



*Florida Department of Transportation*

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GOVERNOR

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ANANTH PRASAD, P.E.  
SECRETARY

May 20, 2014

RECEIVED  
MAY 27 2014  
TREASURE COAST  
REGIONAL PLANNING COUNCIL

The Honorable Mayor Robert G. Premuroso  
City of Palm Beach Gardens  
10500 North Military Trail  
Palm Beach Gardens, FL 33410

Dear Mayor Premuroso,

Thank you for recent letter to Florida Department of Transportation Secretary Ananth Prasad regarding the All Aboard Florida (AAF) passenger rail project. All Aboard Florida is a private-sector project the State of Florida is not providing any money to AAF. For this reason, the approvals required by the Florida Department of Transportation (Department) for the project are very limited, much more limited than publicly-funded projects in Florida.

The Federal Railroad Administration (FRA) is currently preparing an Environmental Impact Statement (EIS) for the AAF corridor between West Palm Beach and Orlando. The EIS is required by the National Environmental Policy Act (NEPA) for certain actions that significantly affect the quality of the human environment, of which noise impacts are included. Public involvement is an important element of the EIS and under NEPA regulations, public forums will be held to receive public and agency comments on the draft EIS for the All Aboard Florida project. We understand the draft EIS will be completed shortly and following its publication in the Federal Register, a 75-day public review and commenting period will take place.

This public comment period is the most effective forum to state the suggested requirements listed in your letter, but we will provide a response to each of the suggested requirements as follows.

**Crossing and Pedestrian Safety:**

The Florida Department of Transportation (Department) and the Federal Railroad Administration (FRA) are still in the process of reviewing the highway-rail grade crossings between West Palm Beach and Cocoa and no final decisions have been reached for specific crossing improvements. The Department will require AAF to comply with

FRA's emerging high speed rail guidelines for crossing safety improvements where AAF plans to operate over 80 mph.

It is our understanding Florida East Coast Industries (FECI), the developer of All Aboard Florida, will pay for infrastructure improvements associated with AAF. According to AAF's proposal, passenger trains will travel at the following top speeds in these three segments:

- Miami to West Palm Beach – 79 mph
- West Palm Beach to Cocoa – 110 mph
- Cocoa to Orlando International Airport – 125 mph

The segment between Cocoa and Orlando International Airport will be a completely grade-separated corridor, with no at-grade crossings. According to current FRA regulations, the AAF passenger rail service will not be permitted to run faster than 110 mph along the segment between Cocoa and Miami because there are at-grade crossings.

#### **Emergency Response:**

All Aboard Florida is a privately initiated and funded intercity passenger rail project that is proposed to operate on the privately-owned Florida East Coast Railway trackage between Miami and Cocoa, Florida and a new privately-constructed rail guideway between Cocoa and Orlando International Airport. As such, the Department has no right to dictate to AAF how they schedule trains on their railroad.

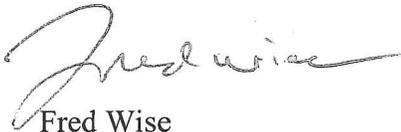
Railroads in the United States are federally regulated due to the interstate commerce nature of the industry. The FRA is responsible for enforcing rail safety regulations in the United States and they will be the agency for ensuring that AAF meets their requirements for emergency response actions.

#### **Noise and Community Impacts:**

Similar to the response to the previous requested requirement, the FRA is responsible for ensuring that AAF mitigates any significant impacts that affect the quality of the human environment, of which noise and community impacts are included. To that point, I would highlight that following publication of the draft EIS, a 75 day public comment period begins. Once the public comment period ends, FRA is required to address all of the comments received and get a sign off from other federal coordinating agencies before a final Record of Decision is issued.

The All Aboard Florida project is a private sector venture and approval authority for many of the points raised in your letter rests with Federal Railroad Administration. However, please be assured that as with all transportation projects in Florida, the Department is committed to ensuring that safety is our first priority, and we will be closely monitoring the federal review process to ensure that the concerns of Floridians are sufficiently addressed.

Thank you,

A handwritten signature in cursive script that reads "Fred Wise".

Fred Wise

Director, Florida Rail Enterprise

cc: Ananth Prasad, P.E., Secretary  
Congressman Patrick Murphy, Florida Congressional District 18  
Treasure Coast Regional Planning Council