

Appendix 3.2.3

Central Florida Expressway Authority DEIS Comment Letter, December 3, 2014

December 3, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

**RE: All Aboard Florida Passenger Rail Project Draft Environmental Impact Statement
and Section 4(f) Evaluation**

Dear Mr. Winkle:

The Central Florida Expressway Authority (Authority), formerly known as the Orlando-Orange County Expressway Authority or OOCEA, has reviewed the referenced document and has the following comments.

1. Although the Authority has been working with All Aboard Florida (AAF) representatives for several years and preliminary agreements have been executed, all agreements necessary for the passenger rail to be constructed within the Authority's right of way are not finalized as is referenced in several sections of the DEIS. However, the Authority is willing to continue the ongoing coordination to ensure the appropriate agreements are executed if an acceptable alignment option is identified.
2. In section 3.2.3 *Level 3 Screening – East West Corridor Alignment Options*, the DEIS presents several alignment options that have varying impacts to the Authority's SR 528 right of way (see Figures 3.2-4 and 3.2-5).
 - a. Option 3A, which would locate the proposed passenger rail tracks within the Authority's existing 300 foot right of way, is not acceptable. This option could potentially impact the future operations and expansion of SR 528. The Authority would not grant permission for this option.
 - b. Option 3C, which proposes the passenger rail tracks "straddle" the SR 528 south right of way line, is not preferable to the Authority. The DEIS states "According to AAF, Option 3C would not preclude the future expansion of SR 528." While this statement may generally be factual, locating the tracks within the existing SR 528 right of way will limit the Authority's future opportunities for maintaining and expanding its system and possibly result in increased costs. At this time, given the preliminary level of details, the Authority would not prefer this option.
 - c. The Authority has no preference or objection to Option 3D, which proposes locating the passenger rail tracks in a new corridor located approximately 400 feet south of the existing SR 528 right of way.

- d. Option 3E, which proposes to locate the new passenger rail tracks on average between 100 and 200 feet south of the southern edge of the existing SR 528 right of way, is acceptable to the Authority. The Authority is willing to continue the ongoing coordination with the adjacent property owners to obtain the right of way necessary to implement this option. Additionally, the Authority is willing to continue the ongoing coordination with AAF to refine this option and ensure a design acceptable to both parties is developed.
3. In general, the Authority is supportive of the AAF passenger rail project as long as its implementation does not hinder the Authority's ability to serve the transportation needs of the region in accordance with Florida State statutes and satisfy the requirements of outstanding bond covenants.

The Authority appreciates the opportunity to review the DEIS and looks forward to further coordination with AAF and the Federal Railroad Administration as appropriate.

Sincerely,

A handwritten signature in cursive script that reads "Joseph A. Berenis". The signature is written in black ink and is positioned above the printed name and title.

Joseph A. Berenis, P.E.
Deputy Executive Director

cc: Chairman Cadwell
G. Pressimone
N. Silva, Atkins