tri-Rail Coastal Link service being proposed from Jupiter to Miami has identified approximately twenty-five initial stations, including one in Riviera Beach. Staff noted this is a separate proposed service, and the federal "Project Development" process is just beginning. It includes a two-year evaluation of station locations and necessary infrastructure improvements to allow the commuter rail service to be extended and will be required to address the complete financial ramifications and responsibilities to allow that service to carry forward. Councilman Guyton asked for confirmation that Riviera Beach is one of the proposed station locations. Staff indicated a station in Riviera Beach has been identified in the preliminary documents, noting discussions have been underway with the City for the past five to six years with respect to the station location, land development regulations around the station, and the City's potential financial responsibility with respect to the project. Staff stated this project has been the subject of ongoing discussions at the Palm Beach Metropolitan Planning Organization meetings, as well as with the local governments.

Commissioner Solari stated he believes that because there is no clear scale or scope of the FECI project, it is difficult to determine what the costs are for this project. He stated that although we cannot be too specific, we at least need estimates. He stated that although he does not know if it is factual, there is a lot of discussion in Indian River County that Fortress, the company that owns FECI, is the owner of a company called Penn Gaming, which is promoting casino gambling in Miami. He asked for clarification on this. He stated that with respect to the concerns regarding the

AAF project, rather than having a whole list, he would like to list the priorities, of which he would include quiet zone crossings, safe pedestrian crossings, and bridge crossings. Staff indicated that Mr. Gonzalez could address the corporate structure question. Staff noted that because this project has enormous regional significance, and the challenges and opportunities are different in each location, the list is an effort to present all the concerns that have been voiced and provide direction on how to carry that information forward. With respect to moving the freight traffic to the west, Commissioner Solari stated that is the profitable portion of FECI's business, so that could make the whole plan unprofitable. He stated that would also give the CSX the regional freight monopoly, which he stated would be bad. Also, he noted this would shift the burden of the freight rail traffic to the central Florida communities. He stated this project is bad economics, bad governance, and an immoral action just on this one issue.

Commissioner Fielding stated that Commissioner Solari's observations were useful. He thanked staff for putting together all the information. He indicated that it is important to establish a consistent, predictable, and reasonable grade crossing fee schedule for all local governments. He stated that it was a single event that caused the rail crossing, so an annual increase does not seem logical. He stated the rail crossing is to enhance the business value of the rail line through economic stimulation of the community. He stated that since the EIS should include community impacts, he supports the inputs of Commissioner Solari. Vice Chairman Mowery stated he has asked staff to record the items of concern voiced by Council members.

Mayor Taylor expressed her concern with the freight movement, indicating there is already significant backup issues in certain residential areas. She asked if the impacts will be immediate, or long-range. Staff indicated that the Florida Department of Transportation (FDOT) is currently working to identify current and future freight service and the "post Panamax impacts" that will occur from the widening of the Panama Canal. It was noted that the state is taking aggressive efforts such as deepening the ports to enable receipt of increased freight that is expected to arrive starting in 2017-2018 due to the widening of the canal. Mayor Taylor stated she is especially concerned about the switching in Riviera Beach, which could present a substantial problem with crossing, especially for emergency vehicles. Staff indicated there are improvements being made to remedy some of the impacts, noting a TIGER grant to construct interconnections in Northwood at 25<sup>th</sup> Street in West Palm Beach, and the Iris connection in downtown Miami. This would allow for freight to continue north on the CSX, but there is no commitment and that is the subject of a Freight Rationalization Study currently being done by FDOT.

Mayor Golonka indicated that a number of the north county communities are concerned with the fact that there will be no reduction in freight. She asked how those communities can become involved in the study and who they should contact. Staff indicated the study is being done by FDOT and will be completed in approximately eighteen months. There have been initial workshops, and the Palm Beach Metropolitan Planning Organization (MPO) is also a direct participant in the study. Staff indicated information will be sent to all the local governments so they can become engaged in the process.

Commissioner Szerdi asked if the study included any east/west transportation services or linkages to maximize that ridership and access to city and neighborhood destinations. He indicated that Lake Worth is currently working on transportation oriented development zones. Staff stated that with respect to the Tri-Rail Coastal Link project, there has been active discussion regarding how

additional transit connections can be established, and it is a core focus of the Coastal Link Project Development study that is currently underway, with all transit providers being actively engaged in the process.

Commissioner Perona thanked Council staff for all the information that had been provided regarding the AAF project. He stated that it has been difficult to get information and there have been a large number of requests from citizens. He indicated that the City of Fort Pierce had recently met with FECI, FRA, FDOT and AAF with respect to the diagnostics for the rail grade crossings. He stated one of the disconcerting issues that had been raised was the addition of a third track being added to a lot of downtown areas to divert freight trains to allow for the passenger trains to pass. Staff indicated this issue had been raised in the EIS scoping comments that were sent to the FRA in May of 2013. Staff stated this issue has been consistently raised with respect to bridges as well.

Mayor Faiella noted that the Town of St. Lucie Village has a lot of concerns, and she wants to ensure they have a voice in the process. Staff indicated that Council represents all the local governments in the region and has been in contact with the Village regarding its concerns, and the Village's comments will be included in Council's transmission to the FRA.

Councilmember Weaver stated it is imperative to have a financial statement that addresses both the positive and negative impacts. He indicated that the lack of a definition of a sealed corridor could present another large issue of discussion, because it could mean at a minimum a six-foot chain-linked fence continuous throughout the entire corridor. Staff stated there has been no clear guidance with respect to trespass prevention. Staff indicated they have met with FRA staff on this issue during the diagnostic field reviews and the FRA has funding available to both evaluate the extent of and mitigate illegal trespassing. Staff noted it would require some type of fencing or barrier, possibly plant materials such as bougainvillea, which would be more visually appealing than fencing. Staff stated this has been an on-going issue outside of the AAF project.

Commissioner Krauskopf stated that Investor's Business Daily reported that the National Transportation Trust Fund would be completely exhausted by August of this year. He asked if this project would be privately funded or would any of it be subject to public funds. Staff stated that more research would be necessary to understand this issue. Staff indicated the FRA staff has been clear that the details related to the RRIF loan must remain confidential, so there is limited information, and staff is not aware of the source of funding for the loan. Staff stated they would research this.

Mr. Jose Gonzalez, on behalf of FECI, provided a formal response to the issues that had been raised. He stated that passenger rail on the FEC has been a priority of the region and every local government for about twenty years. He stated this has been advocated because there needs to be diverse transportation mobility options to maintain a competitive edge and the high quality of life for millions of residents in the state. He noted that Florida will surpass New York this year to become the third largest state with 19.6 million people. He stated more mobility options will allow residents and visitors to move throughout the state, and help to promote business relations throughout the state. He indicated AAF is a privately funded project based on the legacy company of Henry Flagler, noting the company is not asking for any subsidies or grants. He stated the proposed service is for intercity passenger rail that will benefit the entire state by removing millions of cars from the roadways and creating tens of thousands of jobs, add millions of dollars in tax

revenue, and fuel economic and tourism growth by connecting two of the most populated and visited regions in the state. With respect to additional stations, he stated that the system first needs to be up and running and then additional stations can be evaluated in the future.

