

BILL POSEY

8TH DISTRICT, FLORIDA

COMMITTEES:

SCIENCE, SPACE, AND TECHNOLOGY

SPACE SUBCOMMITTEE

OVERSIGHT SUBCOMMITTEE

FINANCIAL SERVICES

FINANCIAL INSTITUTIONS SUBCOMMITTEE

MONETARY POLICY

AND TRADE SUBCOMMITTEE

MEMBER OF:

HOUSE AEROSPACE CAUCUS

REPUBLICAN STUDY COMMITTEE

CONGRESSIONAL AUTISM CAUCUS

MILITARY VETERANS CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515

April 10, 2014

www.posey.house.gov

WASHINGTON OFFICE:

120 CANNON HOUSE OFFICE BUILDING

WASHINGTON, DC 20515

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FAX: (202) 225-3516

MAIN DISTRICT OFFICE:

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(321) 632-1776

FAX: (321) 639-8595

DISTRICT OFFICE:

INDIAN RIVER COUNTY ADMIN. BLDG. A

(772) 226-1701

DISTRICT OFFICE:

BREVARD COUNTY GOVERNMENT OFFICES

IN TITUSVILLE

(321) 383-6090

Secretary Anthony Foxx
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Dear Secretary Foxx,

Having represented the residents of Florida's Space and Treasure Coasts for many years through my service on local boards, city council, the State Legislature and now the U.S. House of Representatives, I know how important it is to listen to the advice and concerns of local community residents and local leaders that I have the privilege of representing.

I recently received the following correspondence from the Indian River County Commission expressing their views regarding the proposed All Aboard Florida. I would request that you give their request, as elected officials, every consideration.

Thank you for your attention to this matter.

Sincerely,



Bill Posey

Member of Congress

CC: Administrator Joseph C. Szabo, Federal Railroad Administration



INDIAN RIVER COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

1801 27th Street, Vero Beach FL 32960

772-226-1237 / 772-978-1806 fax

www.ircgov.com

RECEIVED

APR 10 2014

COUNTY ATTORNEY'S
OFFICE

April 8, 2014

Joseph C. Szabo, Administrator
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Request for Extended Comment Period for All Aboard Florida High Speed Rail EIS

Dear Mr. Szabo:

Please be advised that on April 1, 2014, the Board of County Commissioners of Indian River County unanimously voted to formally request *additional* time in excess of the normal 45-day period to review and comment on the initial (draft) Environmental Impact Statement (EIS) for the West Palm Beach to Orlando segment of the All Aboard Florida High Speed Rail proposal.

While acknowledging that federal policy allows up to an additional 45 days to review the draft EIS (for a total of 90 review days), the Board of County Commissioners requested a total of 180 review days. This period was specifically requested because of the length of the segment, complexity of project issues, and overwhelming number of public comments and concerns expressed by the citizens of Indian River County. Should the Federal Rail Administration be unable to grant a 180-day review period, the County would like to request 45 additional days. Thank-you for your consideration of this request.

Sincerely,

Stan Boling, Community Development Director

Cc: Peter O'Bryan, Chairman, Board of County Commissioners
Joseph A. Baird, County Administrator
Dylan Reingold, County Attorney
Secretary Ananth Prasad, Florida Department of Transportation
Secretary Anthony Foxx, United States Department of Transportation

BOARD OF COUNTY COMMISSIONERS

Peter D. O'Bryan
Chairman
District 4

Wesley S. Davis
Vice Chairman
District 1



April 8, 2014

Joseph E. Flescher
District 2

Tim Zorc
District 3

Bob Solari
District 5

Senator Joe Negron
412 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Re: All Aboard Florida – Delay Funding for Quiet Zones

Dear Senator Negron,

The Board of County Commissioners of Indian River County is concerned that the State of Florida will be funding the proposed All Aboard Florida project which will be negatively impacting the citizens of Indian River County, St. Lucie County and Martin County without giving the public a better opportunity to understand the issue.

At this time very little information has been made available to the residents and elected officials of Indian River County about the project. Because so little information has been made available there is a great deal of speculation about the finances of the project, the financial burden that it will place on taxpayers at the Federal, State and local levels and most importantly the damage that the project may do to the health and safety of our communities.

Given this, the Board of County Commissioners is asking that you remove any funding for quiet zones from this year's budget. This will give our communities the time to understand the project and hopefully get the information that they need to have a rational basis to either give or withhold their support for this project.

We believe that this delay, necessary for elected officials to perform their due diligence is the right thing in a free society such as ours. In what is supposed to be an open and transparent society our residents and elected officials should have all available information available to them, **before** elected officials at any level provide any support for what we were initially told was to be a private project paid for with private funds.

