

RESOLUTION NO. 14-091

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, ACKNOWLEDGING AND IDENTIFYING SIGNIFICANT PUBLIC HEALTH, SAFETY AND WELFARE CONCERNS RESULTING FROM THE "ALL ABOARD FLORIDA" PLAN; URGING LOCAL, STATE AND FEDERAL OFFICIALS TO ASSIST ST. LUCIE COUNTY IN MITIGATING SAID CONCERNS; OPPOSING THE AAF PLAN AS CURRENTLY PROPOSED; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, has made the following determinations:

1. Florida East Coast Industries ("FECI") is developing a privately owned, operated and maintained high-speed passenger rail service named All Aboard Florida ("AAF") that will travel between Miami and Orlando with stops in Fort Lauderdale and West Palm Beach.
2. It is 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.
3. It is 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 AAF.
4. Instead of being a passenger rail service provided by a private company using solely private resources, it appears 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, but is not required to receive approval from local or state governments.
5. St. Lucie County requests that any donor agency, including the Federal Rail Administration and any other federal agency and the State of Florida and its agencies require AAF to pay for the costs of AAF, 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 private passenger rail service on the taxpayers.
6. The AAF plan is to run 16 daily round-trip high-speed passenger trains along the existing Florida East Coast ("FEC") railroad corridor at speeds up to 110 miles per hour (mph), resulting in daily gate closings, as well as all other grade crossings along the FEC railroad corridor in addition to current gate closings for existing freight trains.
7. St. Lucie County law enforcement and fire rescue personnel and equipment, cross the FEC railroad corridor to provide service to St. Lucie County residents.
8. Additional grade crossing closures and blockages will hinder the emergency service providers from being able to make timely responses to emergency calls or transport medical patients located on either side of the FEC railroad corridor, comprising the health, safety and welfare of the citizens of St. Lucie County.
9. The significant risks posed to public safety response times and land mobility, and the overall quality of life for those who live in and visit St. Lucie County is a genuine threat to the public health, safety and welfare, balanced by no mitigating benefit, such as service.

10. St. Lucie County desires to bring these issues to the attention of neighboring local governments, as well as state and federal officials, and urges all such officials to take steps to help mitigate these risks.
11. The St. Lucie County Board of County Commissioners support the FRA report for the AAF project dated March 20, 2014 by Frank Frey, General Engineer, which expresses many of the safety concerns shared by our residents and elected officials.
12. These issues should be given full consideration in preparation for the forthcoming Environmental Impact Statement and specifically consider the National Environmental Policy Act of 1969 (NEPA) requirements, as well as Executive Order 12898 {DOT Order 561.02(a)}, Environmental Justice (EJ).

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Lucie County, Florida:

1. This Board urges any donating agency, including the Federal Rail Administration and any other federal agency and the State of Florida and its agencies, to require AAF to pay for the costs of AAF 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. Any such support would put the risk of the passenger rail service on the taxpayers.
- 2: St. Lucie County hereby calls on all of its neighboring local officials, as well as officials of the State of Florida and federal officials to take all steps possible in order to mitigate the threat to the overall safety and well-being of all who live, work and visit St. Lucie County and its neighboring communities, by prevailing upon FECI/AAF to:
 - Divert or decrease the number of freight trains along the FEC railroad corridor;
 - Limit the volume of all railroad traffic (both freight and passenger) per hour during peak times;
 - Reschedule freight trains to run at night;
 - Install "sealed corridor" grade crossing safety equipment;
 - Install infrastructure and equipment necessary for quiet zones;
 - Restore grade crossings to include repaving and restriping the roadway; and
 - Provide access to real time train monitoring by St. Lucie County Fire District dispatchers.
 - Require inspections of all high speed rail crossings.
 - Provide written agreement that the County's current leases with FEC for such uses as parking, sidewalks and landscaping will not be negatively impacted nor will lease payments be increased due to the enhanced crossings or other All Aboard requirements.
 - Reimburse St. Lucie County for all costs incurred relocating its utility lines due to construction of the All Aboard Florida project.
 - Allow rails with trails facilities in key locations to implement the East Coast Greenway connection through St. Lucie County.
 - Provide St. Lucie County environmental and economic impact studies which describe the positive and negative effects of All Aboard rail traffic on St. Lucie

- County's water quality, air quality, commerce, property values, all sources of tax revenues, real estate sales, economic development and tourism.
- Provide all railway crossings located within St. Lucie County with Pedestrian Crossings and other necessary safety measures in accordance with applicable Federal, State, or Industry requirements.
3. For the reasons stated above, this Board opposes the AAF plan as currently proposed.
 4. The County Administrator is hereby directed to provide copies of this resolution to the Cities of Fort Pierce and Port St. Lucie, and to the Town of St. Lucie Village, St. Lucie County Fire District, the State of Florida and the United States Department of Transportation, Federal Railroad Administration.
 5. This resolution shall become effective immediately upon its adoption.

After motion and second, the vote on this resolution was as follows:

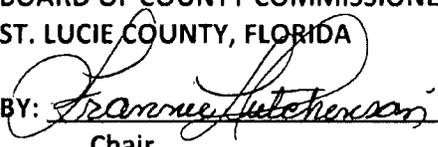
Frannie Hutchinson, Chair	AYE
Paula Lewis, Vice-Chair	AYE
Chris Dzadovsky, Commissioner	AYE
Tod Mowery, Commissioner	AYE
Kim Johnson, Commissioner	AYE

PASSED AND DULY ADOPTED this 17th day of June 2014.

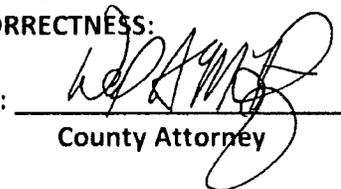
ATTEST:


Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY: 
Chair

**APPROVED AS TO FORM AND
CORRECTNESS:**

BY: 
County Attorney