Mr. Gonzalez asked for support for the current Miami to Orlando segment or the potential for additional stations would never be available. He indicated FECI is aware there are impacts that need to be mitigated, noting those will be identified during the EIS process. He stated that since the process began in April of 2012, they have conducted over 300 presentations, meetings, and outreach sessions to local governments, homeowner associations, business groups, environmental groups, and communities along the corridor. He stated the company has already committed to pay for the safety improvements at each of the grade crossings. He noted that the 100-foot rail corridor is privately owned, so the local governments require have permission to cross the tracks and have entered into agreements that outline who is responsible for the maintenance of the grade crossing infrastructure that serves the roadway. By FECI funding the safety improvements, it will allow the local governments to focus on finding funding for the quiet zones. According to federal statutes, the quiet zones are the responsibility of the local governments. He stated FECI has been working with the local governments to coordinate the installation of the quiet zone infrastructure concurrent with the AAF safety improvements so the local governments can realize a cost saving.

Mr. Gonzalez noted there are funding mechanisms available, noting the TIGER grant being applied for by the Palm Beach and Broward MPOs. He stated AAF remains supportive of assisting local governments who wish to add pedestrian crossings and will work with them to coordinate that effort through the roadway safety improvements that will occur over the next few years. He indicated the grade crossing diagnostic reviews have been completed in Palm Beach, Martin, and St. Lucie counties. He stated AAF is committed to working with its sister company, Florida East Coast Railway, to provide notification so proper budgeting and planning can be done for all the maintenance of the grade crossings. With respect to the impacts to the navigable waterways along the corridor, he noted that all the bridges along the FEC corridor are in full compliance with the applicable rules and regulations and are inspected annually. Therefore, there are no proposals to change the actual structure of the St. Lucie and Loxahatchee Bridges. However, the EIS process by the FRA will analyze and evaluate any potential impacts resulting from the actual operational increase of train service over those waterways to determine what mitigation may be necessary. Mr. Gonzalez indicated that FECI's subsidiary, Parallel Infrastructure, has met with Commissioner Fielding numerous times on the development of the fiber optic network within the corridor and offered specific proposals, which include discounted rates for governmental entities wishing to connect through the fiber network.

With respect to the freight rationalization study, Mr. Gonzalez noted that many jobs are tied to the maritime industry in south Florida that serves the cargo industry, and that the state is consistently competing with Savannah, Charleston, and Norfolk to receive freight. Because of this, there will always be a need for freight rail service on the FEC, but the company will explore options to shift freight trains to other corridors. He noted a story in Progressive Railroad that identifies the Northwood connection rehabilitation as a way to provide faster northwest to southeast connections between FEC and South Florida Rail Corridors. This will facilitate improved connectivity to major intermodal centers in the region and would allow FEC trains to run from the Port of Miami to Orlando on the CSX railway. Mr. Gonzalez noted the Northwood connection is a project that will

allow for a certain number of trains to utilize the South Florida Rail Corridor. This project is being led by FDOT and is expected to be operational by 2016.

Mr. Gonzalez indicated that AAF understands local governments have invested in parking and landscaping improvements in their downtowns within the corridor and is meeting with each of the local governments to identify solutions to maintain those existing improvements. He stated that AAF believes that commuter rail in the corridor is an opportunity to grow and develop the region and provide additional mobility to the residents of south Florida. He noted that although FECI is a private entity, it has been working with public agencies such as FDOT, MPOs, local governments and the U.S. Coast Guard. He requested that Council clearly identify FECI as a private company in all documentation. He stated that by working with government transportation and planning partners to plan for the future, a transportation system can be developed that will allow our region and state to prosper and attract more tourism and economic opportunities. He indicated that AAF is committed to working with each local government and community along the corridor to address their concerns and identify ways to improve and grow the state.

Vice Chairman Mowery noted that this is a difficult topic and emphasized that the responsibility of the local governments is to protect the general health, safety, and welfare of the communities. He stated that what is being proposed will in many ways negatively affect what many in the region believe to be our quality of life. He stated that from that standpoint, some of the comments made seemed to be a little disingenuous. He stated he wants to make sure that Commissioner Perona's concern with the third track is addressed. Also, the burdensome cost of quiet zones for the Town of St. Lucie Village and how to bring these smaller communities up to speed on the TIGER grant process. He asked AAF to be sensitive to these issues as well as comments that they have already applied for either federal or state funding and are pursuing monies outside the private sector. Mr. Gonzalez reiterated that they are a private company applying for a loan, not a grant. He stated that because this is a private transaction, it is a confidential process through the FRA and the company does not have to disclose its financial structure. He stated the project is a combination of debt and equity with no grants or subsidies.

Commissioner Smith thanked Mr. Gonzalez for making a presentation to Council, stating it is important to hear from the company. In furthering Commissioner Solari's thought process relative to prioritization, he encouraged Council to separate the federal and state issues. He stated that there have been local discussions to understand all the various ideas of how to make this project work for everyone. He asked if there is a way in the process to have two or three of the trains be allocated as flag stops in Stuart, which would allow for picking up passengers when they are available. He stated this might start to answer some of the questions of how to develop a local service within the service that is being proposed.

Commissioner Solari asked if Fortress or any of its related companies has gaming interests. Mr. Gonzalez stated that Fortress has many different investments in various fields, but that AAF is under transportation, and is not involved in the gaming interests. He stated that AAF is focused on transportation and the other investments of Fortress have nothing to do with this project. Commissioner Solari asked if gambling was in any way a factor in the financials for the AAF project. Mr. Gonzalez answered no. Commissioner Solari stated that Mr. Gonzalez had mentioned the economic benefits of the project to the area. He asked if the financial analysis shows those economic benefits. Mr. Gonzalez indicated that as a private company they do not disclose their

financials. Commissioner Solari stated that although it is a private company asking for a lot of government support, including a federal loan guarantee, which is a form of subsidy, asking for that support should allow for the disclosure of the financial analysis, especially when there will be no competition for this service. He said that although he has no argument that a private company does not have to disclose the information, if a company is asking for government and community support that information should be available. He asked Mr. Gonzalez to take that back to his superiors. Mr. Gonzalez stated he would do that and contact Commissioner Solari directly.

Commissioner Haddox stated he wanted to address the major issue of the bridge over the St. Lucie River. He stated that currently the freight train has the bridge down for seventeen minutes. He said that if you add two passenger trains at nine minutes each, and there happen to be two freight trains for eighteen minutes, that would obstruct navigation for up to fifty-two minutes each hour. He stated that this would destroy a minimum of two of the marinas and will definitely have a huge adverse impact to property values for waterfront homes west of the bridge. Mr. Gonzalez indicated AAF has been working with the marine industry and it is not as simple as adding up the times. He stated that not every train will cross the bridge, just the two passenger trains. He noted that the freight trains run throughout the twenty-four hour period. He stated they have a model that has analyzed the project, and they are working to ensure that there are plenty of open times for the bridge and marine traffic. He noted a recent boat trip with Mayor Brennan to observe the area and see how the bridge operations impact the residents. Commissioner Haddox stated his concern is the increased freight traffic will compound the impacts. Mr. Gonzalez stated the model takes into account not just the current freight traffic, but future growth as well. He stated they are sensitive to what the maximum growth could be, and while not there today, they are doing modeling to get a sufficient balance. He stated that all this information is submitted to the U.S. Coast Guard as part of the process and will end up in the record of decision as specific conditions.