1801 27th Street, Building A
Vero Beach, FL 32960
(772) 226-1490

Senator Joe Negron
April 8, 2014
Page Two

Again, because of the complexity of the issue, the Indian River County Board of County Commissioners respectfully requests the State of Florida strike any potential funding for the Quiet Zones from the current budget to allow time for the public to fully understand the ramifications of this proposal.

We are looking forward to your support on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Peter D. O'Bryan". The signature is written in black ink and is positioned above the printed name and title.

Peter D. O'Bryan
Chairman, District 4

PDO:mlp

RESOLUTION NO. 2014- 033

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, URGING ALL POTENTIAL DONOR AGENCIES TO REQUIRE ALL ABOARD FLORIDA TO PAY FOR ALL COSTS OF ALL ABOARD FLORIDA, AND THAT ANY GOVERNMENTAL ASSISTANCE SHALL BE PROVIDED AT NO LESS THAN MARKET RATES; AND DIRECTING CERTIFIED COPIES OF THIS RESOLUTION TO BE PROVIDED TO ANY APPLICABLE DONOR AGENCIES.

WHEREAS, All Aboard Florida, a subsidiary of Florida East Coast Industries, is proposing to provide passenger rail service between Miami and Orlando that will run through populated areas of Indian River County, including Vero Beach, Sebastian, and the communities of Gifford, Roseland, Wabasso and Winter Beach; and

WHEREAS, at first, such passenger rail service was touted as being provided by a private company, using solely private resources; and

WHEREAS, it is now understood that the passenger rail service is being proposed to be funded by a Railroad Rehabilitation & Improvement Financing (RRIF) Program loan of up to potentially \$1.5 billion from the Federal Rail Administration an agency of the United States federal government; and

WHEREAS, it is now also understood that the State of Florida is proposing to spend \$215 million for a new rail station at the Orlando International Airport which will benefit All Aboard Florida; and

WHEREAS, there are a total of 32 railroad crossings within Indian River County and 352 rail crossings in the region, and local governments, such as Indian River County, will bear the maintenance costs of upgraded railroad crossings and the costs of installing and maintaining any quiet zones; and

WHEREAS, instead of being a passenger rail service provided by a private company, using solely private resources, it is now clear that a significant portion of the financial burden of this passenger rail service is actually going to be borne by the taxpayers through assistance from the federal, state and local governments; and

WHEREAS, the Board of County Commissioners of Indian River County implores any donor agency, including the Federal Rail Administration and any other federal agency and the State of Florida and its agencies, to require All Aboard Florida to pay for the costs of All Aboard Florida, including quiet zones and corridor improvements, and that there shall be no governmental assistance, be it in the form of loans, infrastructure or right-of-way at less than

RESOLUTION NO. 2014- 033

market rates, as such support would put the risk of the passenger rail service on the backs of the taxpayers,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, THAT:

Section 1. The above "WHEREAS" clauses are true and correct, and are hereby adopted as findings of the Board.

Section 2. The Board of County Commissioners of Indian River County urges any donor agency, including the Federal Rail Administration and any other federal agency and the State of Florida and its agencies, to require All Aboard Florida to pay for the costs of All Aboard Florida, including quiet zones and corridor improvements, and that there shall be no governmental assistance, be it in the form of loans, infrastructure or right-of-way at less than market rates, as such support would put the risk of the passenger rail service on the backs of the taxpayers.

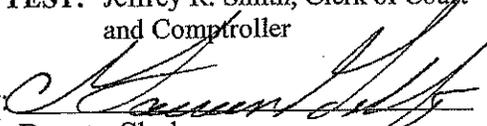
Section 3. A certified copy of this resolution shall be provided to the Governor Rick Scott, the Federal Rail Administration and any other state, local or federal agency which intends to offer support for All Aboard Florida.

The foregoing resolution was moved for adoption by Commissioner Solari, and seconded by Commissioner Davis, and, upon being put to a vote, the vote was as follows:

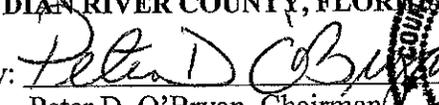
Chairman Peter D. O'Bryan	<u>Aye</u>
Vice Chairman Wesley S. Davis	<u>Aye</u>
Commissioner Joseph E. Flescher	<u>Aye</u>
Commissioner Bob Solari	<u>Aye</u>
Commissioner Tim Zorc	<u>Aye</u>

The Chairman thereupon declared the resolution duly passed and adopted this 8th day of April, 2014.

ATTEST: Jeffrey R. Smith, Clerk of Court
and Comptroller

By: 
Deputy Clerk

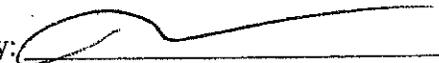
BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

By: 
Peter D. O'Bryan, Chairman



BCC approval date: April 8, 2014

Approved as to form and legal sufficiency:

By: 
Dylan Reingold, County Attorney