

**TOWN OF JUPITER'S CONCERNS AND QUESTIONS ABOUT AAF
PROPOSAL TO DOUBLE TRACK THE FEC CORRIDOR
JUNE 1, 2015 -- AAF/FEC WORKSHOP**

1. **FEC'S LOXAHATCHEE RIVER BRIDGE:** This bridge structure is about 90 years old and represents significant safety and environmental concerns to the Town. Pieces of the bridge have previously fallen into the river below. cursory inspections of this bridge, including its support piers, by various members of the public have resulted in mounting concerns about its overall structural integrity for continued use.
 - a) Please share with the Town and discuss the evaluation findings of structural inspections of this bridge structure as required by the FRA and/or FEC business practices over the last 10 years including:
 - ✓ predicted remaining useful life of the bridge
 - ✓ interim repair recommendations
 - b) The Town requests that FEC provide copies of the actual bridge inspection records to us.
 - c) Please share with the Town the technical engineering basis by which AAF/FEC believes that the existing bridge structure is structurally capable of supporting a second track across it and the associated increase in structural loadings.

2. **TRAIN SPEEDS & TRIP VOLUMES:** The reported increases in passenger and freight train speed levels and traffic trip volumes through Jupiter represent significant concerns to the Town.
 - a) What are the anticipated speeds of passenger and freight trains traveling through Jupiter? Please complete summary table below:

Train Speeds (MPH) thru Town of Jupiter & Village of Tequesta

Crossing Locations	Passenger (AAF) trains			Freight (FEC) trains		
	Min.	Avg.	Max.	Min.	Avg.	Max.
Donald Ross Road						
Frederick Small Road						
Toney Pena Drive						
Indiantown Road						
Center Street						
Loxahatchee River Bridge						
Riverside Drive						
Tequesta Drive						
County Line Road						

- b) What are the existing vs. anticipated future daily and weekly trip volumes of passenger and freight trains traveling through Jupiter? Please complete summary table below:

Train Trip Volumes (Daily & Weekly) thru Town of Jupiter

Time Period	Passenger (AAF) trains			Freight (FEC) trains		
	Daily	Weekly (Avg.)	Weekly (Max.)	Daily	Weekly (Avg.)	Weekly (Max.)
<u>Existing Baseline</u> (2014/2015)	N/A	N/A	N/A			
2016/2017						
2018/2019						
2020 - 2025						

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- c) Are the number of rail cars per freight train expected to be increased in the future, and if so, by how much?
- d) FEC/AAF's parent company reportedly has a significant investment in Post Panamax ocean vessels with which it has been readying to transport significantly increased amounts of freight to/from international destinations, through the Port of Miami and along the FEC rail corridor. Please confirm whether this is factually correct.
 - e) Many coastal communities, including Jupiter, have advocated that some, if not all, freight trains should be shifted to a western rail corridor in order to maintain quality of life and promote better public safety. What, if any, attempts have been or are still being made to relocate freight from the FEC rail corridor to the CSX rail corridor, to other existing rail corridors that bypass coastal communities and river crossings, or alternatively to ocean barges?

3. **PUBLIC SAFETY DESIGN ENHANCEMENTS/FEATURES ALONG FEC/AAF RAIL CORRIDOR:** The scope of work definition for AAF's proposed double tracking project has remained vague about AAF/FEC funded public safety design upgrade features to address recommended "sealed corridor" improvements needed to mitigate the increased public safety risk exposures.

A recent field review of the AAF/FEC plans with Town staff did not reveal a significant level of safety improvements. Based upon AAF discussions in the past, the Town anticipated an investment in strategically located walls, fences and/or dense landscaping between crossings.

- a) Please clarify the AAF/FEC scope of work commitments for "sealed corridor" improvements between crossings.
- b) Please clarify the AAF/FEC scope of work commitments for "sealed corridor" improvements at each of the eight (8) vehicular/bicyclist/pedestrian crossings in the Town and adjacent Village of Tequesta. This includes Donald Ross Road, Frederick Small Road, Toney Pena Drive, Indiantown Road, Center Street, Riverside Drive, Tequesta Drive and County Line Road. Will quad gates be included? Will the AAF/FEC planned safety improvements at these crossings now meet Quiet Zone standards?
- c) Please clarify if AAF/FEC has any expectations for local funding contributions for these "sealed corridor" improvements, and if so, how much?

4. **TRAIN BLOCKAGES AT CROSSINGS AND LOXAHATCHEE RIVER BRIDGE:** There have been various historical events wherein train blockages at crossings occurred for extended periods of time causing significant vehicular and marine traffic delays. Jupiter has a community hospital located near one such crossing. Delayed times in getting to the hospital's emergency room can, at times, be a life or death situation. Jupiter also has a significant amount of boating traffic which has experienced chronic and unnecessary delays due to FEC's operational practices for opening and closing of the Loxahatchee River Bridge. Public perception has been that FEC's longstanding operational practices have been seemingly insensitive to its adverse impacts to the general public.

- a) Please provide some enforceable basis by which the Town could reasonably expect that AAF/FEC's future operational practices will be more sensitive to the adverse impacts that its rail traffic causes to the general public within the Town.

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- b) Please describe the technology and maintenance improvements that will be deployed to reduce the adverse public impacts from breakdowns of AAF/FEC trains and equipment.
5. **LICENSE AND UTILITY AGREEMENTS BETWEEN FEC AND TOWN OF JUPITER:** The Town has license agreements with FEC for crossings at Toney Pena Drive and Riverside Drive. About a year ago, FEC requested that the Town consider an amendment to the license agreement to add a 3rd party (AAF) to the agreement. FEC had proposed that AAF share in none of the cost burdens that the Town currently has with these two party crossing agreements.
- a) Please advise why FEC has not requested AAF to assume a proportionate share of the Town's cost burdens with these crossing agreements, in order for it to become a 3rd party to the agreements. This would seem appropriate considering AAF's proposed double tracking project.
- b) Jupiter requested a response in the DEIS regarding underlying ownership of property along the FEC corridor. An engineering analysis of interstate commerce commission records and valuation order #7 indicated that some of the utility crossings in Jupiter are publicly owned. FEC should provide the Town with information regarding this ownership question, such as land ownership records or tax receipts.
6. **MISCELLANEOUS ITEMS:**
- a) The materials being transported by freight train through populated areas are of significant concern to public officials and first responders. Will FEC consider adopting new policies to share freight manifestos with first responders or, at least, develop a more pro-active method of communicating the type and quantity of materials being transported to enable appropriate response preparations for public safety?
- b) What entity will be responsible for potential catastrophes and/or loss of life and clean-up of any contamination if there is a spill?
- c) What level of insurance is carried by FEC in the event of a spill or derailment?
- d) What model tankards are being used on the FEC corridor?
- e) Why don't the tankards have half-height shields on the ends of the tanks?
- f) Does AAF and Orange County have an agreement that no stops can be added north of West Palm Beach in order to mitigate potential loss of toll revenue?