Councilmember Davis stated that NEPA is a great statute that can lead to good decisions after a lot of careful analysis. He concurred with Vice Chairman Mowery's comments that staff needs to ensure that all the impacts to the communities are fully addressed. He expressed concern that the average time for a transportation EIS is five and one half years, and the fact this project is being fast tracked may not be good. He noted that the action agency has the ability to extend the forty-five day comment period on the draft and suggested that Council request that be extended to ensure all impacts to communities in the corridor, both negative and positive, are properly analyzed from a big picture perspective as well as in terms of transportation for the region. Mr. Gonzalez stated that Map 21 (Moving Ahead for Progress in the 21<sup>st</sup> Century Act) has created an expedited process for NEPA. He stated the difference is that as a private company they are able to invest in consultants to accelerate the process. He stated the same analysis will be done without compromising any of NEPA's integrity. He stated that just because the process has been accelerated, it does not mean that any of the steps will be omitted. It is actually the same level of data collected, and the same level of analysis done. From the standpoint of expanding the public input process, Mr. Gonzalez stated this will only expand the timeframe by months and not years.

Mayor Golonka stated that the greatest frustration for the citizens is the fact that there are so many unanswered questions, and answers frequently change. She stated she appreciates the opportunities she has been afforded to meet with AAF. With respect to the Loxahatchee River crossing, issues such as coordinating train times sounds wonderful in theory, but it is very difficult, and she is concerned with the potential for freight trains being pulled to the side for passenger trains to cross

the bridge. She stated that she appreciates FECCI working to explore the options of reducing the time the bridge is down, but has not seen any proof to date that this will not be a major issue. With respect to the sealed corridor and appearance, she stated the communities are currently paying for landscaping, and this would be an additional cost to local communities. She stated she cannot ask her constituents to accept all the impacts with nothing to gain. She stated the idea of passenger rail is great, but as the details are coming forward it has become dismaying and the perception now is the idea of the old robber baron railroad. Mr. Gonzalez stated AAF has been very open with the process and discussion of the bridge operations. Vice Chairman Mowery stated it is important to keep the lines of communication open as much as possible to get the best results from the process and move in the right direction.

Mayor Taylor stated that moving everything to the west is not an acceptable solution. She asked for clarification of the closing of Datura Street in West Palm Beach. Mr. Gonzalez stated that because the blocks are so short in West Palm Beach, and the trains are one thousand feet long, AAF has been working with the City of West Palm Beach to build infrastructure that goes around the station. He stated this is being done in order to locate a station in the downtown. He stated that there are numerous east/west connectors in the downtown that will allow for connectivity. Mayor Taylor asked if Datura Street would be closed. Mr. Gonzalez stated that there will be re-routing to a perimeter road that is in the City's master plan. Mayor Taylor asked if cars would be able to cross there. Mr. Gonzalez indicated that the cars would go around the station, or use Fern or Clematis. Mayor Taylor stated this is an issue that should have been brought to the public. Mr. Gonzalez indicated that there have been open discussions with the City, local businesses, CityPlace and the Downtown Development Authority. Mayor Taylor asked if the County was not engaged, because it is in the downtown. Mr. Gonzalez stated that AAF has met with the County administrator and engineer on this issue. Vice Chairman Mowery stated that communication needs to be improved to make sure everyone is aware of what is happening with the project.

Mayor Taylor noted that the switching area in Riviera Beach is a big problem that currently exists for the residents. Mr. Gonzalez indicated that FDOT is doing several things to improve the switching and developing some infrastructure changes to address the issues. He noted that does not involve the passenger rail service. Mayor Taylor asked if the AAF trains would use that track. Mr. Gonzalez indicated the trains would use the track, but since the trains are only one thousand feet in length, they cross the intersection in less than forty-five seconds and would not block the intersection. Mayor Taylor stated that she and Councilman Guyton would appreciate AAF coming to the area and having an open community meeting. Mr. Gonzalez indicated he would be willing to do that. Mr. Busha stated that Kim DeLaney could be available to work with the local governments to do briefings on the various rail projects. Mayor DuBois stated he would like to be included in those updates.

Mayor Ferreri stated that although his community is not directly affected, he would suggest a good planning exercise would be to do an overlay, especially in the areas where trains would be stacked to wait, to provide a better understanding of the possible ramifications of the project. He stated that this would help to better analyze the impacts and determine what types of mitigation measures will need to be taken. He noted that he recently drove on Dixie Highway from Delray Beach to Boca Raton and on at least six different occasions witnessed children trespassing on the FEC tracks. He stated that the sealed corridor is a big issue in terms of public safety, and there needs to be a lot of work done on this to make sure that the solution is also aesthetically appealing. He said it needs to

be more than just landscaping, because people will make paths to cut through and over the railroad tracks. He indicated that because FDOT is involved with building a flyover or crossing in Riviera Beach, that will take money away from the normal maintenance of the County roads, which are deteriorating immensely. He stated that there needs to be more collaboration on understanding what is necessary so there can be proper budgeting and planning.

Commissioner Perona stated that the question he is asked with respect to this project is “What is it going to do for our community?” He noted that Mr. Gonzalez stated as the trains pass through the communities they will identify the beauty and vivaciousness of the community, but Commissioner Perona stated that would be difficult at 100 miles per hour. He stated that impacts are normally balanced with some type of benefit, and the idea that someday there may be a station in Fort Pierce is not good enough. He asked what local government officials should say are the benefits to the residents of the outlying areas that are going to be severely impacted by the train. Mr. Gonzalez stated AAF’s standpoint is there are several benefits for the State. He noted that central and south Florida are all donor communities, giving more than they actually receive, because money goes to the State of Florida, and then it is divided across the state. He stated that growing the pool of dollars that goes to the state is important for the whole state’s economy. He stated that the point of connecting the two regions is to have people traverse and identify with the region. He stated that it was not financially viable to have stops in all the cities, that they need to build the base system and then, as Flagler did, expand and grow as the demand grows. He stated there has been continued dialogue on how to expand the system, and AAF is serious about that. He stated they are building rail stations in places where they know there is ridership today. He noted that Fort Pierce has said it wants to grow tourism, and he stated this is a vehicle to do that. He stated the project will provide interaction between the regions which will have an effect on the entire corridor. He stated it is not a build it and they will come process, because the tourists are already here today. He said that from AAF’s standpoint it is a process, but the immediate economic impact goes to the state and then it is dispersed to the local communities.

Commissioner Perona stated that he is being asked to grow his tourism to show there is a need for a station. However, the impacts from the high speed trains are against growing the tourism because the project will stop all movement from east to west. Mr. Gonzalez asked how the movement would be stopped, because the train will pass through the grade crossing in the time it takes for a light change. He stated Tri-Rail is currently operating 50 trains a day from Miami to West Palm Beach and that has not impacted the traffic and caused gridlock. Commissioner Perona stated that having a third rail and diverting the freight trails for the passage of the high speed passenger trains will affect two key crossings in his city. Mr. Gonzalez stated that he needs to meet with his engineering team, because it is his understanding that this will not block any of the grade crossings. He stated that one of the problems is there is a lot of information and speculation being done and he wants to ensure that realistic information is being provided. He noted that the EIS process will take all the information from the various inputs and analyze what is fact from fiction to produce a binding document that will be the basis of the record of decision for the project. Commissioner Perona indicated his problem is that AAF is asking for support, but he is unable to tell intelligent people how this project will benefit their community. He stated that to say we may be getting a station down the line if we can prove an economic impact will not be satisfactory. Vice Chairman Mowery reminded everyone that the action being taken is to make comments and ask questions of Mr. Gonzalez in order to develop a list of recommendations to be transmitted to the FRA in advance of the publication of the draft EIS.

Councilmember Weaver stated that every time a freight train is sidetracked, it takes time to get the train back up to speed which will block the local crossings for an extended period of time. Mr. Gonzalez stated that he did not believe that the trains would be blocking the crossings. Councilmember Weaver indicated that even if they do not block the crossings, the freight train will have to take more time to recommence when starting from zero miles an hour, causing a longer time for the train to go through the crossing. He asked if his analysis was correct that in the two hundred mile run from Miami to Cocoa Beach the freight trains could be sidetracked four times. Mr. Gonzalez stated this was not correct, because the information of sidetracking freight trains is not in any of the models. He stated that with the double-tracking that will be done, there is no need to sidetrack the freight trains. He stated there are places where switching will occur, but that is currently occurring. Councilmember Weaver asked that even though the trains are running in both directions, there will not be sidetracking the trains. Mr. Gonzalez stated they have a rail traffic controller model that actually has trains moving all the time and does not have trains waiting for each other, which happens a lot of time on the south Florida corridor, because they are not equipped with enough infrastructure.

Councilmember Weaver stated he is on Council partially because he is a property rights advocate, and he pointed out the municipalities should become familiar with what limitations the FEC has on their bundled property rights. He stated the playing field is uneven right now, and the spirit of cooperation needs to be maintained. He stated local governments should know that any FEC property rights have limits on how they impact public safety, noise, and appearance.

Under public comment, Mayor Abby Brennan from the Village of Tequesta, thanked Council and Council staff for their work not just on this project, but for all the work done on behalf of the entire region. She noted that Tequesta's geography is such that it is a peninsula separated by the FEC tracks, with eighty-five percent of the residents and the public safety building on the west side, and ninety-five percent of the commercial and retail on the east side of the U.S. 1 corridor. She stated the increase of freight trains is a very serious issue for the Village. She noted there are problems with the bridge not going down, which causes all three exits to U.S. 1 to be blocked with no way to get to the east, which causes significant concerns for public safety. She stated that if the bridge is down more often than it is up, it can be considered a fixed bridge, which would adversely affect property values. She noted that when Mr. Flagler built his railroad, he came down and the towns were created around it, and they have been working together for all those years. She stated we are now bisecting our communities. She noted that this project has been called a game changer and she stated she believes it is not a good game changer and will impact our communities in a negative way. She noted that the MPO, Council, and all the towns and communities are working on this project. She suggested that we find a way to work together because there are a lot of shared issues and she believes it will be more impactful to have a unified voice.

Mayor Thiess from the Town of St. Lucie Village thanked Council for the opportunity to speak. He noted that the Village is two and one half miles in length just north of the City of Fort Pierce between U.S. 1 and the Indian River Lagoon. He noted it is an historic community and some of the homes precede the railroad by about forty years. He indicated there are six grade crossings within the Village, four being the only way in and out of neighborhoods. He stated they have been following this project for some time and had two meetings with AAF, and did not know until two weeks ago during the grade crossing field visits there will be a triple track almost the entire length

of the Village. He stated they were told that the triple track was a center siding to move freight trains off the track in either direction to allow the high speed trains to pass on the outer tracks. He stated that this center siding throughout the length of the Village has the potential to seriously impede the ingress and egress out of the Village neighborhoods. He stated this will cause public safety issues with fire and ambulance service into the Village and certainly have delay issues for residents getting to their homes and work. It will also push the western crossing gates out six to eight feet into the pavement of Old Dixie Highway, causing traffic to be backed up along the travel lanes. In addition to the concerns with the triple tracking, he noted that the Village has talked with the FEC and FDOT regarding the quiet zones. He stated that it would be almost impossible to construct the quiet zones due to the physical layout and narrowness of the road. Additionally, the cost would be very prohibitive for the Village. He stated the project has the potential to impact the Village in significant ways and he has not seen any solutions. He thanked Council for the communication and asked for any assistance Council can provide to resolve the Village's issues.

Anne Scott, Martin County Commissioner from District 3, stated she believes it is ironic that the line that brought life to the Treasure Coast now threatens to kill it. She indicated that a high-speed train carrying thousands of passenger a day will go through the middle of a region where hundreds of thousands of people live and work and depend on roads and vehicles to do so. She stated loans of taxpayer money to a private enterprise to help it salvage a dubious investment is not private, noting the investment of \$250 million of Florida taxpayer money to build an elaborate terminal in Orlando. She stated this project has all the markings of Digital Domain, and that was not private. She asked how the Treasure Coast Regional Planning Council will represent the interests of those of us who face massive and unquantifiable burdens and no benefits. She urged Council members to not accept this project as inevitable.

Ken Daige, Chairman of the High Speed Rail Advisory Commission from the City of Vero Beach, stated the Commission has held a number of meetings that have been videotaped for those interested. He stated the community has a number of concerns with respect to the impacts this project will have, especially on access to the hospital. He noted the hospital is located on the east side of the tracks while a good portion of the population, many of which are retirees, resides in the west. He asked Council to include in the recommendations on the EIS a request to extend the comment period an additional forty-five days.

Jerilyn Bullock, a resident of North Hutchinson Island, thanked Council for the opportunity of public comment. She stated that when thinking of coming to speak on this project she realized that she lives on the wrong side of the tracks. She stated that currently to get into Fort Pierce from the island she must traverse a draw bridge that is immediately followed by the railroad tracks, which currently are not impeded because there are few freight trains during the day. However, she stated 32 trains coming through a day will make it very inconvenient for Hutchinson Island residents to access shops and restaurants in the Fort Pierce area and along South Hutchinson Island. She stated this will encourage island residents to travel north into Indian River County and not support local businesses. She stated she is happy to hear all the discussion and issues brought up by staff, some of which she was not aware of and is now more worried about the impacts of the project. She stated it appears that for St. Lucie County there is no right side of the tracks with this proposed project.

Gayla Tanner read from a March 10, 2014 letter from Mr. Busha to Governor Scott regarding the AAF project. She indicated there is a statement that rail has been a long standing regional priority

and she asked who sets this priority. She noted that the letter indicates that mobility will be improved and asked whose mobility, indicating it was not hers. She noted that a December 3, 2012 letter from Mr. Busha to the FRA states that the project will reduce vulnerability for fuel price increase, reinforce a pattern of development to reduce automobile dependence, encourage transit and reduce fossil fuel use. She stated that she prefers to have her car available in her driveway to use as she likes. She stated that she does not want to ride a train. She stated this is social reengineering, an affront to personal freedom, and part of Seven50. She stated that in the March 10<sup>th</sup> letter, there is a reference to the state funding of quiet zones to lower possible cost to the state and local governments, which she said is taxpayer money. She stated federal, state, and local governments do not make money, they take it in the form of taxes and fund projects like AAF. She noted that AAF is said to be private, however they have applied for FRA funding, and the public is not privy to that information. She offered the idea that no train, no cost, no problem, or have a high speed transit on the CSX railway. She wondered how the west coast residents felt about spending \$213 million of taxpayer money for a station that serves a Miami to Orlando train, and not receiving any benefits. She stated the high speed trains will dissect the small towns and negatively change our way of life. She stated that we do not want the trains and do not want to pay for them.

A. Deschane proposed conducting a one week simulation of crossing closures in order to better understand the impacts the service will have on the communities. He concurred with Mayor Ferreri's suggestion of an overlay to really understand the crossing closures, and the traffic build up, noting that after traffic has been stopped at the tracks it will take time to get back up to speed.

Lynn Sammulu, a resident from Port St. Lucie, stated that this is not the first private railroad, noting that in 1997 there was the Florida Fun Train that ran from Miami/Fort Lauderdale to Orlando. The train transported tourists between the two destinations providing entertainment along the way. He stated it lasted not quite a year and spent \$9.9 million and made \$500,000. He stated the service did two decent things, they ran the train on the CSX route and chose to close their doors without asking for a tax bailout. He indicated that a few years ago he worked on a project for FEC to identify places along the rail line to build little huts for installing fiber. He stated he did not know the status of that work and questioned what became of the project.

Susan Mehiel stated that over the last 100 years development in the northern counties had not been around passenger rail. She stated that in the northeast the rail system does not cross major thoroughfares and obstruct traffic. She noted there is a train that has run from Albany, New York to Rutland, Vermont a few times a day for the last fifteen years. She stated that in the last ten years crime in Rutland has risen three hundred percent. She stated this has not been a problem in the two neighboring towns. She quoted a recent article that stated many believe the drug problem lies in the conversion of single family homes to multi-family rentals. She stated individuals come to the town to sell drugs and sleep with women, many of whom receive rent subsidies and food stamps and use heroine. She stated the entire infrastructure has been set up for the drug dealers to make money and then leave. She stated this is stack and pack housing around a transit village and sounds like Seven50. She stated the elected Council members should prepare a document to send to the Governor responding to Mr. Busha's letter because most of the towns and counties had opted out of Seven50 and do not want this project.

Theresa Beese stated that she was not in favor of the train, and when she read about the project in the paper she could not understand why in the twenty-first century a train would have to run through

communities. She suggested that there be a monorail system above the ground that would be nonpolluting, quiet, eco-friendly, fast, and economical. She stated it would not block traffic and in addition to moving people, it would be like a scenic adventure. She asked for this type of train to be used if possible and perhaps it could eventually encompass the entire eastern side of the country. She asked that Council listen to all the comments from the public.

John Castellucci stated he loves the Treasure Coast and does not want to see it change and because he is older, he brings common sense to the table. He stated that the railroad does not belong on the east coast. He noted that 125 years ago when Mr. Flagler built the railroad there were no towns to be adversely impacted. Now, he stated we have a vibrant society and cautioned that this project should not be rushed. He stated that if you follow the money trail, it is to FEC, a private company. He stated they have been making money for 125 years and are not concerned with the public, but with their bottom line. He stated that there will be no benefit to Palm City or Stuart, and that people will not want to travel here to see the downtown and general store. He expressed his concern regarding issues such as being able to get to the hospital and the danger of children playing on the tracks. He stated that the freight line no longer needs to run down the east coast and should be moved inland. He stated the passengers from the train will be tourist and there does not need to be a local stop.

Vice Chairman Mowery reminded everyone that Council does not have the authority to approve or deny the project. Council was just acting as a voice to pull together information and organize the concerns of those in the region with respect to the project.

Anne Kuhl, a resident of western Palm Beach County, stated that she is opposed to AAF. She stated that everyone in the County brought their property without the rail service, and they need to be able to traverse the roads from east to west. She stated she first thought this would be a privately funded project, but now she is hearing about federal funding, fast tracking, and balance of debt and equity, making it hard to know where the money is coming from and how much is a loan. She stated the only beneficiaries of the project will be Miami and Orlando. She stated she does not want Palm Beach County to become workforce housing for Miami because they no longer have any vacant land. She stated she is opposed to the AAF project because of the negative impacts such as road closures and re-routing of people, and when the project fails the people will be left holding the bag. She asked Council members to take into consideration these comments and oppose the project.

Vice Chairman Mowery indicated that Ms. Frey would be speaking for Maria Perkins, Rosemarie Wilson, and Ellen Gower. Ms. Frey thanked Council for the opportunity for public comment. She stated she had learned a lot about other concerns happening in other communities. She noted that not everyone is comfortable with public speaking and that she would be expressing the concerns for others in her community. She stated that she wanted to address the financial truth about trains, stating that as children we loved to play with trains and that the fascination for adults is puzzling to her and costly to the public. She stated that the only consistency with trains is eating up taxpayer dollars. She stated it was equally puzzling why AAF intends to add a passenger train on top of two passenger train routes that are not profitable. She stated that TriRail is operating between Miami and West Palm Beach and stated that their total operation revenue for 2013 was \$12,575,652 tax payer dollars and their total operating expenses were \$100,249,658 for an operating loss of \$87,674,006. She stated that \$30,214,462 dollars of this is attributed to depreciation assets, so the true loss of Tri-Rail is only \$58,000,000 in tax payer dollars, yet it continues to operate with the

support of federal, state, and local tax dollars. She stated the money would be better spent on education, emergency services, medical advances, children's services, or other areas that service our citizens. With respect to Amtrak, Ms. Frey indicated their 2013 budget statistics show fifteen long-distance routes operating at an average loss of \$40,000,000 per route, totaling a loss of \$600,000,000 a year. She stated Amtrak's auto train lost \$48,000,000 this past year and with thirty-four core employees, that is a loss of \$1,412,00 per employee. She stated the state-supported routes lose \$100,000,000 per year and Amtrak's Silver Star operating from Miami to Fort Lauderdale, West Palm Beach, and Orlando lost \$47,000,000 last year. She asked where the money is coming from to support such losses. She stated that according to Amtrak records, they received \$450,000,000 from federal appropriations support, and they are projecting \$2 billion in losses over the next five years.

Ms. Frey stated that AAF touts itself as a private company, but it was reported on March 13, 2013 by Karen Hedlund, Deputy Administer of the FRA, that AAF had applied for a \$1.5 billion government loan. She asked why AAF would insist on a losing investment plan and that if they liked to play with trains they should not ask the taxpayers to pay for their toys. She indicated that the U.S. Department of Energy's transportation energy book and the Energy Information Administration reports that rail lines use more energy than the average passenger car, and rail transit operation are supplemented with bus operations that have lower ridership and higher energy costs and more greenhouse gas emissions per passenger mile. She stated that construction of transit lines uses large amounts of energy and it takes many decades of energy savings to repay the cost of construction. She stated that while highway construction also uses energy, each mile of highway carries more passenger and freight ton miles of travel than a mile of rail line, and energy costs and pollution per passenger mile of highway was far lower than that of transit construction. She indicated these statistic are from FDOT. She stated that getting fifteen percent of commuters to switch to hybrid electric cars would save more energy than getting one percent to switch to public transit. However, she stated that with hybrid cars there would not be the gas tax to pay for construction and maintenance of the highways. She asked if the government would then tax our odometers by the mile and continue to manipulate gas prices so cars will continue to get smaller and smaller until everyone is driving clown cars. She questioned what has happened to the safety standards, stating that 322 additional deaths per year occur as direct result of reducing just 100 pounds of vehicle weight. She stated that size and weight restrictions for cars have resulted in 46,000 additional deaths. She stated this is all being done because FDOT and Seven50 want people out of their cars and driving less.

Ms. Frey stated that not one passenger rail system in the United States operates at a profit and again questioned why AAF has created a loss on investment plan. She stated that they do not have any data to prove there will be ridership, a cost-benefit analysis, nor a return on investment. She stated that data that cost per passenger mile for public transit is five to nine times more costly than private transportation alternatives. She stated that the American people are not stupid, but perhaps sometimes misinformed, and they are against the idea of having fifty trains traveling through their communities. She indicated that there have been several letters to the newspapers, and the Jupiter-Tequesta-Hobe Sound Association of Realtors has released a resolution opposing the project due to the impacts to the quality of life and deterioration of property values. She stated these communities are our homes and there are economies based on trade and commerce, not tourism. She stated we are not Disney or Miami, and we live in our smaller communities because we like the quieter life and low density population. Taking away the right to quiet enjoyment is a real estate law.

Ms. Frey stated that the TCRPC consists of public elected officials who are to represent the public; however, they are being persuaded to lobby the Governor and promote AAF and Seven50's plan for regionalism. She stated this bypasses local government and takes away the voice and choice of the people. She noted a TCRPC letter sent to the Governor asking for help to include stops in Martin, St. Lucie, and Indian River counties, but she said that the people do not want these stops. She stated that the residents choose to live in lower density communities. She indicated that when Victor Dover, the project leader and architect for Seven50, said he would bring millions of passengers to Vero Beach, the county quickly opted out of the plan, as have nearly half the counties. She stated the residents do not want redistribution with benefits only to pre-chosen developers. She stated that the symbiotic relationship of AAF through the TCRPC has co-opted in some to support HUD low-income housing developments and propaganda to the Governor. She stated that Mr. Busha was a shill for the developers and was an unelected bureaucrat that did not represent the people.

Mayor Golonka asked Vice Chairman Mowery to intercede and that the time had expired. Vice Chairman Mowery informed Ms. Frey that Council would not take personal attacks and her time was finished.

Bill Biggs, stated he is with Riverwatch Marina and Boatyard, a small family owned and operated boatyard located on the St. Lucie River in Stuart, Florida. He stated his is one of the marinas Commissioner Haddox had referred to in Martin County that would be extremely impacted with increased bridge closings over the St. Lucie River. He stated this would also affect the property values of numerous developments along the St. Lucie River in Port St. Lucie, Martin County and Palm City. He stated that the impacts will not just be in Martin County, but in Tequesta and Jupiter as well with the Loxahatchee River Bridge. He noted that some of the largest boat yards in the state are on the New River in Fort Lauderdale, west of the railroad crossing. He stated that they serve large mega yachts that will not be able to get through with the increased bridge closings caused by the AAF project. He indicated that one of the reasons the public is beginning to talk out against the project is because AAF has been very vague about the details of the proposed passenger train service. He noted that staff had mentioned there would be a twelve minute cycle time at the St. Lucie Bridge, which is a fairy tale. He stated he regularly uses that bridge and it takes no less than twenty minutes for the bridge to cycle when a train is coming from the north and as long as an hour and a half from the south. He stated that with two trains an hour that could be forty minutes, then if a freight train is added the bridge could be down the entire hour. He stated this would basically create an inland lake because all the residents and business will not have ocean access. He stated that as the public and elected officials learn more about the project, they like it less. He stated at a recent property owners' association meeting one official admitted to first being in support of the project, but as he learned more became against it. Mr. Biggs stated that it is irresponsible to not do an economic impact study, and he questioned how decisions can be made without knowing the impacts to the business and residents throughout the region. He stated he is not against trains, but did not think that increased train traffic on the FEC is the way to go, suggesting there are other options such as using the western CSX route that Amtrak is currently utilizing. He stated there is a lot of open land in the western communities that may provide a more direct route. He stated this project will destroy the quality of life for everybody living west of the bridges.

Donna Rising stated she lives in Palm City on the west side of the tracks and can see the railroad track from her waterfront neighborhood. She stated she supports Mr. Biggs and agrees with his

comments. She stated her reason for speaking was to bring up the issue of wildlife that will be in danger from the project. She indicated she had spoken with a state biologist at Jonathan Dickinson State Park (JDSP) and he was aware of the project, but also said that nothing is happening as far as the trains coming through. Ms. Rising stated there are tracks in the park that could endanger the tortoises, because they sit on the tracks, and also the federally protected scrub jay habitat. She asked that the EIS address these concerns for the wildlife in JDSP. Vice Chairman Mowery indicated that Council was not doing the study, only providing comments to be forwarded for consideration when preparing the EIS. Ms. Rising stated she understood that, but wanted to make sure JDSP is considered, because it is a state park that is utilized by the citizens, and thirty-two trains traveling through the park each day would be taking away the citizens' rights to enjoy the park. She stated she just wanted to ask for the park to be included. Vice Chairman Mowery indicated those concerns will be included.

Tom Rising thanked Council for the opportunity to speak, noting that he is part of the initiative "Florida Not All Aboard" that was recently formed, because of the lack of information that is available. He stated he is very concerned about the project and quickly discovered that there was no one organization to address the issues. He indicated that he nominated himself, KC Traylor, who is part of the River's Coalition, and Mr. Biggs. He stated they had done much work gathering information and getting that information out through social media and a website to help people become aware of the project and the potential impacts. He stated that Council's presentation was very good, and there are a lot of individuals present who are aware of the project, but there is not much awareness beyond that. He pointed out that the mariners have the right-of-way through the passage in Stuart. He stated this has to be protected, without compromise, and AAF cannot be allowed to take away that right and impede free navigation unreasonably. He stated this is the type of information that needs to be brought into the mainstream and included in the reports Council staff is putting together. He stated he wanted to clarify staff's presentation that there had not been an EIS done for the section between West Palm Beach and Miami, but rather an Environmental Assessment, and that the finding of no significant impact does not exist. He stated the EIS is currently being done by AAF and they will present their findings to the FRA, who will then make a recommendation. He stated there is still the opportunity to speak up on that EIS. Additionally, he stated that there has been talk about possibly upgrading the bridge to accommodate the mariners' right-of-way, but he indicated that the bridge cannot be raised because the new bridge was built over the railroad tracks so there is a height distance on how much that bridge can rise.

Mr. Rising stated that after reviewing Council's report he has five recommendations he would like included: correcting the reference to the twelve minutes in the report to twenty; impacts to wildlife; a probability analysis indicating how many fatalities will result from expansion of AAF service; consideration of moving the service to the CSX route; and consideration of building new tracks where high speed rail can be properly built. He noted this will be more costly, but in the long run the project will not be restricted by all the traffic congestions and the bridges.

Melinda Meikle stated she is speaking out against AAF. She stated that she noticed on the internet that in 2010 there was an EIS for the less populated turnpike route, and she questioned if that was abandoned in favor of the Treasure Coast. She stated she read about EIS studies and basically the definition is that if a reasonable person would consider an activity significant, then it warrants further discussion and should be included in the EIS. She stated that there are a lot of concerns raised that need to be included. She indicated that she cannot see how the project could be

approved, because of the damage it would cause to our historic and cultural centers, landmarks, tourist trade, hospitals and evacuation routes. She stated that California Governor Brown accepted \$68 billion in stimulus money in 2009, and then Congress defunded high speed rail in 2011. She stated that Governor Brown is now scrambling for a \$43 billion deadline that the U.S. Government Accountability Office argues will total all national grants combined for subway, light rail, and bus. She stated that Joe Nation, a professor at Stanford University, outlines the nightmare as conflicts explode over eminent domain grabs, 20 years of delay issues, lawsuits, inflated ridership projections, and low ticket prices creating billions in subsidies. She indicated the Governor's political opponent is using this waste of taxpayer dollars in his campaign. Ms. Meikle stated it is hard to understand the business goals of AAF, because we are in a slow economy and there are billions of dollars of debt for railroads. She stated that a typical family of four would not be able to afford the trains after paying big bucks at Disney World. She questioned whether tourists would use the service that just travels between the two cities and skips the rest of the state. She stated that in her opinion this is an extension of the Seven50 regional plan. She noted that her son, who is an environmentalist who hates gas and oil, has purchased an electric car, which is the trend for the younger generation.

Bert Shadowen stated he wished to cede his time to Ms. Frey.

Ms. Frey stated she wanted to bring up the point that this is a Seven50 package with AAF and has evidence to show a relationship between the two groups. She asked what could be cozier than a railroad supported by a group of developers who have a way to re-engineer communities and would benefit from this transfer of redistribution of Miami population into smaller communities. She stated she has attended all the meetings and read all the published documents and made it her mission to educate herself on this issue. She stated it is clear this is a package deal with FDOT and HUD grants to implement the plan. She stated this is not theory, but New Urbanism which is upward sprawl. She noted that Mr. Busha's letter to the FRA promoted AAF. She stated that statements have been made in the press about moving the service to the west, which she is against because it would allow the over developed communities along the way to flourish. She stated that people do not want to be part of the President's Council on Sustainable Development. She indicated that the National Association of Realtors has a survey that shows only eight percent of those surveyed prefer to live in a city with mixed uses. She stated that eighty percent want to live in single-family homes with privacy as their top priority.

Ms. Larson noted she has been coming to Council for twelve years and never abused public comment by taking everyone's minutes and speaking for an hour and a half. She stated that she prefers to have the public comment at the beginning of the meeting to be able to provide useful information. She indicated that the South Florida Water Management District has already issued a permit for AAF for Miami-Dade, Broward, and Palm Beach counties without the benefit of the EIS. She stated that these things are done in a vacuum, and that is not public participation. She stated it is ridiculous that AAF would not disclose their financials when they are asking for taxpayer money. She stated that she would not put down Mr. Busha, because if you read further in his letter it states the project is increasingly imbalanced. She stated that trains did not work in the 1960s, and questioned why we continue to pursue this issue. She stated that the people are not able to pay their bills on a continuous basis. She stated the project relies on imports rather than us enhancing our economy by doing our own manufacturing. She stated the reason America was great is that we made it here, brought it here, and ate it here. With respect to people traveling to Orlando, she stated

there was an article in the Palm Beach Post about Disney raising their prices. She stated Disney does not pay taxes and is poisoning Lake Okeechobee, the Caloosahatchee River and the St. Lucie River at the taxpayers' expense.

Commissioner Burdick stated that she was fully aware of the train stops that need to close down the streets in the City of West Palm Beach. She indicated that Dr. DeLaney has made presentations to the MPO on this and they have been working with the City and the CRA on that issue. She noted that there are five Palm Beach County commissioners, as well as representation from eleven cities and the port commissioner that sit on the MPO board. Mayor Taylor noted that commissioners sit on different boards, but the main body is the county commission.

Byron Hartunian stated he is a homeowner and part-time resident of Tequesta for eleven years. He stated he respects the concerns of all the people that will be affected by this project, and believes that even though there is a lot of emotion, decisions need to take facts into consideration. He stated that the facts have not been clear, and he hopes that AAF will be more forthcoming with the facts so the right decisions can be made. He stated he likes the FEC and has been a member of the railroad society. He stated FEC's record is impeccable and that AAF could be a good thing, but there are a lot of details that need to be addressed. He stated the suggestions to have trial gate closures was very good and would allow the towns to see what the impacts of the project will be. He applauded Council for their efforts and stated he is impressed with the citizen's comments and concerns.

Mayor Ferreri motioned to adopt the staff recommendation with the addition of a request to the FRA to allow an additional forty-five days for comments that would include public input workshops during that period within our region. Vice Mayor Burdick seconded the motion.

**Motion**

Vice Chairman Mowery indicated that some of the other comments that had been made were: emphasis on prioritization of the concerns; an additional forty-five day review period; include positive and negative impact analyses; emphasis that FECI is a private company; adding wildlife protection issues such as within state parks; and recognize better the impacts related to rail sidings. He asked if the motion maker would be amenable to those recommendations. Mayor Ferreri indicated that would be acceptable. Vice Mayor Burdick concurred. Vice Chairman Mowery called for Council discussion of the motion.

Commissioner Fielding indicated this had been a useful forum to get not only the Council member input, but input from the public as well. He stated that he would like to further the motion to allow for Council members to send in additional recommendations and concerns. Vice Mayor Mowery indicated that this was an opportunity for TCRPC to provide comments on the draft EIS, and that the individual local governments should provide their own comments.

Commissioner Solari stated that he concurred that this had been a great forum and one of the best TCRPC meetings he had attended, expressing his appreciation to everyone. He stated that it appears that the beneficiaries of this project will be the high-population counties and all the burden will be to the low-population counties, which was one of the problems of the Seven50 process. He stated he believes this project clearly threatens the quality of life for the low population counties as evidenced by the citizen comments and concerns. He stated he is not sure that the best way to address this is to send a memo articulating Council concerns and begin a negotiation process on a list that contains many things he does not think should be included. He stated that he would be opposing the motion

because he believes Council should just say no to the project, because that is what a vast majority of the citizens want.

Vice Chairman Mowery noted that the recommendation is to ensure that the comments expressed would be included in the EIS, which is being required by the federal government to advance the project. Commissioner Solari stated he just wanted to send up the first flag.

Councilmember Weaver pointed out that several members brought up some negative impact concerns as well as the financial impacts. He asked that the list be expanded to include those impacts. This was agreed to by both Mayor Ferreri and Vice Mayor Burdick.

Mayor Faiella stated that although this project does not directly involve Port St. Lucie, she had to consider the surrounding areas and would not be supporting the motion. Vice Chairman Mowery stated the motion is not to support the project, but to provide Council comments to ensure that the federal government protects our areas of interest and the comments expressed. Mayor Faiella questioned if those comments would actually be heard.

Vice Mayor Hmara noted that the suggestion to have a kind of ghost train scenario would allow for a better understanding of the actual impacts to the community. He offered that might be something to add to the recommendations. Vice Chairman Mowery stated that the idea has merit, but was not sure if it should be part of the EIS process.

Commissioner Lewis stated that most of her concerns had been adequately expressed. With respect to the motion, she stated that if members vote no going on record with the concerns that have been expressed at the current meeting, as well as those expressed at the various counties meetings by residents, then members are abrogating their responsibility. She noted that the St. Lucie County commissioners would be going to Washington and Tallahassee the following week and this will be one of the big issues they take with them. She stressed that the current vote is not for or against the project, because it unfortunately will never come to that. She indicated she will be voting to support forwarding the recommendations and comments.

The motion carried with Commissioner Solari and Mayor Faiella dissenting.

### **BROWNFIELDS CLEANUP LOAN WITH THE FORT PIERCE REDEVELOPMENT AGENCY**

Commissioner Solari moved approval of the staff recommendation. Mayor Taylor seconded the **Motion** motion, which carried unanimously.

Vice Chairman indicated there are public comment requests to be heard.

Ms. Kuhl stated that she is concerned about the location of this project because it is on the waterfront of the Indian River Lagoon. She stated there is a creek that flows through the property into the Indian River south of the inlet, and is right next to the manatee center. She stated the power plant that had been on the site was decommissioned in May of 2008 and demolished in 2009 and there were chemicals and toxic waste on the site. Vice Chairman Mowery noted that the Fort Pierce Utility Authority (FPUA) was cleaning up the toxic waste. Ms. Kuhl stated that her concern is that

the contractor who did the demolition states on their website that they handled all the abatement, demolition, salvage, and proper disposal. She asked why it is still a brownfield site. She stated that the chemicals are horrendous and it is right on the Indian River where there have been numerous deaths of dolphins and manatees. She stated people are pointing to septic tanks, but it may be chemicals from this site that are causing the impacts. She asked if the company had really properly abated the site. She expressed concern that rain could have washed chemicals into the Indian River. She stated that FPUA had paid millions of dollars to the company to abate the problem and if they did not do a good job maybe they should be sued.

Ms. Larson stated that there is a group of people saying the Indian River Lagoon and the Caloosahatchee River are being poisoned and she questioned why this site, that sits on the Indian River Lagoon is not part of that discussion, because it could be causing the algae. She stated that the fact that it was said to be remediated and cleaned up and now they want more money is a crime. She stated with respect to the Caloosahatchee and the St. Lucie rivers, they are not blaming the real criminals who are poisoning the waters and making them clean it up, and the fact is some of the poison is sitting right on the lagoon. She stated that the water farming being done by the water management district is stupid because instead of giving violations to farmers for poisoning Lake Okeechobee they are giving them millions of dollars to hold water on their land. She stated that instead of cleaning the lake, we are shifting water into Broward County and then out to the ocean, because the water cannot go into Dade County due to federal law that states you cannot poison the Everglades. She questioned why this brownfield site is being cleaned up twice. Staff indicated that this is not being done twice, noting the City of Fort Pierce stepped up a couple years ago after the power plant was removed and did a site assessment. A loan was then issued to clean up part of the site. The current request is to clean up the rest of the site.

Staff noted that FPUA had hired a company to demolish the former power plant and remove the material that had comprised that plant. An environmental consulting firm was hired to investigate the level of contamination at the site before TCRPC became involved, and they identified areas of interests throughout the former HD King Power Plant site. When TCRPC became involved in 2009, contamination was identified over a larger area than previously noted. This is not a question of cleaning up the site twice, but a question of how much and how wide-spread the contamination is, and the current loan is being proposed to finalize the cleanup of the entire area.

Councilmember Weaver stated he had reviewed the background information and understood that from a commercial perspective the site was deemed completed. He stated that there are two different levels of clean up and the cost related to the remediation is substantially more for residential level cleanup. He asked if it is Council's responsibility to make sure that this is consistent with the city's comprehensive plan, because the land is zoned general commercial and everything may not line up appropriately. Staff indicated the clean-up standards are to residential target levels to allow for a variation of redevelopment options of the site. Councilmember Weaver asked if the applicant or Council is responsible for making sure that is consistent with the city's comprehensive plan. Vice Chairman Mowery stated this is for a loan and not a land use or zoning change. Councilmember Weaver stated he wanted to get his point on the record.

Commissioner Solari stated that the problem with properties like this is the perception is often the problem and he believes it is important that the property be cleaned to the safest possible levels.

## **INVESTING IN MANUFACTURING COMMUNITIES PARTNERSHIP DESIGNATION**

Staff indicated that in February the East Central Florida Regional Planning Council and Energy Florida had contacted Council staff to discuss the possibility of entering into a relationship to prepare an application on behalf of a recently announced grant application by U.S. Economic Development Administration to designate twelve regions across the country as manufacturing communities. The proposal is to look at the region's strengths, in particular in the turbine and related manufacturing industries, along the treasure coast and east central Florida region.

Ms. Kuhl stated the agenda information states the designated manufacturing communities will receive preferential consideration for up to \$1.3 billion in federal dollars in assistance from ten federal agencies. She warned Council to be cautious or run away from anything that has federal money tied to it. She stated she is also frightened because the focal point is the turbines. She stated that Florida Atlantic University is planning a key role in development of underwater turbines that will be tested off-shore of Palm Beach County in the gulfstream. She urged Council to proceed with caution and that sometimes we need to say no to federal money.

Mr. Tim Franta, from Energy Florida, thanked Council for its support. He stated there is so much capability for the region because of the local industries and businesses in the area related to turbines and rotating motors. He stated receiving this federal designation will be very helpful to those industries. Councilmember Weaver pointed out that this is inconsistent with the Seven50 analysis of manufacturing. He stated he is very much in support of the motion.

Commissioner Lewis stated a turbine project had been brought to the St. Lucie County Commission several years ago and asked if there was not already someone working on this. Staff indicated they had spoken with Florida Atlantic University and they had indicated that their turbine research project has been in permitting for a number of years and they are looking to finalize that permit process. FAU's turbine research project will be the first project of its kind in the world. Commissioner Lewis asked for confirmation that that although it was brought forward a number of years ago, it was never put into practice. Staff indicated that is correct.

Mayor Taylor moved approval of the staff recommendation. Mayor Golonka seconded the motion, **Motion** which carried unanimously.

## **LEGISLATIVE MATTERS**

Vice Chairman Mowery requested this item be moved to the next meeting. Commissioner Fielding stated he wanted to address Senate Bill 703. Vice Chairman Mowery indicated the staff has provided considerable background information in the draft report that has been distributed to Council.

## **FLORIDA REGIONAL COUNCILS ASSOCIATION UPDATE**

Vice Chairman Mowery requested this item be moved to the next meeting.

## **PUBLIC COMMENT**

Ms. Larson stated she would use her public comment to talk about turbines in the gulfstream. She stated this is like using electric cars that still leave us dependent on Florida Power and Light. She stated that she and others have been diligent in coming to meetings and bringing information to Council. She stated that they have never abused public comment at the beginning of the meeting. She stated that there is an article on how other countries are zoned only manufacturing. She also noted there is a city in Austria that has decided not to be a tourist destination and they are happy with their farming and not bothered like the neighboring tourist towns. She asked if the “not in my back yard” sentiment is needed to keep things out of our backyards. With respect to AAF, she stated she is opposed to moving the project to the west. She stated she hoped that Council would take into consideration that she comes to the meeting well intentioned with good information that can help Council members. She stated she does not try to abuse the time and go over her three minutes, but public comment is very important. She stated that scolding the public is not right.

Commissioner Solari stated that he agreed with Ms. Larson. He stated that he believes the purpose of law ought to be the welfare of the people, the purpose of groups like Council ought to be to serve the people. He stated it is not serving the people the right way when Council member comments are put before the public’s comments. He noted that half the board had left and he felt it is more important to hear from the public at the beginning of the agenda than to hear Council members.

Ms. Frey stated she wanted to set the public record straight with respect to the January 17, 2014 meeting minutes. She attempted to play a recording of the meeting, but Vice Chairman Mowery asked her to please provide comment. Ms. Frey stated that she has video and audio of the meeting and that Commissioner Lewis stated “as far as bypassing local government, that is why we are all here.” She indicated that Commissioner Lewis has denied making that statement and indicated she would forward the verbatim excerpt from the minutes. Ms. Frey stated that the minutes do not accurately reflect what Commissioner Lewis said and she is mentioning this simply for public accountability. Vice Chairman Mowery reminded Ms. Frey that Council is not a forum for public attacks. He stated if she has concerns she needs to approach the Chairman, himself, or staff, or provide a letter with her concerns.

Ms. Kuhl stated she wanted to note that with respect to the investment in manufacturing communities partnership she is not against business, but is saying that sometimes businesses are created because of available federal money. She stated that if it is a good business it should not need federal money and should be able to stand on its own. She stated the focus should be on things people need and want and then the private investment will come. She stated that federal money is steering things that otherwise would not have been developed.

## **STAFF COMMENT**

None.

**ADJOURNMENT**

There being no further business, Vice Chairman Mowery adjourned the meeting at 1:32 p.m. This signature is to attest that the undersigned is the Secretary or a designated nominee of the Treasure Coast Regional Planning Council, and that the information provided herein is the true and correct Minutes of the March 21, 2014 meeting of the Treasure Coast Regional Planning Council.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature