SECTION 6
COMMENTS AND COORDINATION

This section documents the Public Involvement Program, including the techniques and methodologies used during the Florida High Speed Rail (FHSR) project, and summarizes comments received regarding the project.

6.1 COORDINATION WITH AGENCIES

6.1.1 Notice of Intent

The Notice of Intent was published in the Federal Register on March 27, 2002. (See Notice of Intent in Appendix B.)

6.1.2 Advance Notification

An Advance Notification (AN) package was distributed to federal, state, and local agencies on April 3, 2002. These agencies were identified as having permitting, environmental, or other interests in the FHSR project. Additionally, the AN package was provided to the appropriate United States and Florida State senators and representatives. The AN package included a fact sheet that defined the need for and description of the project, a summary of existing environmental information, a listing of potentially occurring species, and a mailing list (Appendix B). A summary of the written comments that were received from the agencies are listed below and included in Appendix B.

- Federal Aviation Administration (FAA): Review the reporting requirements contained in the Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace, as to whether a FAA Form 7460-1 may need to be submitted depending on the proximity of the project relative to any public use airports. The FAA would primarily be concerned with structure elevations and associated high-mast lighting in the vicinity of an airport.
- Department of Environmental Protection (DEP): The FHSR project should avoid direct impacts where possible and minimize impacts to: the Green Swamp Megasite, the Lake Wales Ridge Ecosystem, and any of the natural resource conservation lands owned by Southwest Florida Water Management District (SWFWMD).
- Florida Department of Environmental Protection (FDEP): Regarding construction staging areas, stormwater treatment areas, depot stations, parking lots, and commercial centers, the FHSR project team should contact the districts' offices and the Water Management Districts (WMD), early in the project regarding conservation lands, site plan design, stormwater treatment, and permitting requirements.
- Florida Fish and Wildlife Conservation Commission (FFWCC): The Preferred Alternative should avoid or minimize impacts to the Green Swamp, Reedy Creek, and the Hillsborough River. A Mitigation Plan will need to be prepared for unavoidable impacts.

- Florida Department of Transportation (FDOT): The FDOT notes several areas of concern: (1) the Interstate 4 (I-4) reconstruction in Polk County; (2) a multi-modal envelope with the I-4 median; and (3) safety issues relating to the Gulfstream natural gas pipeline. The FHSR project should coordinate closely with the FDOT, District One, regarding state highway system impacts and permitting requirements.
- Department of State, Division of Historical Resources: Supply survey results with significant archaeological and historic sites for review and to consult on avoidance and mitigation efforts.
- Florida Division of Forestry (DOF): Sections of the CSX rail lines located within Polk County are vulnerable to wildfires. The DOF will need access to cross tracks to fight fires. The DOF also recommends the implementation of track maintenance standards to minimize fire risks.
- U.S. Department of Commerce, National Oceanic and Atmospheric Administration: No comment at this time.
- Department of Health and Human Services, Centers for Disease Control: No specific comment at this time. However, Mitigation Plans should address the following topics wherever warranted: Air Quality, Water Quality/Quantity, Wetlands and Flood Plains, Hazardous Materials/Wastes, Non-Hazardous Solid Waste/Other Materials, Noise, Occupational Health and Safety, Land Use and Housing, and Environmental Justice.
- City of Orlando: The City of Orlando suggested the following steps to be more consistent with the Florida Transportation Plan, the Amtrak Network Growth Strategy, and the Florida Intercity Passenger Rail Service Vision Plan:
  - Re-evaluate the recommended study strategies with increased sensitivity to existing land use and development intensities.
  - Evaluate a direct connection to the downtown Orlando Amtrak Station via CSX.
  - Address Amtrak's Network Growth Strategy for Florida and the goals of the Florida Transportation Plan.
  - Include as a study element the impact on vehicle miles of travel (VMT), since the selection of a corridor away from the highest density population and employment centers of Central Florida may result in increased vehicle miles of travel for automobile or bus access to proposed rail terminals.
  - Hold public meetings in the urban core of the city, as well as the southwestern locations where meetings in May 2002 were conducted.
  - Provide Cultural Resources Assessment Summary for the City of Orlando to review.
  - Contact the City of Orlando Transportation Planning Bureau staff prior to neighborhood contacts so that we may be informed and involved in the communication of any environmental impacts, including noise.

6.1.3 Agency Coordination Meetings

First Agency Scoping Meeting

Thirty-two agency representatives attended an agency scoping meeting held April 30, 2002, in Orlando, Florida. This meeting was the first in a series of agency coordination meetings. The scoping meeting provided a setting for the agencies to identify potential issues and concerns early in the study process. The FHSR project folder, provided with the letter of invitation, included an Executive Summary, Study Area Location Map, Florida High Speed Rail Authority (FHSRA) Members List, Technology Overview, Meeting Schedule, and the proposed FHSR project schedule. Representatives from the following agencies were present at this meeting:

- Federal Highway Administration (FHWA)
- FDEP
- SWFWMD
- FDOT
- U.S. Coast Guard
- St. Johns River Water Management District (SJRWMD)
- FFWCC
- Federal Railroad Administration (FRA)
- Environmental Protection Commission
- Universal Studios
- Walt Disney World
- U.S. Army Corps of Engineers (USACE)
- Department of State – Division of Historical Resources
- U.S. Environmental Protection Agency (EPA)

After a brief overview of the FHSR project, team members reviewed the inclusion of the Request for Proposal (RFP) process within the Environmental Impact Statement (EIS) development phase and also reviewed the opportunities for agency coordination within the FHSR schedule. Project team members then presented the project's history.

A 30-minute break for review of corridor aerial maps provided attendees with an opportunity for one-on-one questions and comments with project team members. Two series of aerial corridor alternatives maps at a scale of 1:600' were on display. The first map series displayed potential social and physical impacts, while the second map series displayed potential natural impacts located within ¼ miles (mi.) of the centerline of each alternative. Social and physical impacts included community facilities, churches, schools, cemeteries, contamination sites, parks, and historic sites and districts. Natural impacts included wetlands, floodways, wildlife crossings, and threatened and endangered species habitat areas. Aerials exhibiting alternatives and engineering features were displayed at 1:1,000' supported by technology and typical section boards.

After review of the maps, the project team discussed the following high speed rail issues: current corridor analysis, technologies, engineering alignments, costs, environmental analysis,

permitting issues, the Investment Grade Ridership Study[1], scheduled public involvement meetings, and the schedule of upcoming agency coordination meetings. The meeting was then opened for questions and answers.

The agency scoping meeting provided the forum to establish a problem-solving and efficient project development process for the FHSR project. Attendees had an opportunity to speak with FHWA, FRA, and FDOT officials and project team members about their corridor concerns and their preferred analytical methods for issue evaluation.

Second Agency Coordination Meeting

Twenty-one agency representatives attended an agency coordination meeting held July 30, 2003, in Orlando, Florida. The meeting provided a FHSR project update on the Florida High Speed Rail Corridor Screening Report[2] to all interested agencies. Each agency representative received the following: PowerPoint presentation copy, Alternative Corridors Map, Implementation Schedule, and a Corridor Impact Evaluation Matrix. Representatives from the following agencies were present at this meeting:

- FHWA
- FDEP
- SWFWMP
- FDOT
- SJRWMD
- FRA
- USACE
- Department of State – Division of Historical Resources
- U.S. Fish and Wildlife Service
- FFWCC

After introductions and a project overview, the project team provided a PowerPoint presentation to summarize findings to date of the study, followed by an overview of the engineering analysis and an update on the RFP effort.

Attendee issues were primarily focused on the potential environmental impacts caused by the differing proposed technologies. Project team members noted that any additional areas required outside of the existing right-of-way (ROW), such as for station locations or stormwater pond areas, would be cleared environmentally.

Non-Governmental Organizations

Seven non-governmental organization representatives attended the coordination meeting held December 12, 2002, in Orlando, Florida. The meeting provided a FHSR project update to all interested organizations. Each attendee received the following: PowerPoint presentation copy, Public Information Workshop Schedule, Rail Technology Overview, Executive Summary of FHSR, Alignments for Further Study with Potential Station Locations Map, Implementation

Schedule, and a Corridor Impact Evaluation Matrix. Representatives from the following agencies were present at this meeting:

- Florida Trail Association
- The Nature Conservancy
- Sierra Club
- Audubon of Florida

The project team opened the meeting with an introduction of team members and provided a brief project history and status. The project team then discussed the EIS process, FRA and FHWA involvement, the streamlined process to meet the mandated November 2003 date, and the significance of Design, Build, Operate, Maintain, and Finance (DBOM&F) proposals within the constrained schedule.

The project team provided a summary of the previous studies as background for the current study corridor alignments. A PowerPoint presentation provided attendees with an overall project update, a listing of dates and locations for the upcoming Public Workshops, and key project future dates, including the DBOM&F proposals in February, critical Legislative action in March, a Public Hearing in August, and the vendor selection in November. The meeting was then opened for comments. Each organization representative was given an opportunity to identify potential issues and concerns. Attendee issues included the following:

- The amount and type of potential environmental impacts
- Requested that the project use a federal Wetland Rapid Assessment Procedure (WRAP)
- Requested that the project use a consolidated mitigation process
- Requested that the project reestablish the wildlife corridors along I-4.
- Project team members heard from attendees that they expect the EIS to analyze emission rates and heat impacts on the environment.
- Concern was expressed regarding species within proximity of the rail.

Cultural Resource Committee (CRC)

A Cultural Resource Committee (CRC) was established early in the project to assist in the evaluation of significant resources, potential effects, and methods for mitigation. The CRC consists of representatives from federal, state, and local agencies and citizen groups. These include FRA, FHWA, State Historic Preservation Officer, USACE, City of Tampa, and other local interest parties. Three meetings were held in Tampa on December 6, 2002; February 14, 2003; and December 12, 2003. At the December 2002 meeting, the members were provided background information on the FHSR project and the Section 106 process. Preliminary alignments, as well as those carried forward for further study, were presented. Other topics include the proposed Cultural Resource Assessment Survey (CRAS) methodology and the Area of Potential Effect (APE). The February 2003 meeting included the Corridor Level Analysis Report results and a bus tour of the *NRHP*-listed and *NRHP*-eligible resources, located in downtown Tampa and Ybor City. The committee concurred with the information presented

during these two meetings. In September 2003, the Draft EIS was mailed to all of the members of the CRC. At the third and last meeting, in December 2003, the results of the Section 106 consultation were presented and comments were requested. The CRC made the following formal statement at the meeting: "The CRC commended the study team and the FHSRA on designing a project and technology that results in no adverse impacts to historic resources."

The Tribal Historic Preservation Officers (THPOs) were sent letters in January 2003 inviting them to join the CRC and/or submit comments on the project. They were also included in the mailing list for review of the Draft EIS. No comments have been received from any of the THPOs.

A Section 106 consultation meeting was held on December 10, 2003, with the SHPO. Based on the project information available and consultation with the SHPO, it was agreed at that meeting that the FHSR Proposed Action would have no effect on seven historic resources and a conditional no adverse effect on five historic resources. The specific conditions agreed to by the FHSRA, FRA, and the SHPO are listed below and are included as commitments in the Final EIS. These commitments will also be incorporated into future DBOM&F contracts in a manner that will be binding to the vendor.

1. Provide the HSR design plans (for the Tampa CBD and Ybor City areas)to the SHPO for review and comment at 30%, 60% and 90% submittal.

2. Coordinate the design of the Tampa Station with the SHPO to ensure that historic integrity is maintained at the nearby North Franklin Street Historic District and the St. Paul AME Church Parsonage.

3. Implement vibration monitoring during construction adjacent to the Oaklawn Cemetery, German American Club and within the Ybor City National Historic Landmark District to determine if damage is likely to occur according to damage criteria described in FRA's guidance manual, *High Speed Ground Transportation Noise and Vibration Impact Assessment*, Chapter 10. If vibration levels approaching the damage criteria are found to occur during construction, immediate coordination with the SHPO will be conducted to determine the use of less destructive methods and/or minimization methods for continuing the construction.

4. The stipulations of the Tampa Interstate Study (TIS) Memorandum of Agreement (MOA) will be fulfilled for any impacts to contributing historic structures within the Ybor City National Historic Landmark District and the TIS Ultimate right-of-way.

5. Aesthetic treatment for the HSR will be compatible with the existing Urban Design Guidelines set up for the TIS within the Tampa CBD and Ybor City areas. At minimum, the color of the concrete should be compatible with the TIS

concrete color. The SHPO, City of Tampa, and local community groups, will be included in the development of the HSR aesthetics.

6.2 COMMUNITY OUTREACH

6.2.1 Metropolitan Planning Organizations and Committees

Throughout the project study, key project team members met with transportation and planning officials within the four counties along the FHSR corridors. The first series of presentations to the Tampa-Hillsborough Metropolitan Planning Organization (MPO), Polk County Transportation Planning Organization (TPO), and the METROPLAN Orlando Board and their respective technical and citizen advisory committees occurred during the corridor evaluation stage of the project from November 2001 through May 2002. The purpose of the meetings was to provide information regarding the FHSR project and to explain the study process and schedule. The FHSR project folder distributed at the meeting included an Executive Summary, Location Map, FHSRA Member List, Technology Overview, and the Project Schedule.

The second series of presentations to these same agencies and their respective technical and citizens advisory committees began in May 2002 and continued through November 2003. The purpose of this series of meetings is to provide project updates including FHSR corridor analysis results, alternative analysis, proposal information, upcoming activities, and gather comments. A list of meetings that have been held is provided in Table 6-1. There were no significant issues raised by the MPO boards and their committees. The following provides a summary of the most recent meeting discussion:

- **Hillsborough County:** Issues ranged from station location decisions to questions about events in Tallahassee regarding funding and the legislature.
- **Polk County:** Issues ranged from locating a station at U.S. 27 and I-4 to discussion about whether the legislature would kill high speed rail or send it back to the voters.
- **Osceola/Orange County**: A key concern was who would make the vendor recommendation and when will the vendor be selected. The project team explained the decision process and schedule.

Table 6-1
Metropolitan Planning Organization Meetings

Date	Organization
February 25, 2002	Hillsborough County–Technical Advisory Committee
March 5, 2002	Hillsborough County–MPO
April 10, 2002	Hillsborough County–Citizens Advisory Committee
May 28, 2002	Hillsborough & Pinellas County–Citizens Advisory Committee
July 15, 2002	Hillsborough County–Technical Advisory Committee
August 6, 2002	Hillsborough County–MPO
August 14, 2002	Hillsborough County–Citizens Advisory Committee
March 19, 2003	Hillsborough County–Citizens Advisory Committee

Table 6-1 (cont.)
Metropolitan Planning Organization Meetings

Date	Organization
March 24, 2003	Hillsborough County–Technical Advisory Committee
April 15, 2003	Hillsborough County–MPO
February 28, 2002	Polk County–Technical Advisory Committee
April 11, 2002	Polk County–Transportation Planning Organization
April 23, 2002	Polk County–Citizens Advisory Committee
July 23, 2002	Polk County–Citizens Advisory Committee
July 25, 2002	Polk County–Technical Advisory Committee
August 8, 2002	Polk County–Transportation Planning Organization
March 25, 2003	Polk County–Citizens Advisory Committee
March 27, 2003	Polk County–Technical Advisory Committee
May 8, 2003	Polk County–Transportation Planning Organization
March 7, 2002	Orange, Osceola & Seminole Counties–Municipal Advisory Committee
March 22, 2002	Orange, Osceola & Seminole Counties–Transportation Technical Committee
March 27, 2002	Orange, Osceola & Seminole Counties–Citizens Advisory Committee
March 27, 2002	Orange, Osceola & Seminole Counties–Bicycle & Pedestrian Advisory Committee
April 10, 2002	METROPLAN Orlando Board Meeting
April 24, 2002	Orange, Osceola & Seminole Counties–Citizens Advisory Committee
July 24, 2002	Orange, Osceola & Seminole Counties–Citizens Advisory Committee
July 24, 2002	Orange, Osceola & Seminole Counties–Bicycle & Pedestrian Advisory Committee
July 26, 2002	Orange, Osceola & Seminole Counties–Transportation Technical Committee
August 1, 2002	Orange, Osceola & Seminole Counties–Municipal Advisory Committee
August 14, 2002	METROPLAN Orlando Board Meeting
March 26, 2003	Orange, Osceola & Seminole Counties–Citizens Advisory Committee
March 26, 2003	Orange, Osceola & Seminole Counties–Bicycle & Pedestrian Advisory Committee
March 28, 2003	Orange, Osceola & Seminole Counties–Transportation Technical Committee
April 3, 2003	Orange, Osceola & Seminole Counties–Municipal Advisory Committee
April 9, 2003	METROPLAN Orlando Board Meeting
September 6, 2002	Central Florida MPO Chairs Coordinating Committee

6.2.2 Elected Officials and Small Group Meetings

Project team members received numerous requests to present to key organizations and committees throughout the FHSR project study area. These meetings were considered an important part of the public awareness program. The goal of the first series of local briefings,

from November 2001 through May 2002, was to provide information regarding the FHSR project, including the study process and schedule. Special meetings were held with city and county staff located adjacent to the proposed corridors. The purpose of these meetings was to discuss potential station locations and to coordinate with local transit plans.

The second series of local presentations began in May 2002 and continued through November 2003. The purpose of this series of meetings is to provide project updates including public comments to date, corridor analysis results, alternatives analysis, proposal information, upcoming activities, and gather additional input. A list of meetings that have been held or are planned is provided in Table 6-2. The general nature of comments by county were:

Hillsborough County: The major question asked by the Board of County Commissioners was why Tampa International Airport wasn't a station location? Tampa International Airport is outside the project area.

Polk County: Concern was expressed about locating a station at the west entry to the Polk Parkway for the following reasons: not centrally located, not tied into the transit or local circulation patterns, and located outside of the urban service area. The station is retained in the EIS evaluation because both proposers selected that specific station location.

- **Osceola/Orange County:** No key concerns were raised in meetings.

Table 6-2
Local Briefings

Date	Organization
March 11, 2002	City of Tampa & Hillsborough County Staff
March 21, 2002	City of Lakeland Staff
March 21, 2002	FDOT-District 1
March 28, 2002	FDOT-District 7
April 16, 2002	Orange County Coordination Meeting
April 18, 2002	Expressway Authority Meeting – Staff
April 18, 2002	Hartline Meeting – Staff
April 24, 2002	City of Tampa Parks Department Staff
April 26, 2002	Tampa Rail Community Resource Committee
April 29, 2002	City of Orlando Staff
May 2, 2002	City of Tampa & Hillsborough County Staff
May 28, 2002	Plant City–Historic Resources Board
May 28, 2002	Plant City–City Commission
July 30, 2002	FDOT-District 5
September 16, 2002	FDOT-District 7
September 25, 2002	Tampa Downtown Partnership
October 17, 2002	Regional Air Quality Committee
October 29, 2002	Pinellas County Staff

Table 6-2 (cont.)
Local Briefings

Date	Organization
November 5, 2002	Barrio Latino Commission
December 4, 2002	Hillsborough County Board of County Commissioners
January 8, 2003	Hillsborough County Board of County Commissioners
February 20, 2003	City of Tampa City Council
February 20, 2003	International Electrical and Electronic Engineers – Suncoast Section
February 25, 2003	Plant City Lion's Club
March 5, 2003	Hillsborough County–MPO/ Planning Commission Staff
March 5, 2003	Suncoast Chapter, National Railway Historical Society
March 10, 2003	Hillsborough County Planning Commission
March 19, 2003	Central Florida Development Commission
March 21, 2003	Tampa Chamber/Downtown Partnership
March 31, 2003	Tampa Electric Engineering Staff
April 16, 2003	Leadership Brandon 2003
May 12, 2003	Plant City Commission

The Barrio Latino Historic District is a local district, encompassing most of Ybor City, which was established by the City of Tampa. As created by Article VIII (Ybor City Historic District) of the City of Tampa Zoning Code, the Barrio Latino Commission (BLC) has the responsibility of preserving the historic fabric of the District and maintaining its architectural integrity. To uphold this responsibility, projects within the Barrio Latino Local Historic District are required to be reviewed by the BLC for a Certificate of Appropriateness. As a courtesy, the FHSR project was presented to the BLC in its early conceptual stages at a meeting on November 5, 2002. The members of the BLC were also invited to participate on the CRC and received mailings about the CRC meetings, meeting minutes, and handouts. The FHSRA made a commitment to continue coordination with the BLC during the design phase.

6.3 PUBLIC INFORMATION WORKSHOPS

Two series of Public Information Workshops were held in each of the four counties located within the proposed FHSR corridors.

6.3.1 Public Notification

A letter of invitation to attend any of the scheduled Public Information Workshops was mailed to agencies, state and local officials, and property owners adjacent to the corridor. This notification process was used for the May 2002 and January 2003 series of Public Information Workshops. Additional concerned individuals or groups identified during the study were added to the mailing list database throughout the course of the study.

To ensure notification to all of the interested public, a ¼-page legal newspaper advertisement was placed in the Tampa Tribune, Lakeland Ledger, the Orlando Sentinel – Orange and Seminole Editions, and Orlando Sentinel - Osceola Edition. Each advertisement ran approximately one week in advance of its respective May 2002 and January 2003 Public Information Workshop, announcing the specific public meeting date, location, and time. The announcement also provided a brief FHSR project explanation. News releases were distributed to the print media one week in advance of public meetings.

6.3.2 First Series of Public Information Workshops

The first series of Public Information Workshops were held in May 2002 in each of the four counties located within the FHSR corridors. A list of meetings is provided in Table 6-3. The purpose of this first series of public meetings was to provide the attendees with an opportunity to review the proposed conceptual corridors, engineering design concepts, and high speed rail technologies that were being considered. The meetings also provided an opportunity to obtain comments on these conceptual corridors and technology alternatives early in the study process.

Table 6-3
High Speed Rail
Public Information Workshops

County	Date	Location	Attendees
Hillsborough	May 2, 2002	Blake High School Tampa, Florida	100
Polk	May 6, 2002	The Lakeland Center Lakeland, Florida	86
Osceola	May 7, 2002	Celebration School Celebration, Florida	19
Orange	May 9, 2002	Sheraton World Resort Center Orlando, Florida	46

Each Public Information Workshop, held from 5:00 PM – 8:00 PM, was organized in an informational open-house format. Attendees had an opportunity for one-on-one questions and comments with the multi-disciplinary project team. Two series of aerial corridor alignment maps at a scale of 1:600' were displayed to assist the public in understanding the characteristics and impacts of the proposed FHSR project. The first map series displayed potential social and physical impacts located within ¼ mi. of the centerline of each alignment. The second map series displayed potential natural impacts located within ¼ mi. of the centerline of each alignment. Social and physical impacts included community facilities, churches, schools, cemeteries, contamination sites, public recreation facilities, and historic sites and districts. Natural impacts included wetlands, floodways, wildlife crossings, and threatened and endangered species habitat areas. Aerials with the engineering alternatives were displayed at 1:1,000' scale supported by technology and typical section boards.

FHSR project materials available at the sign-in desk included: Executive Summary, FHSRA Member List, Technology Overview, Project Schedule, and Segment Impact Evaluation Matrix.

Following the Public Information Workshop, the project team recorded and classified all comments received at the workshop. The majority of comments received at the workshops focused on corridor preference and the desirability of high speed rail service. Most comments expressed a preference for high speed rail service and constructing it in the I-4 corridor. A summary of the additional comments is as follows.

- **Hillsborough County Public Workshop:** The public expressed concerns regarding noise, providing connecting transit systems, impacts to the environment, and ticket costs.

- **Polk County Public Workshop:** The public expressed concerns regarding station locations, ridership study validity, impacts to the small towns along CSX, and providing wildlife crossings on I-4 and at Reedy Creek

- **Osceola County Public Workshop:** The public expressed concern regarding provision of connecting transit systems to increase usage and public acceptance of FHSR.

- **Orange County Public Workshop:** The public expressed concerns regarding providing a commuter rail, limiting stops, using the route with the highest sustained speed, and going directly to the Orange County Convention Center (OCCC).

After each workshop, the public had ten days to respond with comments. By May 20, 2002, 882 total comments were received. Of these, 882 total additional comments, 838 were generated by the Hunter's Creek homeowner association located in Orange County. These comments uniformly expressed a preference for the Bee Line Expressway (S.R. 528) rather than the Central Florida Greeneway (S.R. 417) route to the Orlando International Airport. This preference is due to the fact that Central Florida Greeneway (S.R. 417) is a perimeter of Hunter's Creek.

Many of the remaining 44 comments included several preferences. Of the six that specifically stated a route preference, two preferred I-4, one preferred CSX, three preferred the Bee Line Expressway (S.R. 528), and none preferred the Central Florida Greeneway (S.R. 417). Of the comments expressing station location preference, 17 preferred the OCCC, 19 preferred the Intermodal Center, and 4 preferred International Drive. Of these station location preferences, ten were expressed by International Drive area businesses.

Comments received from the workshops were documented through a Public Involvement Comments Summary prepared under separate cover. Written responses were prepared for 48 public requests for more information.

6.3.3 Second Series of Public Information Workshops

The second series of Public Information Workshops were held in January 2003 in each of the four counties located along the I-4 and CSX rail line corridors. A list of meetings is provided in Table 6-4. The purpose of this second series of public meetings was to provide the attendees with an opportunity to review the corridors with the retained alignments, the alignments that had been eliminated, the high speed rail technologies being considered, the construction schedules, and to gather public comments.

Table 6-4
High Speed Rail
Public Information Workshops

County	Date	Location	Attendees
Hillsborough	January 7, 2003	Armwood High School Seffner, Florida	116
Polk	January 9, 2003	The Lakeland Center Lakeland, Florida	106
Orange	January 14, 2003	Sheraton World Resort Center Orlando, Florida	71
Osceola	January 16, 2003	Celebration School Celebration, Florida	45

Each Public Information Workshop, held from 5:00 PM - 8:00 PM, was organized in an informational open-house format. Attendees had an opportunity for one-on-one questions and comments with the multi-disciplinary project team. A single aerial corridor alignment map at a scale of 1:600' was displayed to assist the public in understanding the characteristics and impacts of the proposed FHSR project. The aerial map displayed the potential social, physical, and natural environmental impacts located within ¼ mi. of the centerline of each retained alignment. Aerials with the engineering alternatives for the retained alignments were displayed at 1:1,000' scale supported by technology and typical section boards.

FHSR materials available at the sign-in desk included: Executive Summary, FHSRA Member List, Technology Overview, Project Schedule, Alignments for Further Study with Potential Stations Map, Project Schedule, and Rolling Update I Newsletter.

6.3.4 Second Series of Public Information Workshops Results

Following each Public Information Workshop, the project team recorded and classified all comments that were received. The four workshops attracted 338 attendees, and generated a total of 87 written comments. Verbal comments and questions typically focused on alignment and station locations, as well as technology explanations. Written comments were focused in the following key categories:

- FHSR Desirability
- Station Location

- Technology
- Corridor/Alignment Preference

Of the 59 that addressed the desirability of high speed rail, 51 were in favor and eight were against. A summary of each of the workshops and the comments received follows.

Hillsborough County Public Workshop

Nineteen total comments were received. Many attendees supported the FHSR, with two preferring I-4 and four preferring a corridor somewhere other than I-4, preferably the CSX alignment. Written comments addressed the following key issues:

- **FHSR Desirability Comments** that included: noise level concerns and recommending more meetings to educate the public and excite interest.
- **Station Location Comments** that included: locating a station at U.S. 27 and I-4; planning for a Westshore station; utilizing Union Station as a station; locating stations at Tampa International Airport, Port of Tampa, and Orlando International Airport for tourism purposes; and providing every city with a stop.
- **Technology Comments** that included: trains should operate at least 200 miles per hour (mph) and using French trains is a catastrophic blunder.
- **Corridor Preference Comments** that included: locating the project corridor further south in the rural, cow pasture areas; keeping the existing land open in I-4 for expansion; upgrading the existing CSX tracks for FHSR; and staying in I-4 as it will not destroy any more land or trees.

Polk County Public Workshop

Twenty-five comments were received that evening. Written comments addressed the following key issues:

- **FHSR Desirability Comments** that included: there is not enough diversity or concentration of passengers to feed the train, and there is not enough distance between Tampa and Orlando to divert travelers from cars.
- **Station Location Comments** that included: providing a Lakeland station for access to Tampa International Airport or Orlando International Airport; allow communities to select stations based on viable alternatives; Kathleen Road to U.S. 98 is a good area for a station; the west end of the Polk County Parkway is a more convenient location; station locations can impact communities; and locating stations away from existing communities.
- **Technology Comments** that included: recommend Maglev, a preference for hydrogen-powered electricity, and consider fuel-cells for local stations and rental cars.
- **Safety Comments** that included: a cement barrier a must; the impact on highway congestion will be of utmost concern; where is vehicular refuge if interstate median is occupied by rail; what is the effect on road maintenance; the FHSRA has responsibility to NOT increase traffic hazards; FHSR will cause noise and

visual distractions for motorists; and the I-4 median through Lakeland is not wide enough to accommodate FHSR.

- **Connecting Transit Systems Comments** that included: provide supportive means of transportation to and from the stations; concerned with how to get to the stations; hoping for light rail connections at stations; and will the FHSR offer a train-car or auto-train option?

Orange County Public Workshop

Twenty-six total comments were received that evening. Eight total corridor/alignment preference comments were received: six favored the Bee Line Expressway (S.R. 528) alignment, while two favored the Central Florida Greeneway (S.R. 417). Many attendees supported the FHSR, providing written comments that addressed the following key issues:

- **FHSR Desirability Comments** that included: hurry up and build it; provide more communication with taxpayers and voters; build light rail first, supplement later with FHSR; the citizens of Central Florida not adequately informed to vote; assure ridership; create a multi-use track and run light-rail on the FHSR track to gain route flexibility and increased capitalization; and consider the emergency evacuation benefit of FHSR.
- **Station Location Comments** that included: the official position of the International Drive Resort Area Chamber of Commerce is that there must be a high speed rail station at the Orange County Intermodal Station; one station is cheaper than two – locate station midway between International Drive and Disney and interface this stop with light rail; station location should distribute users/tourists to all three theme parks; an International Drive/Convention Center station is an innovative use of land; and plan for two Orlando International Airport stations, one each at the north and south terminals.
- **Technology Comments** that included: diesel locomotive technology is too dirty; vote for Maglev; and if a Disney-compatible train is adopted for the Orange County light rail system, part of the infrastructure already exists.
- **Corridor Preference Comments**: A large number of comments were received opposing the Central Florida Greeneway (S.R. 417) due to perceived impacts on property values and the quality of life in adjacent subdivisions. A detailed summary of the public information meetings is available in the project files. The following is a sampling of these comments received at the public workshop: support for a Central Florida Greeneway (S.R. 417) route with a stop at Disney; against Central Florida Greeneway (S.R. 417) alignment – it would pass within 200 yards of homes; the Central Florida Greeneway (S.R. 417) alignment is a detriment to Hunter's Creek resulting in decreased property values, intrusion on a safe, quiet community, loss of large trees along roadway; opposed to the Central Florida Greeneway (S.R. 417) - go to convention center which benefits the City of Orlando; stop at Convention Center with light rail system to Orlando; use the Bee Line Expressway (S.R. 528) alignment, not the Central Florida Greeneway (S.R. 417).

Osceola County Public Workshop

Seventeen total comments were received that evening. Many attendees supported the FHSR, providing written comments that addressed the following key issues:

- **FHSR Desirability Comments** that included: I would pay higher taxes for this service; FHSR will increase tourism and trade immensely; FHSR is a great step in bringing Florida's transportation system to a level for future needs; FHSR is vital to our future - support its continued development; and use landscaping and berming to hide fences and retention ponds.
- **Station Location Comments** that included: prefer a Disney station in I-4 median that allows other entities opportunities for advertising and sales; prefer a station at I-4 and U.S. 27; FHSR brings a boost to Polk County economy with resulting business growth; and plan for growth in the Four Corners area.
- **Technology Comments** that included: central power and electrical drive trains are a must; and Maglev is the fastest technology.
- **Corridor Preference Comments** that included: a resolution of the Kissimmee City Commission urging the FHSRA to adopt the Central Florida Greeneway (S.R. 417) route for FHSR; a resolution of the Board of County Commissioners of Osceola County urging the FHSRA to adopt the Central Florida Greeneway (S.R. 417) route for FHSR; the Board of Directors of the Kissimmee/Osceola County Chamber of Commerce resolves that the FHSRA adopt the Central Florida Greeneway (S.R. 417) route for FHSR in Central Florida. We support a Light Rail Transit Connection linking Orlando International Airport, the OCCC and Walt Disney World; general recommendation for the Central Florida Greeneway (S.R. 417); preference for either of the northern routes on the Bee Line Expressway (S.R. 528); and agree with most economically effective route if it, in fact, also provides for greatest participation by Disney.

Comments received from the Public Information Workshops were documented through a Public Involvement Comments Summary prepared under separate cover. Written responses were prepared for 16 public requests for more information.

6.3.5 Newsletter and Web Page

In December 2002, a newsletter was mailed to all property owners, interested citizens, and local and state officials. The newsletter summarized the first series of Public Information Workshops, provided a summary of project activities, announced the second series of upcoming January 2003 Public Information Workshops, and listed upcoming events and key project dates.

The FHSRA developed a web page (www.floridahighspeedrail.org) to provide updated information on the FHSR. The following FHSR study information was supplied for on-line display: The Florida High Speed Rail Corridor Screening Report, Project Schedule, Public Workshop Announcements, Schedule of Elected Officials and Small Group Meetings, Schedule of MPOs and Committee Meetings, Public Information Workshops Results, and a Series of

Handout Materials including an Executive Summary, Technology Overview, and Segment Impact Evaluation Matrix.

The website also provides a list of frequently asked questions, meeting minutes of all public meetings, and offers viewers the opportunity to submit questions and comments to the project team.

6.4 DRAFT ENVIRONMENTAL IMPACT STATEMENT COORDINATION

6.4.1 Public Hearings

A series of Public Hearings were held in October 2003 in three of the four counties at locations along the FHSR corridor. A list of meetings is provided in Table 6-5. The purpose of this series of public hearings was to solicit public comment on the Draft EIS, the proposed FHSR alternatives under consideration, the technologies being considered, construction schedules, and other issues related to the development of a high speed rail system.

Table 6-5
High Speed Rail
Public Hearings

County	Dates	Location	Attendees
Hillsborough	October 7, 2003	Armwood High School Seffner, Florida	75
Polk	October 8, 2003	The Lakeland Center Lakeland, Florida	112
Orange/Osceola	October 9, 2003	Hyatt Orlando International Airport Orlando, Florida	260

Each Public Hearing provided an informational open-house format from 5:00 PM - 6:00 PM, followed by a formal hearing from 6:00 PM - 8:00 PM. During the informal portion of the meeting, attendees had an opportunity for one-on-one questions and comments with the multi-disciplinary project team. A single aerial corridor alignment map at a scale of 1:600' was displayed to assist the public in understanding the characteristics, impacts, and proposed alignments of the proposed FHSR project. The aerial map displayed the potential social, physical, and natural environmental impacts located within ¼ mi. of the centerline of each proposed alignment. Aerials with the engineering alternatives for the proposed alignments were displayed at 1:1,000' scale supported by technology and typical section boards.

FHSR materials available at the sign-in desk included a Welcome Letter from Chairman Frederick Dudley, an Impact Matrix, and Design/Build Alternatives Maps. A newsletter provided an Executive Summary, Library Locations for Viewing the Draft Environmental Impact Statement (Draft EIS), Technology Alternatives, FHSRA Member List, Public Hearings Meeting Agenda, FHSR Web Site Address, What's Next After the Public Hearings, and Contact Information.

Public Hearings Results

Following each Public Hearing, the project team recorded and classified all comments that were received. The three workshops attracted 447 attendees, and generated a total of 88 written, and 36 verbal comments. Comments were focused in the following key categories:

- Desirability of a Rail System
- Alternative/Route Preference
- Station Location
- Cost
- Technology
- Environmental Impacts
- Maintenance Facility Location

Specific preferences for alternatives were evaluated through the written and verbal comments received during the three public hearings. The No-Build Alternative comments stated either an agreement for or against the FHSR project without alignment or station specifics, as shown in Table 6-6. The Build Alternative comments, also recorded in the table, specifically indicated either a preference for an alignment or against an alignment.

Table 6-6
Comment Tabulation

Specific Local Preferences	Location	Alignments/Stations	For	Against	Total
No-Build Alternatives			10	18	28
Build Alternatives					
Alignments	Orlando	Bee Line Expressway (S.R. 528) (Alternatives 1,3,5,7)	32		32
		Central Florida Greeneway (S.R. 417) (Alternatives 2,4,6,8)	3	26	29
	Tampa	I-4 (Alternatives 1,2,5,6)	2		2
		CSX (Alternatives 3,4,7,8)	3		3
Stations	Orlando	Disney	4		4
		Orange County Convention Center	15		15
		Downtown Orlando	1		1
	Lakeland	Kathleen Road		1	1
		West Polk Parkway and I-4			
		East Polk Parkway and N.E. I-4	5		5
		Clark Road	1		1
	Tampa	Downtown			
		Pinellas County	1		1
		Tampa International Airport	2		2

Hillsborough County Public Hearing

Ten total comments were received that evening. More than one written/verbal comment was received from attendees. Comments addressed the following key issues:

- **FHSR Desirability Comments** that included: recommending that decision makers should go to Europe and see how high speed rail works; reworking existing CSX tracks and stations for FHSR; opposed to FHSR, prefer a light rail system located on existing CSX tracks; if you give them the train, they will use it; high speed rail can better our lives…less cars, less accidents, and less pollution; and FHSR will prove itself essential to Florida's future.
- **Alternatives/Routes Comments** that included: system should go to Pinellas County; and prefer Alternative 4 or 8.
- **Costs Comments** that included: nice if the average person can afford it; and if the government subsidized the railroad instead of building more tire tracks, it would be a good deed for the citizens of Florida.
- **Technology Comments** that included: prefer Global Rail Consortium: faster, more trains, longer hours; and environmental habitats will not be affected as much.
- **Environmental Impacts Comments** that included: Florida cannot afford to pave over our green space; and the Interstate can accept the loud noise level.

Polk County Public Hearing

Twenty total comments were received that evening. More than one written/verbal comment was received from attendees. Comments addressed the following key issues:

- **FHSR Desirability Comments** that included: opposed to FHSR, prefer a light rail system; happy to see it completed; no advantages over rental cars; I-4 cannot possibly keep up with the growing demands; in favor of FHSR, preferring Alternative 5; and it's a great idea.
    - **Alternatives/Routes Comments** that included: prefer Alternative 8; and connecting Orlando International Airport to the OCCC to Disney is important for economic growth.
    - **Costs Comments** that included: it must be cheaper to use than to drive a car; great idea…more jobs, more money, economy expands; need incentives/assistance on Federal/National level; and private money only.
    - **Technology Comments** that included: prefer electric; what plans will be in place in case of grid failure?; and recommend electric because of lower emissions and least amount of environmental impacts.
    - **Station Location Comments** that included: do not build at Kathleen Road, it is already congested; locate a station at Tampa International Airport; and locate at northeast "terminus" of Polk Parkway; and Clark Road is the best location.

Orange/Osceola County Public Hearing

Fifty-nine total comments were received that evening. More than one written/verbal comment was received from attendees. Comments addressed the following key issues:

- **FHSR Desirability Comments** that included: mass transportation saves time and money; and we need it…from downtown Orlando to downtown Tampa.
- **Alternatives/Routes Comments** that included: the Bee Line route will impact fewer schools, split fewer neighborhoods, and support more businesses; as a Hunter's Creek resident, I am strongly opposed to the Greeneway route; Bee Line makes sense because it is more commercial, and less residential; the Bee Line route is a win-win; and FHSRA is legally precluded from putting a railroad along the Greeneway.
- **Costs Comments** that included: used taxpayer dollars to build OCCC, and now the FHSR will bypass and use taxpayer dollars to build connection to Disney?; where will money come from?; and taxpayers who support the train vote for the Bee Line.
- **Technology Comments** that included: prefer electric as gas is more polluting, less efficient, and slower.
- **Station Location Comments** that included: must stop at the OCCC; stopping at OCCC, Disney, and Lakeland defeats the purpose of the system; stop at OCCC to serve our entire community and the public at large; and it's counter productive to align along a route that bypasses the OCCC transportation hub.

Additional Comments

Thirty-five total comments were received through mail or e-mail by October 24, 2003. Comments addressed the following key issues:

- **FHSR Desirability Comments** that included: FHSR technology is our next new frontier; vast improvement over I-4; please stop the FHSR; as Hunter's Creek resident, not against FHSR, only the Greeneway route; and support FHSR with wildlife crossings along I-4.
- **Alternatives/Routes Comments** that included: please consider the Bee Line route; constructing FHSR in the I-4 median is an accident waiting to happen; and emphatically opposed to the Greeneway.
- **Costs Comments** that included: jet train may be cheaper to start, but will cost more in the long run; and why should taxpayer's pay for a Disney train?
- **Technology Comments** that included: electric would serve our state the best; and for national security reasons…electric trains are the trains of choice.
- **Station Location Comments** that included: I-4 and east entrance to the Polk Parkway.

Comments received from the Public Hearings were documented through a Public Hearing Comments Summary prepared under separate cover. Written responses were prepared for four public requests for more information.

6.4.2 Agency Comments

Federal Agency Comments

Environmental Protection Agency

Alternatives - The electric train technology has not been approved for use in the United States, even though it has been used in Europe for the last twenty years. Consequently, the Final EIS should clearly state whether the electric train alternatives are viable at this time.

Response: *The FRA has stated that final approval of the electric train technology (specifically TGV) can be expedited if this technology is selected. A draft Rule Of Applicability had been prepared by the FRA staff associated with a previous project that proposed to use TGV technology*
in Florida.

Alternatives - In addition, the Draft EIS does not include an environmentally Preferred Alternative. All of the alternatives result in varying degrees of potential noise, vibration, wetland, floodplain, and hazardous waste impacts. Given the number of alternatives examined in the Draft EIS, the Final EIS should include an environmentally Preferred Alternative.

Response*: The analysis of impacts documented in the Draft EIS indicated that all the build alternatives demonstrated environmental impacts of similar magnitude. The environmental impacts documented in the Draft EIS were considered by the FHSRA to assist them in identifying a Preferred Alternative. The Final EIS includes a discussion of the social, natural, and physical environmental impacts along with engineering and operations considerations that were analyzed to determine the Preferred Alternative. In addition, each of the subsections in Section 4, Environmental Consequences, is summarized to identify the specific impacts of the Preferred Alternative.*

Aquatic Resources - It is unclear how [many] linear feet of stream impacts are expected since the stream impacts are included in the total wetland impacts and quantified in acres (ac.). The Final EIS should quantify stream impacts and quantify in linear feet.

Response*: Typically, all wetland impacts are quantified in ac. for the permit agencies and mitigation ratios are negotiated in ac. Based upon further clarification with EPA (conference call of January 7, 2004), the quantification of stream impacts in linear feet is not required.*

Aquatic Resources - Given the nature and the scope of the proposed project, the impacts appear to be within acceptable limits. However there is insufficient analysis in the Draft EIS of potential mitigation strategies for addressing aquatic resource impacts. The Final EIS should address sequence: avoidance, minimization, and then suitable mitigation. It should include a well-developed compensatory mitigation plan for the project impacts. Mitigation should be in-kind, and within the same hydrologic corridor as the impacts to the extent practicable.

***Response**: The process of avoidance, minimization, and mitigation is further addressed in the Final EIS, Sections 4.2.5 and 4.2.11. This will also continue to be a significant consideration during the permitting phase of this project. This process was critical for the justification of the chosen Preferred Alternative. The alignments discussed in the Final EIS have been revised several times in an effort to avoid various environmental concerns (historical, wetlands, contamination etc.).*

Avoidance was not a significant issue for the portions of the alignments located in the median area of I-4 due to limited areas containing wetlands. However, the western and eastern termini of the alignments (especially those outside of existing roadway medians) were evaluated to minimize wetland impacts. The Florida High Speed Rail Screening Report, Parsons/PBSJ, September 2002, specifically considered avoidance and minimization in eliminating a number of build alternative segments with unacceptable levels of environmental impact. The western end of the project (including any of the alternatives) is located in a very urban area, with little to no wetlands within the proposed alignments. The eastern end of the proposed alignment (along I-4 and Bee Line Expressway [S.R.528]) contains significantly more wetlands than the western end. The process of avoidance will be evaluated further for alignment modification during final design. This is documented in Section 4.2.5 of the Final EIS. During the permitting and final design phase of the project, the Preferred Alternative may be further refined to reduce and/or avoid impacts.

At this time, proposed wetland mitigation will be pursuant to S. 373.4137 F.S. (Senate Bill 1986) to satisfy all mitigation requirements of Part IV, Chapter 373, F.S. and 33 U.S.C.s 1344. Under S. 373.4137 F.S., mitigation of FHSR wetland impacts will be implemented by the appropriate WMD where the impacts occur. Each WMD develops a regional wetland mitigation plan on an annual basis to be approved by the Florida State Legislature that addresses the estimated mitigation needs. The WMD will then provide wetland mitigation for specific project impacts through a corresponding mitigation project within the overall approved regional mitigation plan. FHSRA will provide funding to the WMD for implementation of such mitigation projects. An emphasis will placed on attempting to provide in-kind mitigation in the same local basin and in accordance with the appropriate mitigation ratios. Section 4.2.5 Wetlands, of the Final EIS includes this discussion.

Noise and Vibration - Table 4-23 presents the existing noise level for Alignment E1 of Alternative 1 (59 dBA Ldn) versus the predicted noise level (58 dBA). The metric used for the predicted value is unclear (Ldn or Leq?). The two values should be the same for comparison and calculation of cumulative (total) noise (project plus ambient). We also note that ambient measurements were made in Ldn and/or Leq (Table 3-19). While Ldn is more representative over 24 hours, a 1 hr Leq (Leq(1)) would be better suited for project sites located near existing highways, with ambient measurements taken during rush hour for worst-case levels.

***Response**: Table 4-31 is updated in the Final EIS to clarify which metric is being used in the projections. In addition, the Draft EIS stated in the Noise Criteria section which metric is used for specific cases. As stated, the Ldn is used for residences (Category 2) and the Leq is used for other noise sensitive land uses (Category 1 and Category 2).*

Impact Levels (pg. 3-34) – We note that noise levels defined as "impact" and severe" vary based on the ambient noise levels (pg. 3-34). EPA does not agree with such a sliding scale as depicted on Table 3-18; instead, we believe that a discrete noise level for a moderate and for severe impacts should be selected regardless of the ambient level.

***Response**: As stated in the Draft EIS, the noise criteria are "based on the criteria defined in the FRA guidance manual High-Speed Ground Transportation Noise and Vibration Impact Assessment (Final Draft, December 1998)". This guidance manual states that ambient based impact criteria are established and used for all transit project assessments.*

Train Technologies - It is unclear why implementation of the project with electric trains would be noisier than with gas turbine trains (Table 4-31). This seems counterintuitive. The Final EIS should verify this and provide reasons (e.g., wheel, engine, and conveyance noise). In general, EPA would prefer electric trains to reduce air emissions (especially in a maintenance area), but would also want to minimize noise (especially where considered severe).

***Response**: As mentioned in the descriptions of each alternative in the Noise section of the Draft EIS, noise levels are affected by the proximity of the receiver to the track, the train speed at the specific receiver, and the track height at the specific receiver. The combinations of these factors, the two power sources for operation, and consideration of the additional trips proposed in the operations plan cause the Electric Train to have more overall noise impacts than the Gas-Turbine Train. Additional discussion identifying the various factors that influenced the findings of the noise analysis and the influence of these factors on the specific technology are included in Section 4.2.3 of the Final EIS (see Table 4-40).*

Noise Mitigation - The Final EIS should discuss what authority FRA and the FHSRA have regarding the funding and implementation of noise mitigation.

***Response**: During further development of the project, the FHSRA, in consultation with FRA and applicable Code Federal Regulations, will be developing a number of policies and additions to Florida Administrative Code (FAC) that will address this issue and other similar issues. The FHSRA, in coordination with the FRA and any other applicable agencies, will identify all Federal and FAC requirements, including any updates, that address noise impacts to be mitigated in the design and construction phase(s) of the Florida High Speed Rail project. FRA's authority regarding the funding and implementation of noise mitigation will depend on the nature and scope of the program from which funding for the overall project is derived. There presently is no Federal program that authorizes FRA to fund a high speed rail project.*

Noise Mitigation - With regard to noise barriers, we note that barriers are predicted to be capable of attenuating all predicted severe impacts (Table 4-35). It is unclear, however, what alternatives, project sections, or residences would indeed be mitigated for noise. The Final EIS should provide such information.

***Response**: Feasible noise mitigation measures, including noise barriers with sound absorbing surfaces, and locations are discussed in the Final EIS. The discussion for the Preferred Alternative in Section 4.2.3 of the Final EIS include the residences that meet or exceed*

abatement consideration criteria and this information has been clarified for each of the alternatives in this section as well. As mentioned in the Draft EIS:

"...potential mitigation measures for reducing noise impacts from the FHSR operations are described below:

Noise Barriers *- This is a common approach to reducing noise impacts from surface transportation sources. The primary requirements for an effective noise barrier are: (1) the barrier must be high enough and long enough to break the line-of-sight between the sound source and the receiver; (2) the barrier must be of an impervious material with a minimum surface density of 4 lb/sq. ft.; and (3) the barrier must not have any gaps or holes between the panels or at the bottom. Because numerous materials meet these requirements, the selection of materials for noise barriers is usually dictated by aesthetics, durability, cost, and maintenance considerations. Depending on the proximity of the barrier to the tracks and on the track elevation, rail noise barriers typically range in height from 4 to 10 ft., providing noise reductions of 5 to 10 dBA.*

Building Sound Insulation *- Sound insulation of residences and institutional buildings to improve the outdoor-to-indoor noise reduction has been widely applied around airports, but has seen limited application for rail projects. Although this approach has no effect on noise in exterior areas, it may be the best choice for sites where noise barriers are not feasible or desirable, and for buildings where indoor sensitivity is of most concern. Substantial improvements in building sound insulation (on the order of 5 to 10 dBA) can often be achieved by adding an extra layer of glazing to windows, by sealing any holes in exterior surfaces that act as sound leaks, and by providing forced ventilation and air conditioning so that windows do not need to be opened."*

The FHSRA has committed (see Section S.13 Commitments) to comply with all applicable State and Federal noise standards, criteria, and guidelines in the construction phase and in the operations of rail service. The reasonableness and feasibility of noise mitigation measures will be reevaluated during the design phase consistent with FDOT policy and as coordinated with FRA.

Vibration Mitigation – Three potential treatments to compensate for vibration are provided. Potential mitigation sites are also provided (Table 4-46). However, no commitments are made.

Response*: The Final EIS, in Section 4.2.4, presents the mitigation commitments as part of the Preferred Alternative discussion.*

Vibration Mitigation - The Final EIS should provide commitments to compensate for noise and vibration impacts, including the methods to be used and the mitigation sites. If any residences are not scheduled for mitigation but are predicted to be severely impacted for noise, the Final EIS should discuss why these sites would not be mitigated. Similar discussion for vibration impacts should also be provided.

***Response**: Sections 4.2.3, 4.2.4, and S.13 of the Final EIS include a commitment for reasonable and feasible noise and vibration mitigation considerations during design.*

Air Quality - In addition, the air impacts analysis relates the electric locomotion alternative to increases in coal-fired generation emissions. However, much of Florida's electric generation is nuclear and combustion turbine fired by natural gas. Consequently, the Final EIS should explain the validity of considering just coal-fired emissions in the air quality analysis.

***Response**: The primary objective of the air quality evaluation was to demonstrate that the FHSR project would not require a conformity determination in accordance with the General Conformity Rule (40CFR Part 93 Subpart B). For the purpose of demonstrating that a conformity determination would not be required, a worst-case approach was used in the air quality evaluation. Hillsborough County, which is currently designated as an ozone maintenance area, has experienced improved air quality in recent years. Conversion of a TECO (i.e., public utility in Hillsborough County) power plant from coal to natural gas has been identified as major contributor to the reduction because of decreased emissions. Since the specific source of power for the electric train technology cannot be identified at this time, the worst-case approach used emissions factors (provided by FDEP) for a coal-fired power plant. The premise of the approach is that if a conformity determination is not required under worst-case conditions, then electricity provided from an electric power source with lower emissions would also not require a conformity determination. This approach did not affect a secondary objective of the air quality evaluation, which was comparison of the two train technologies. Even when using worst-case for increased regional emissions associated with electric power production, the emissions associated with the electric train technology are substantially less than the emissions associated with the gas turbine train technology.*

Contamination - The Draft EIS does not state under which statutes that potential contaminated sites are regulated. The Final EIS should include this information. In addition, what database does this information come from? This should also be included in the Final EIS. The Final EIS should include more detailed information regarding how FRA will comply with existing State and Federal regulations if the proposed property is acquired.

***Response**: The FDEP statutes which regulate potential contamination are found primarily in 62-770, 62-771, 62-773, and 62-701 F.S. The EPA statute which covers RCRA and CERCLA is 42 USC, Sections 6901 and 9601.*

There are numerous databases on the city, county, state, and federal levels used to track contamination issues. The databases used in preparation of the Contamination Screening Evaluation Report were the National Priority List, Comprehensive Environmental Response Compensation and Liability Information System, Resource Conservation and Recovery Information System, Emergency Response Notification System, Facility Index System, Toxic Release Inventory System, National Pollution Discharge Elimination System, Superfund Hazardous Waste Sites, State Funded Action Sites, Solid Waste Facilities, Leaking Underground Storage Tanks, Stationary Tank Inventory System List, and Cattle Dipping Vats.

At this phase of the project, it is too early to tell what FRA involvement would be with each potentially contaminated property, and to what extent the project would have an effect on site conditions or which regulations would be involved. In subsequent design phases, a Level II screening will be performed that will indicate which regulations will be used and the best course of action for the FHSRA.

Noise Barrier Construction - The Draft EIS suggests that the attenuation capability for materials used for noise barrier construction do not differ greatly. One exception might be the use of rubberized barrier walls that tend to absorb noise rather than reflect it. The Final EIS should discuss the feasibility of such noise barriers.

***Response**: Feasible noise mitigation measures are discussed in Section 4.2.3 of the Final EIS, including noise barriers with sound absorbing surfaces. The reasonableness and feasibility of noise mitigation measures will be reevaluated during the design phase consistent with FDOT policy and as coordinated with FRA.*

Editorial - Page 4-51 refers to "…Alternative 2 and 3, where there are no severe impacts and therefore no mitigation is required." Based on Table 4-35, this should presumably read "…Alternative 2 and 4, where there are no severe impacts and therefore no mitigation is required."

***Response**: The Final EIS text is revised.*

Other- A big ancillary impact not addressed is the need for fill material for new RR bed. Some estimate of fill material should have been given for each major alternative and where such quantities could (not necessarily would) be obtained.

***Response**: The FHSRA has not identified a source of borrow although did identify the necessary quantity and availability of fill for embankments. The selected proposer will be responsible for acquiring the necessary amount of fill material and any approvals necessary for the use of this fill material (i.e. permits). The Commitments and Recommendations section (Section S.13 of the Final EIS) identifies that any borrow areas identified by the Design/Build Contractor will require the necessary permits.*

Overall, EPA rates this Draft EIS as a EC-1; that is, the document has identified potential environmental impacts to noise, vibration, hazardous waste sites, air quality, wetlands, floodplains and other aquatic resources that need to be addressed more completely in the Final EIS. Since many of the impacts have already been avoided and minimized with the proposed project, mitigation of the project's impacts becomes a very important issue. Therefore, all mitigation measures and commitments to the extent feasible should be disclosed in the Final EIS. Where needed, provisions for monitoring of mitigation actions should also be included.

***Response**: As indicated in the responses above, further discussion of mitigation measures and commitments are provided in applicable subsections of Section 4 in the Final EIS, to the extent feasible. Final wetland mitigation will be determined during the permitting process. At this time, proposed wetland mitigation will be S. 373.4137 F.S. and monitoring will therefore be the*

responsibility of the WMDs. A Commitments Section (S.13) has been added to the Executive Summary outlining the measures that FHSRA has committed to for project implementation.

Federal Highway Administration

General There will be a continued need to coordinate with the FHWA and FDOT for safety, traffic operations, and funding issues for construction, operations and maintenance activities when there is proposed use of Interstate ROW.

Response: *The FHSRA is committed to working with its transportation partners (FHWA and FDOT) in the development of this project, and will continue to coordinate all aspects of the project with these agencies. As you are aware, the design/build consultant must follow FDOT Design and Specifications to meet requirements for maintenance of traffic plans during construction of the High Speed Rail. Coordination with Districts I, V, and VII will include any concurrent construction along the I-4 corridor. The design/build consultant will coordinate meetings for the development of the maintenance of traffic plans and the outcome of these meetings will be an acceptable plan to both FDOT and FHWA prior to approved use of the interstate ROW for the High Speed Rail.*

1. FHWA must take a federal action to approve the use of the I-4 median for high speed rail before the FHSRA can construct any rail system within the Interstate ROW. The FDOT must make an application to the FHWA for such use, FHWA will act on such a petition after the FRA issues a record of decision, as that document will serve as our environmental evaluation for the decision to approve the use the median. Major issues such as barrier configuration/fencing and shoulder encroachment design exceptions must be resolved before FHWA can approve the use of the interstate ROW. We stress the importance of resolving some of the design issues such as the barrier type chosen by the selected proposer, but we recognize that some of these issues may be addressed and resolved after completion of the ROD.

Response: *The FHSRA would be required to determine protective measures necessary to prevent intrusions of vehicular traffic, unauthorized persons, large animals, and objects into the rail alignment from the surrounding highway system and overpasses. FHSRA is further required to obtain any and all associated approvals for the barrier, fencing, and intrusion detection systems, in addition to any protective measures that would be required from all Federal and State agencies having jurisdiction within the corridors proposed for use by the FHSR.*

Coordination is on-going and will continue through the design/build phase with the Fluor-Bombardier Team in developing an acceptable barrier plan including any fencing and minimizing any shoulder encroachments.

2. The approval for the use of the median is addressed in 23 CFR 710.405 Interstate Air Rights and 23 CFR 810.200 making Highway ROW Available for mass Transit project. The steps are as follows: 1) The FHSRA submits a request for the proposed use of ROW to FDOT, 2) If acceptable, FDOT submits request for FHWA approval to make ROW available to FHSRA for the proposed mass transit project. The request is to include evidence (e.g., maps, plans,

proposed use and occupancy agreement) that the proposed facility will not impair future highway improvements or the safety of highway users, 3) FHWA approval (a Federal action) can be given after the environmental process is completed (in this case, a ROD has been issued by FRA), 4) After FHWA approval, FDOT enters into written use and occupancy agreement (including the conditions set forth in 23 CFR 810.210 (a) (1-3)) with the FHSRA and provides a copy to FHWA.

Response: *This process will be followed through the design/build phase in coordination with FHWA/FDOT.*

3. FHWA will require that the FHSRA and FDOT-District 7 complete a memorandum of agreement on the I-4/Interstate 275 (I-275) interchange in Tampa where the rail line is proposed to be placed in the future ultimate Interstate ROW, prior to FHWA agreement on the Final EIS.

Response: *The Memorandum of Agreement (MOA) with FDOT and the FHSRA has been completed and is included in Appendix B. The MOA has not been signed by FHWA or FRA.*

4. The FHWA agrees with and supports the barrier requirements as defined in the RFP Design Criteria. Not only does the taller barrier configuration provide additional crashworthiness, but it will provide glare protection/reduce the startle factor for the train. We note that the GRC team had agreed to provide barriers as defined in the RFP Design Criteria, generally TL-5 barriers on a tangent and TL-6 barriers on curves, but the FB team offered a mix of FDOT index 410 barriers and TL-5 barriers. The FHWA believes that the function of the barriers is to keep motor vehicles outs of the fixed guideway, not to keep trains constrained to the guideway. FHWA will evaluate the barrier concept of the selected proposer, but what is proposed by the FB team may not be acceptable. The barrier strategy must be acceptable to FHWA. The barrier strategy must be acceptable to FHWA in order for FHWA to approve the use of the I-4 median.

Response: *The FHSRA has identified the barrier requirements for the FHSR, as identified in the RFP documents, and as stated in the Final EIS. The barrier requirements are as follows:*

- *Meeting requirements of NCHRP Report 350 Test Level (TL) 5 guidelines shall be installed between the high speed ground transportation system guideway and the parallel roadway. Such barrier shall be installed where the highway is on tangent.*

- *Where the highway is on curve and within 100 feet (ft.) of a highway curve, reinforced concrete barriers meeting the requirements of NCHRP Report 350 TL 6 guidelines shall be installed between the high speed ground transportation system guideway and the parallel roadway.*

- *Where the guideway is on earthen fill structure with vertical walls exceeding 4 ft. in height above the roadway shoulder, barrier wall shall not be required.*

- *Where the guideway is on pier supported structures within 100 ft. of the highway, NCHRP Report 350 TL 5 barriers shall be required to protect guideway piers and occupants of highway vehicles.*

Coordination is on-going and will continue through the design/build phase with the Flour-Bombardier Team in developing an acceptable barrier plan including any fencing and minimizing any shoulder encroachments.

The FHSRA would be required to determine protective measures necessary to prevent intrusions of vehicular traffic, unauthorized persons, large animals, and objects into the rail alignment from the surrounding highway system and overpasses. FHSRA is further required to obtain any and all associated approvals for the barrier, fencing, and intrusion detection systems, in addition to any protective measures that would be required from all Federal and State agencies having jurisdiction within the corridors proposed for use by the FHSR.

5. FHWA remains concerned with any proposal to mount chain link or other types of fencing on the top of barrier walls and strongly prefers that the fence be mounted between the track and the barrier. FHWA does not believe that barriers with an attached fence will pass the NCHRP 350 test requirements and will require that if fencing is placed on top of the barrier it will have to be shown to pass NCHRP 350 test criteria to be acceptable. Before FHWA will approve the use of the I-4 median, the barrier and fencing strategy must be acceptable to FHWA. Both the GRC and FB proposals depict the fence mounted on top of the barrier.

Response: *Although the Preferred Alternative identifies a fencing solution similar to what was originally proposed in the RFP, continued analysis and coordination of fencing locations will be undertaken. The FHSRA recognizes FHWA's jurisdiction in this issue.*

6. The median railroad alignment encroaches on roadway shoulders in curves due to the use of spirals on the railroad alignment. FHWA has requested that the data be provided in detailed plan views, depicting the location and extent of the shoulder encroachment for FHWA review. It is understood that the encroachments may not occur until the inside HOV lanes are constructed. FHWA considers any reduction in the 10 ft inside shoulder to be a design exception, rather than a variance, as the AASHTO guidelines require 10 ft inside shoulders on multilane highways, and must be approved prior to approval for use of the median.

Response: *At the preliminary engineering effort, conservative design criteria were used when preparing the alignment included in the RFP documents. It is anticipated that the design/build team will minimize shoulder encroachment through the design phase. This will be coordinated with FHWA/FDOT prior to seeking FHWA approval for use of the median.*

7. FHWA has concerns about emergency and maintenance access to the guideway, construction access and construction staging. FHWA has stated that normally it would wish to see specific plans addressing these issues prior to approving the FDOT application for rail use of the median. We understand that under this DBOM procurement process, the proposers were advised that coordination with FDOT and standard FDOT maintenance of traffic procedures are required. Similarly, the proposers must address system safety and security in accord with joint FTA and APTA standards. However, the details will not be available until later in the design process, well after issuance of the ROD.

Response: *FRA will require the submittal and approval of specific plans addressing emergency and maintenance access to the guideway, construction access, and construction staging. The design/build process will address specific system safety and security in accord with FRA regulations through development of a Safety Plan during final design and these plans will be provided to FHWA.*

General The Pre-draft EIS contains information pointing out that one of the two responsive design/build proposals would not provide for a commitment to provide future animal crossings in Polk County. The information is first presented in the summary on page S-11 where it is stated "Furthermore, the FDOT is committed to providing wildlife crossings along I-4 during construction of the ultimate interstate improvements. The GRC electric train proposal includes wildlife crossings to be consistent with future I-4 reconstruction, while Fluor Bombardier gas turbine technology does not." Information is also included on page 2-20 pointing out that the gas turbine train proposal identifies a vertical alignment following the interstate vertical alignment, not allowing for these (wildlife) crossings. The FHWA will not accept foreclosure of the wildlife crossings without justification and coordination without resource agencies that is documented and acceptable.

Response: *FHSRA commits to providing wildlife crossings in accordance with FDOT commitments to provide wildlife crossings along I-4 during construction of the ultimate interstate improvements.*

General The Draft Section 4(f) Evaluation contains information that is not clear about whether the additional ROW needed from Perry Harvey Park will be sufficient for both the High Speed Rail and the TIS Ultimate ROW. It appears that the additional acreage from Perry Harvey Park includes only what is needed for the high Speed Rail, and does not incorporate combined ROW needs for both the TIS Ultimate ROW. This may also be the situation adjacent to Ybor City. The Final EIS and Section 4(f) Evaluation should provide clear information about interim and ultimate ROW, impacts and mitigation, including which parties are responsible.

Response: *Information regarding the ROW requirements for both the TIS Ultimate improvements and High Speed Rail project are further clarified in the Final EIS and Section 4(f) evaluation. This has also been updated with mitigation requirements and the responsible parties.*

U.S. Army Corps of Engineers

1. Based on the submitted information, there appear to be alternatives that have less overall wetland impact acreage and less 'high quality' wetland impact acreage. Our regulations require that a project avoid and minimize impacts to the greatest extent practicable. If a route/technology alternative with higher impacts is chosen, the applicant would have to document why this was the most practicable alternative. This explanation should include an in-depth discussion of the impacts associated with construction of support facilities for the project, including the Operational and Maintenance Facility, stations, and stormwater facilities, and how those impacts were avoided and minimized.

Response: *The process of avoidance, minimization and mitigation has been discussed in the Draft EIS and has been further addressed in Section 4.2.5 of the Final EIS. This will also continue to be a significant consideration during the permitting phase of this project. This process was critical for the justification of the chosen Preferred Alternative. The alignments discussed in the EIS have been revised several times in an effort to avoid various environmental concerns (historical, wetlands, contamination, etc.).*

2. The Draft EIS describes using the mitigation program set up in Section 373.4137 of the Florida Statutes for this project. In order to better document how a project's mitigation offsets the wetland impacts associated with that project, the Corps typically requests that an applicant perform a functional analysis of both the wetland impacts and the mitigation. As this is often not part of mitigation proposed under Section 373.4137, F.S., the Corps will request that you perform a functional analysis when we review the project.

Response: *A WRAP analysis was conducted for each wetland within the study area for the Draft EIS. However, it should be noted that the new State Unified Mitigation Assessment Method became effective February 2004.*

3. Please note that a crossing of the Tampa Bypass Canal, a federal project, will require review by other Jacksonville District elements. The Regulatory Division would coordinate this activity with those other elements as part of the permit application review process.

Response: *The Tampa Bypass Canal crossing will be upstream from a flood control weir, within the non-navigable portion of the Tampa Bypass Canal. The FHSR alignment will be between the existing bridge structures over Tampa Bypass Canal, within the median of I-4. As the FHSR project moves into the design/build phase, coordination for required permits will be conducted with applicable agencies.*

Federal Aviation Administration

1. The FAA understands that a rail corridor and station would be located at the Orlando International Airport. The project sponsor will need to coordinate with the Orlando International Airport during the design of project components and location of the corridor station in order to minimize any impacts to existing and future airport development. All development on the airport is subject to the review and approval of the FAA.

Response: *The FHSRA is committed to working with the Greater Orlando Aviation Authority (GOAA) and the FAA in the development of this project, and will continue to coordinate all aspects of the project with these agencies, especially in relation to the design of project components and stations in the vicinity of the Orlando International Airport.*

The proposed FHSR alignment has been coordinated with the GOAA staff for consistency on the location of the rail alignment as identified in the Orlando International Airport Master Plan. The proposed FHSR station, at the future South Terminal, is located on the rail alignment and issues have been identified relating to the phased construction of this terminal.

2. In accordance with the airport's owner Federal Aviation Grant Assurances, any use of the airport lands would have to be through a lease agreement with the airport subject to FAA approval.

Response: *The FHSRA understands that under the provisions of the FAA Advisory Circular 150/5100-16A Airport Improvement Program Grant Assurances Number One-General Federal Requirements and the Airport and Airway Improvement Act of 1982 (49 USC 2201, et seq.), the airport owner (Greater Orlando Aviation Authority) is not authorized to sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in properties, if portions of the property were acquired utilizing Federal funds, for the duration of the terms, conditions, and assurances in the grant agreement without the approval by the FAA and the Secretary of the Department of Transportation. The FHSRA will coordinate with the Greater Orlando Airport Authority and the FAA throughout the duration of the project's design phase and identification of proposed use of land in the vicinity of the Orlando International Airport.*

State Agency Comments

Florida Department of Transportation, District Five

1. The FDOT is currently approving the 100 percent design plans for the reconstruction of the I-4/US 192 Interchange in Osceola County (FM#242531-1-52-01). Reconstruction of the I-4 mainline will be included as a part of this project. Once reconstruction occurs, the median of I-4 will be as shown in the attached typical sections. Please note that there are sections of the median that will be 40' wide from face of guardrail to face of guardrail (see typical section #1, #2, #5). There are other sections of the median that will be reduced to 28' (see typical section #3, #4). The minimum median width required by the proposers for high speed rail appears to be 44'.

Response: *The proposed high speed rail typical section identifies a 44-ft. envelope through the median of I-4 from face to face of a concrete barrier. It is anticipated that in some areas a 10-ft. paved inside shoulder would be approved with construction of the high speed rail project. This 44-ft. horizontal envelope is consistent with FDOT policy guidance identifying rail envelope clearances for I-4 from the Howard Frankland Bridge in Hillsborough County to Michigan Street in Orange County and from Par Avenue in Orange County to I-95 in Volusia County. As provided in the referenced policy guideline, "exemptions from this policy must provide for the ultimate restoration of the envelope or provide engineering studies demonstrating the adequacy*

of an alternative envelope suitable for the rail line." As discussed with District 5, the current I-4 improvements stated above are an interim improvement. When the high speed rail project enters the construction phase, the 44-ft. rail envelope will incorporate I-4 roadway improvements that have been agreed upon by FDOT. Continuing coordination will be required as the high speed rail project receives funding and moves into the design/build phase.

2. The FDOT has let project 242523-1-52-01 that will 6-lane I-4 from the Polk County line up to US 192. Typical section #2 shows a 64' median with 24' consumed by inside shoulders leaving a 40' median.

Response: *See response to Comment 1.*

3. As noted in the Draft EIS, there are existing bridges that do not provide vertical clearance for the train and will need to be reconstructed. Please identify those in the report.

Response*: Within District 5, CR 545 is identified as not having adequate vertical clearance; 17.5 ft. was identified in the previously referenced FDOT policy guideline. The preliminary engineering conducted for the RFP identified a vertical profile that was depressed from the existing ground to provide the target 17.5-ft. vertical clearance. The proposer ranked number 1 by the FHSRA (Flour-Bombardier) identified replacement of the structure at this crossing, including a cost allowance, as part of their proposal.*

4. Construction of this rail facility will greatly impact I-4 users. An approach to the actual construction on I-4 would need to be discussed in great detail as it is not in the Draft EIS.

Response*: The design/build consultant will be required by FHSRA to use FDOT Design and Specifications to meet requirements for maintenance of traffic plans during construction of high speed rail. Coordination with District 5 will include any concurrent construction along the I-4 corridor. The design/build consultant will coordinate meetings for the development of the maintenance of traffic plans and the outcome of these meetings will be an acceptable plan to both FDOT and FHWA prior to approved use of the interstate ROW for high speed rail.*

5. District V is concerned about how incidents will be managed on I-4 and the appropriate response routes for emergency vehicles accessing the incident. In addition, what is the impact to the interstate when an incident occurs on the high speed rail? How are incidents responded to and what will be the impact on the interstate?

Response*: FRA will require the submittal and approval of specific plans addressing emergency and maintenance access to the guideway, construction access, and construction staging. The design/build process will address specific system safety and security in accordance with FRA regulations through development of a Safety Plan during final design.*

6. Barrier separation from the high speed rail and the interstate is a concern for this District. We have not seen adequate documentation on the type of barrier proposed or if it is

acceptable for this type of separation. We would like to see detailed documentation on this barrier and examples of its use.

***Response**: The FHSRA has identified the barrier requirements for the FHSR, as identified in the RFP documents, and as stated in the Final EIS. The barrier requirements are as follows:*

- *Meeting requirements of NCHRP Report 350 Test Level (TL) 5 guidelines shall be installed between the high speed ground transportation system guideway and the parallel roadway. Such barriers shall be installed where the highway is on tangent*

- *Where the highway is on curve and within 100 ft. of a highway curve, reinforced concrete barriers, meeting the requirements of NCHRP Report 350 TL 6 guidelines, shall be installed between the high speed ground transportation system guideway and the parallel roadway.*

- *Where the guideway is on earthen fill structure with vertical walls exceeding 4 ft. in height above the roadway shoulder, barrier walls shall not be required.*

- *Where the guideway is on pier supported structures within 100 ft. of the highway, NCHRP Report 350 TL 5 barriers shall be required to protect guideway piers and occupants of highway vehicles.*

FHWA has stated that the function of the barriers is to keep motor vehicles out of the fixed guideway, not to keep trains constrained to the guideway. FHWA, in coordination with FDOT, will evaluate the barrier concept that must be accepted in order for FHWA to approve the use of the I-4 median. Coordination with the Fluor-Bombardier team is on-going and will continue throughout the design/build phase to develop an acceptable barrier plan.

The FHSR would be required to determine protective measures necessary to prevent intrusions of vehicular traffic, unauthorized persons, large animals and objects into the rail alignment from the surrounding highway system and overpasses. FHSRA is further required to obtain any and all associated approvals for the barrier, fencing, and intrusion detection systems, in addition to any protective measures that would be required from all Federal and State agencies having jurisdiction within the corridors proposed for use by the FHSR.

<u>Florida Department of Transportation, District Seven</u>

1. Section S.9.1, page S-22: This section, in addition to the MOA itself, will need to be revised/updated based on the recent meeting held with the FHSRA consultants (HNTB/Parsons) on October 8, 2003. During the meeting, we discussed the preliminary engineering analysis our District requested that was required to properly address the potential impacts of the FHSR alignment alternative in the vicinity of the Tampa Interstate Study (TIS) I-4/I-275 interchange (ultimate ROW footprint). Their proposal is to construct the rail line structure spanning over the I-4/I-275 interchange (and all of it's ramps), aligned within the

median, which would avoid impacts/revisions to our TIS/EIS interchange concept. We agreed that this proposal was acceptable.

We also agreed that an optional alignment located south of the interchange could potentially work, but it would require additional in-depth engineering analysis to assure the proposed structures would avoid additional R/W acquisition from the Ybor City Historic Landmark District. This analysis could be pursued as part of a future re-evaluation of the FHSR EIS. Given their proposal to span the interchange and avoid any adverse effects to the TIS/EIS I-4/I-275 ultimate interchange concept, we would recommend that Secretary Abreu sign the MOA once this proposal is documented within the MOA and the FHSR Draft EIS. Also, the third sentence of this paragraph, the FHSRA should be added since they are a signatory on the MOA along with FDOT, FHWA, and FRA.

Response: *This FEIS includes the revised Memorandum of Agreement (MOA) reflecting the interchange engineering analyses, see Appendix B. Analysis presented to FDOT District 7 staff identified the coordination issues involving an alignment within the ultimate interchange for the I-275/I-4 corridor. Based on this additional coordination, the FEIS, with a MOA, has been prepared with the understanding that the FHSR alignment within the ultimate ROW footprint will not adversely affect current construction operations and improvements, and continued coordination will occur to minimize slight revisions to the design concepts for the ultimate improvements that may occur. The MOA includes a commitment to avoid impacts or additional ROW to the Ybor Historic District during final design. The FHSRA and FDOT have signed the MOA, and it is included in Appendix B of this FEIS.*

2. Section S.2, S.6.11, S.9.1, 1.2, 4.1.7 (p 4-20), 5.2: Within these sections it is stated that the I-4 Master Plan and the TIS set aside R/W to accommodate high speed rail. This is not true. The I-4 Master Plan and TIS set aside an envelope within the median for lightrail transit or HOV lanes, and it was always the intent that when these modes of transportation were developed further that another environmental document would be necessary to document the environmental impacts of that proposed facility. Again, the TIS MOA did not anticipate the impacts (e.g. noise, vibration, etc.) of a high speed rail facility. The FHSR EIS will need to document these impacts. This language throughout the document must be changed/reworded because it is inaccurate and misleading.

Response: *Sections S.2, S.9.1 and 1.2 have been modified to reflect that the median is for light rail transit or HOV lanes. Section S.6.11 and 4.1.7 (pages 4-20) were not changed. Impacts documented in the Draft EIS, due to the FHSR, were evaluated independently from the previous TIS project. The agreements and documentation contained within both the Draft and Final EIS address impacts to historic structures based upon the high speed rail analysis of proposed alternatives.*

All editorial comments have been noted and the Final EIS has been revised to reflect these comments.

Florida Department of Environmental Protection

[FDEP] staff advises the applicant to provide additional information on potential impacts to public conservation lands adjacent to the proposed project corridor. Coordination with FDEP Central and Southwest Regulatory District staff regarding waste disposal, potential groundwater impacts, air quality attainment status, and Environmental Resource Permitting issues is also highly recommended.

Response: *Comment noted. Additional information on potential impacts to public conservation lands are provided in Sections 4.2.5 of the Final Environmental Impact Statement (Final EIS). FHSRA will coordinate as needed with the FDEP Central and Southwest Regulatory District regarding the issues outlined above.*

Based on the information contained in the Draft EIS and comments provided by the reviewing agencies, the state has determined that, at this stage, the subject project is consistent with the Florida Coastal Management Program (FCMP). The applicant must, however, address the concerns identified by FDEP, FDOT, DOS, SWFWMD, and SFWMD staff as described in the enclosed comments. All subsequent environmental documents prepared for this project must be reviewed to determine the project's continued consistency with the FCMP. The state's continued concurrence with the project will be based, in part, on the adequate resolution of any issues identified during this and subsequent reviews.

Response: *Comment noted. Currently, the FHSRA is addressing the concerns identified by the agencies referenced and is responding to each of them individually. FHSRA will provide FDEP with a copy of the individual agency letters. The FHSRA is committed to resolving any issues identified in the review of the Draft EIS. Resolution of such issues are reflected in the Final Environmental Impact Statement (Final EIS).*

Representative Andy Gardiner, Florida State House of Representatives, District 40

As the State Representative for District 40, I represent a large portion of Orange County through which the high speed train would travel. Therefore, I have responsibility to once again state my position in support of the Bee Line Expressway (S.R. 528) route and against the Greeneway (S.R. 417).

This constitutional mandate should serve the best interests of the taxpayers that voted for it. As a publicly funded project, it should serve the entire community and not just one private entity. The Orange County Board of Commissioners has stated the high speed rail project should serve the convention center and I agree. Therefore, the Bee Line Expressway is the only reasonable option as it connects the Orlando International Airport to the OCCC.

Response*: The FHSRA revised the Preferred Alternative to a combination of the I-4 alignment in Hillsborough and Polk counties and the Bee Line Expressway (S.R. 528) alignment in Orange County (gas turbine technology) on November 10, 2004.*

The Greeneway route presents safety and logistical issues that must not be ignored during the route decision process. Several schools directly abut the 417 ROW, including Meadow Woods Middle School, Hunter's Creek Middle School, Primrose School, Endeavor Elementary School, Meadow Woods Elementary School and the new Vistas Elementary School. Putting a major rail system in the backyards of our schools near the Greeneway could potentially lead to hazardous conditions for our school children. This is not an acceptable risk.

Moreover, there are unanswered questions about the High Speed Rail Authority's use of the Greeneway. Have the true costs of using the Orlando-Orange County Expressway Authority's corridor been analyzed? What will be the long term cost of using the Expressway's ROW? Which organization will be responsible for design features (i.e. sound walls, retained earth walls, etc.) that may have to be added to compensate for changes in the environment as a result of the project's implementation? Who will be responsible for liability issues if a train accident occurs on the corridor? What will be the cost of compensation to the Expressway for lost revenues caused by the placement of the train on the corridor? There are many issues that have not been addressed concerning the usage of the Greeneway.

Response: *The FHSRA revised the Preferred Alternative to a combination of the I-4 alignment in Hillsborough and Polk counties and the Bee Line Expressway (S.R. 528) alignment in Orange County (gas turbine technology). The Preferred Alternative does not use the Greeneway.*

South Florida Water Management District

1. Bee Line Expressway (S.R. 528) Corridor – The SFWMD has fee title to the wetlands adjacent to and west of Shingle Creek, south of the existing S.R. 528 ROW. The wetland system is part of the SFWMD's Save Our Rivers Shingle Creek Project. To date, the SFWMD has acquired approximately 1700 ac. within the 7600 ac. project. These lands are managed by the SFWMD's Land Stewardship Department. SFWMD ownership within the Shingle Creek Project extends from S.R. 528 to the Orange/Osceola County line. If this corridor is selected as the final route, the proposed rail project should be constructed within the existing ROW. Any proposed impacts to the wetlands associated with Shingle Creek should be avoided. Despite increased development in the vicinity of the creek, the creek corridor is still used by many wildlife species. On any given day, deer, otter, raccoon, and other tracks are visible in the mud beneath the S.R. 528 bridge. The wetlands along Shingle Creek at S.R. 528 extend approximately 3 mi. to the north and nearly 12 mi. to the south, all the way to Lake Tohopekaliga.

Response: *The FHSRA's Preferred Alternative is a combination of the I-4 alignment in Hillsborough and Polk counties and the Bee Line Expressway (S.R. 528) alignment in Orange County (gas turbine technology).*

The process of avoidance will be evaluated further for alignment modification during final design. This is documented in Section 4.2.5 of the Final EIS. In addition, a continuing process of avoidance, minimization, and mitigation will be a significant effort performed during the permitting phase of this project. This process will be critical for the justification of the chosen alignment. Avoidance and minimization was, however, addressed during the development of

alternatives and Draft EIS process. The alignments have been revised several times in an effort to avoid various environmental concerns (historical, wetlands, contamination etc.).

At this time, proposed wetland mitigation will be pursuant to S. 373.4137 F.S. (Senate Bill 1986) to satisfy all mitigation requirements of Part IV, Chapter 373, F.S. and 33 U.S.C.s 1344. Under S. 373.4137 F.S., mitigation of FHSR wetland impacts will be implemented by the appropriate WMD where the impacts occur. Each WMD develops a regional wetland mitigation plan on an annual basis to be approved by the Florida State Legislature that addresses the estimated mitigation needs. The WMD will then provide wetland mitigation for specific project impacts through a corresponding mitigation project within the overall approved regional mitigation plan. FHSRA will provide funding to the WMD for implementation of such mitigation projects. An emphasis will placed on attempting to provide in-kind mitigation in the same local basin and in accordance with the appropriate mitigation ratios. Section 4.2.5 Wetlands, of the Final EIS includes this discussion.

2. Central Florida Greenway (S.R. 417) Corridor - The SFWMD has fee title to the wetlands adjacent to Shingle Creek (east and west sides) both north and south of the existing S.R. 417 ROW. The SFWMD's property ownership extends north of S.R. 417 along Shingle Creek to about 4.5 mi. south of S.R. 528. Any proposed acquisition and additional ROW for the proposed rail project would fragment the wetlands along the creek and jeopardize the wildlife species using the creek corridor.

Response: *The FHSRA's Preferred Alternative is a combination of the I-4 alignment in Hillsborough and Polk counties and the Bee Line Expressway (S.R. 528) alignment in Orange County (gas turbine technology). Thus, no wetlands will be affected in the Greenway Corridor.*

3. In previous correspondence on this project, the applicant was advised that, pursuant to the Operating Agreement between the FDEP and the SFWMD, the FDEP will be conducting the review of the Environmental Resource Permit (ERP) application for this project. However, there are various references in the Draft EIS to both agencies being involved in the ERP review process.

Response: *Comment noted. The Final EIS is amended to reflect this comment.*

4. Section 4.7.2 of the Draft EIS (page 4-114) should indicate that a Water Use Permit may be required from the SFWMD for certain construction dewatering activities.

Response*: Comment noted. That change is reflected in the Final Environmental Impact Statement (Final EIS).*

Southwest Florida Water Management District

1. Pursuant to Chapter 62-113, F.A.C. and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S. Between SWFWMD and Department of Environmental Protection, Section II.A.1.(q) and (r), the FDEP has regulatory authority over wetland resources and surface water management for the FHSR project. Therefore, the DEP will be

the agency responsible for the issuance of any required Environmental Resource Permits in the project study area occurring within the District.

Response: *Comment noted. Section S.12 of the Final EIS provides a summary of the agencies who will be overseeing the permitting process.*

2. A "Works of the District" permit may be required to cross the Tampa By-Pass Canal. This will depend on where the crossing would occur and whether any impacts would occur outside of the Department of Transportation Right of Way. This crossing will also require coordination with the District's Land Resources and Operations Departments and the USACE, which must approve any projects involving the Tampa By-Pass Canal.

Response: *The Tampa Bypass Canal crossing will be upstream from a flood control weir, within non-navigable Tampa Bypass Canal. The FHSR alignment will be between the existing bridge structures over Tampa Bypass Canal, within the median of I-4. As the FHSR project moves into the design/build phase, coordination for required permits will be conducted with applicable agencies.*

3. Any wells requiring abandonment due to construction in the railway corridor, within the District, will require abandonment by a Florida certified well driller and a permit from the District. Also, water supply wells, or other potable sources, associated with stations located within the District may require a Water Use Permit as well.

Response*: Comment noted. The need for either permit will be identified during the Design and Permitting phases of the FHSR project.*

Local Agency Comments

City of Auburndale and Town of Polk City

The City of Auburndale and the Town of Polk City strongly suggest that the Polk County terminal be located in East Lakeland at the I-4/Polk Parkway East interchange. The two local governments cite various reasons why a terminal at this location should be considered including: proximity to the newly selected site for the University of South Florida; a majority of the County population resides on the east side of the Polk Parkway; more central location that provides easier access to residents on both sides of the County via the Polk Parkway thereby increasing travel on the Polk Parkway; and there is large amount of land available for a rail terminal at this location.

Response: *The ridership analysis included detailed origin-destination questionnaires throughout the corridor. The proposed station locations identified in the Draft EIS included both the Kathleen Road interchange and the West Polk Parkway interchange as potential sites for the Polk County station. The Kathleen Road interchange area will require that the mainline of the high speed rail alignment leave the median of I-4 unless the interstate is reconstructed to allow additional median width. Under either scenario this is additional cost versus locating the station in the median as the area at the West Polk Parkway site would allow. The West Polk*

Parkway site provides a strong indication of attracting riders from the Lakeland/Polk County area currently utilizing Polk Parkway into Tampa/Hillsborough County. The West Polk Parkway station utilizes this ridership attraction as a park and ride facility. The Kathleen Road interchange area provides an existing population center and proximity to local transit that will provide a ridership base for a potential station. With consideration of these factors, the Final EIS documents the environmental impacts of both sites as a potential station. This will allow for additional coordination by the City of Auburndale and Polk County with the Design, Build, Operate, Maintain and Finance (DBOM&F) Team and the FHSRA for concurrence on a final station site.

City of Lakeland, Community Development Department

The City of Lakeland Community Development Department made the following comments to be included in the record for the FHSR public hearing.

Comment A Of the final two vendors for the high speed rail system, one proposed a system driven by what appears to be similar to jet engines. While each system is sure to have various advantages and disadvantages, we are quite concerned about the noise impacts from a system that would utilize jet-engine type power. Even without a station near residential uses, to have such a train traverse residential areas along the corridor could be disruptive to residents and potentially have an adverse effect upon the value of impacted properties.

Response: *Based on the comparative noise analysis of the gas turbine system and the electrified system, the noise impacts of the gas turbine train are similar if not less than the electric train. This analysis results from the consideration of a number of variables that are specific to each proposed system including: proximity of the receiver to the track, the train speed at the specific receiver, and the track height at the specific receiver. The combinations of these factors, the two power sources for operation, and the consideration of additional trips proposed in the operations plan of the electric train cause the electric train to have more overall noise impacts than the gas turbine train. The FHSRA has committed to mitigating noise impacts that exceed the FRA's criteria for severe impacts. Mitigation will be coordinated with local communities during the final design phases of the project.*

On the other hand, it would seem crucial that any electric-driven system have substantial back-up systems for reliability during the frequent storm events that Central Florida experiences that include high frequency lightning events to potential hurricane-force events. Given that residents and businesses frequently experience electricity outages during storm events, electric-based systems may be perceived to be vulnerable to these same events. The reliability of the train is important for daily users of the train as well as those who might use the train during an emergency and/or coastal evacuations situation.

Response: *Power would be supplied from three substations along the route from Tampa to Orlando so that even if one of the substations is unable to supply power, the others will take over.*

Comment B We understand that the high speed rail system route will be within the I-4 corridor, not CSX rail, in the Lakeland area. We also understand from both vendors that an issue of the I-4 corridor as regards any station location is the width of the median, i.e. width of land available upon which to build the Lakeland area station site. *We would appreciate confirmation of the interchange locations at which an adequate median width exists for a high speed rail station within the vicinity of the City of Lakeland.* The vendors contend it only exists at the I-4/West Polk Parkway interchange (excepting perhaps US 98 interchange since it is being built to the 10 lane master plan design for I-4.) Also, it is not clear if it might be economically feasible to design the proposed interchange on I-4 for the Williams DRI property and possible USF campus to accommodate a station in the median at that location.

Response: *The I-4 median does not provide adequate width for a station within the vicinity of the City of Lakeland unless the I-4 mainline is redesigned. The preliminary engineering phase of the FHSR project accounts for the approved future buildout of I-4 to the proposed ultimate improvements. The I-4 interim phase currently under construction is based on this ultimate plan with respect to drainage and ROW requirements. Any revisions to the current ultimate plans and the interim improvements, including accommodation of a median station within the proposed interchange associated with the Williams DRI/USF Campus, will result in additional reconstruction of the I-4 mainline and the acquisition of additional ROW.*

We remain concerned that both vendors seem decided about this Western Polk Parkway station location even though it is fairly removed from much of the City and County's residential populations and is not located where future densities are likely or suitable. After all, station location proximate to a population/ridership base would seem to correlate strongly to ridership numbers and financial feasibility of the system.

Response: *The ridership analysis included detailed origin-destination questionnaires throughout the corridor. The proposed station locations identified in the Draft EIS included both the Kathleen Road interchange and the West Polk Parkway interchange as potential sites for the Polk County station. The Kathleen Road interchange area will require that the mainline of the high speed rail alignment leave the median of I-4 unless the interstate is reconstructed to allow additional median width. Under either scenario this is additional cost versus locating the station in the median as the area at the West Polk Parkway side would allow. The West Polk Parkway site provides a strong indication of attracting riders from the Lakeland/Polk County area currently utilizing Polk Parkway into Tampa/Hillsborough County. The West Polk Parkway station utilizes this ridership attraction as a park and ride facility. The Kathleen Road interchange area provides an existing population center and proximity to local transit that will provide a ridership base for a potential station. With consideration of these factors, the Final EIS documents the environmental impacts of both sites as a potential station. This will allow for additional coordination by the City of Lakeland and Polk County with the Design, Build,*

Operate, Maintain and Finance (DBOM&F) Team and the FHSRA for concurrence on a final station site.

In addition, we have the following concerns about any station location:

- Proximity to existing fixed route transit and costs to extend transit facilities to the station;

Response: *Issues of extending modal connectivity to the proposed station site include extension of route service (i.e. bus service). The cost associated with extending local bus service to the station, for example, and the benefits to the service provider will require further coordination with the FHSRA and the operator of the High Speed Rail as design of station and specific operational plan and requirements are identified. This coordination will include the DBOM&F Team (Fluor-Bombardier) in the design/build phase.*

- Cost to the City (or County) to make any roadway improvements necessary for station accessibility.

Response: *Station locations were identified that anticipated minimal local roadway improvements. As stated in the RFP documents, proposers were required to consider design modifications and costs for improvements to local roads for the Kathleen Road interchange and the West Polk Parkway station sites. It is anticipated that roadway improvements in the immediate area of any station will be required as part of the FHSR and further coordination will identify specific roadway improvements in the design/build phase. Any roadway improvements will be coordinated with local agencies, including the City of Lakeland.*

- Visual impact of a high speed rail station if located vertically at a high point within the I-4 median; and any operational impact of the station on the interchange itself.

Response: *Visual impacts of a station will be coordinated with various agencies, including the City of Lakeland, through the design/build phase of the project. Based on ridership estimates, the station locations will have minimal impact on interchange operations.*

<u>Pinellas County MPO</u>

We believe the initial phase from Pinellas County to Orlando should be reviewed at one time in this environmental impact evaluation. The decisions contained in the document as to the placement of stations could be affected by the additional information of the corridor west of downtown Tampa and across Tampa Bay to Pinellas County. The study had to presume a station in the vicinity of the downtown Tampa area and there was not an option to evaluate how that location might be affected with a broader perspective. Also, this broader perspective would also affect the selection of technology with respect to which company is selected. It is not documented as to which technology is better suited to proceed west through Tampa and across Tampa Bay to Pinellas County.

Response: *The FHSRA, in consultation with the FRA, determined the Tampa to Orlando segment represented logical termini for the first phase. In 2002, the FHSRA indicated the phase of the system to be built (Phase 1, Part 1) would be from Tampa to Orlando with an extension to St. Petersburg. The FHSRA completed the Draft EIS as part of the PD&E process for the Phase 1, Part 1 project from Tampa to Orlando. The corridor west of downtown Tampa and across Tampa Bay extending to St. Petersburg would be included in Phase 1, Part 2 of the project implementation. The proposed station location in Tampa does allow flexibility to potentially extend the tracks to the west. As of this date, Phase 1, Part 2 has been the subject of a preliminary planning level study, which was presented in the FHSRA's 2002 Report to the Legislature. According to the FHSRA 2004 Report to the Governor and Legislature, Phase 1, Part 2 from Tampa to St. Petersburg will be evaluated in more detail by the FHSRA subject to funding in fiscal year 2004-05. The selection of appropriate technology for the corridor from Tampa across Tampa Bay to Pinellas County was not within the scope of the preliminary planning level study; however, it should be addressed as part of Phase I, Part 2.*

Tampa Bay Regional Planning Council

The Planning Council's finding states the Draft EIS is consistent with the Strategic Regional Policy Plan (SRPP); but also notes the referenced project does not extend into Pinellas County.

Response: *In 2002, the Authority indicated the first phase of the system to be built (Phase 1, Part 1) would be from Tampa to Orlando with an extension to St. Petersburg. The extension to St. Petersburg is Phase 1, Part 2 of the project implementation. As of this date, Phase 1, Part 2 has been the subject of a preliminary planning level study, which was presented in the Authority's 2002 Report to the Legislature.*

Environmental Protection Commission of Hillsborough County

1. Wetlands appear to exist within the portion of the project within Hillsborough County and have not been delineated by the staff of the EPC. A formal determination of the wetland boundary is necessary to determine the avoidance of wetland impacts during site development.

Response: *A formal wetland jurisdictional survey will be produced during the permitting effort. Review and approval of these lines will be conducted by appropriate local, state and federal agencies.*

2. Once the EPC Wetland Line is established, it must be surveyed by a surveyor registered in the State of Florida. The surveyed wetland line must be approved by the EPC staff and incorporated into the site plan for the project. Prior to a recommendation of construction plan approval from this agency, the wetland delineation for this property must be completed through the submittal of Specific Purpose Wetland Delineation Surveys to this agency for review and approval. The approved wetland lines must be shown on all future plan submittals.

Response: *Comment noted. The FHSRA will comply with the procedure as outlined above.*

3. Wetland lines, wetland areas and wetland setback lines must be labeled "EPC Wetland Line", "Wetland Conservation Area" or "Wetland Preservation Area", and "30-ft. Wetland Conservation Area Setback Line" or 50-ft. Wetland Preservation Area Setback Line" respectively. Failure to properly label these features on future plans may result in a recommendation of denial from this agency.

Response: *Comment noted. All future plans will be labeled as outlined above.*

4. A 30-ft. setback must be maintained around Wetland Conservation Areas and a 50-ft. setback must be maintained around Wetland Preservation Areas, with no land alteration therein. Land alterations within this setback are restricted, as per the Hillsborough County Land Development Code. Exceptions are allowed only with specific recommendation of the EPC and with approval of Hillsborough County's Natural Resources Review Team of the Planning and Growth Management Department, and/or the Land Use Hearing Officer. The setback line must also be shown on all future plan submittals.

Response: *Comment noted. Setbacks from wetland boundaries will need to be coordinated during the permitting phase. Setback lines will be shown on all future plan submittals.*

5. Chapter 1-11.01, The EPC Wetland Rule, states that development requiring mitigation be an avenue of last resort when reasonable use of the property is otherwise unavailable. The applicant shall seek to first avoid all impacts to wetlands. If avoidance is impossible, then minimization of the impact to the least amount of encroachment necessary will be considered. A wetland impact justification and mitigation proposal must be submitted to the EPC along with the appropriate review fee. The encroachment/mitigation plan should be for the project in its entirety. In addition, Chapter 1-11.08, Wetlands, Rules of the EPC requires at a minimum "acre for acre replacement of the same or better type of wetland."

Response*: A formal wetland jurisdictional survey will be produced during the permitting effort. Review and approval of these lines will be conducted by appropriate local, state and federal agencies. At this time, wetland impacts, which will result from the construction of this project, will be mitigated pursuant to S. 373.4137 F.S. (Senate Bill 1986) to satisfy all wetland mitigation requirements of Part IV Chapter 373, F.S. and 33 U.S.C.s. 1344. Under this statute, transportation improvement mitigation can be achieved through long range planning, rather than a project-by-project basis. The mitigation is carried out by either the FDEP or the WMD. Under S. 373.4137 F.S., mitigation of FHSR wetland impacts will be implemented through the FDEP. Each WMD has developed a regional wetland mitigation plan to address the estimated mitigation needs. This plan is updated on an annual basis and approved by the Florida State Legislature.*

Informational Comments: The Hillsborough EPC also submitted comments regarding impact justification and mitigation, construction plans and other comments of a general nature.

Response: *Comments have been noted.*

Air Division Comments:

Dust – FHSRA is responsible for minimizing the generation of dust and effectively addressing all nuisance complaints that may arise during both the construction and operational phases of the project.

Response: *Comment noted.*

Noise – Several of the proposed corridor alignments pass through noise sensitive areas of Hillsborough County. During the rail construction phase, FHSRA must adhere to the noise standards set forth in Chapter 1-10, Rules of the EPC. We also request the opportunity to review and comment on any studies/reports detailing the project noise impacts to surrounding areas. FHSRA is additionally required to comply with the noise criteria and guidelines set forth by the Federal Transit Administration during the operation of rail service.

Response: *Comment noted. FHSRA, in coordination with the FRA (as the lead federal agency) and EPA, will comply with all applicable Federal noise standards, criteria and guidelines in the construction phase and in the operation of rail service.*

Building demolition/ renovation – FHSRA must comply with State regulations set forth in F.A.C. 62-204 and the Federal NESHAP standards, as adopted by EPC, regarding building demolitions and renovations.

Response: *Comment noted. FHSRA will comply with all applicable State and Federal standards and regulations.*

Asbestos – FHSRA must timely submit to EPC all required asbestos notifications, inspection reports and applicable fees.

Response: *Comment noted. FHSRA will comply with all applicable asbestos requirements.*

Open Burning – FHSRA must obtain authorization to conduct any open burning as it relates to land clearing activities. FHSRA should be made aware that open burning for purposes other than land clearing is not permitted in Hillsborough County. FHSRA is also responsible for all applicable inspection fees.

Response: *Comment noted. FHSRA will comply with all applicable requirements regarding open burning.*

Additional Comments

Several designated site are expected to be severely impacted with noise by rail operations. A map of noise contours detailing the noise levels and the extent to which they are expected to emanate from the rail line would be a beneficial visual in understanding the noise impact.

Response: *Comment noted.*

It should be noted that Hillsborough County is moderately attaining the National Ambient Air Quality Standards. Nationally, oxides of nitrogen (NOX) is the predominate ozone precursor, and it has proven to be the most difficult to control. Based on the Draft EIS methodology used to calculate net emissions of high speed rail implementation, Hillsborough County should expect a net increase in NOX emissions using either the gas turbine or electric technology as a power source.

Response*: The primary objective of the air quality evaluation was to demonstrate that the FHSR project would not require a conformity determination in accordance with the General Conformity Rule (40CFR Part 93 Subpart B). For the purpose of demonstrating that a conformity determination would not be required, a worst-case approach was used in the air quality evaluation for both the gas turbine and electric technologies. The FHSRA has recommended the Fluor-Bombardier Team as the First Preferred Proposer utilizing the gas turbine technology. Based on the worst case approach, the NOX emissions net increase for the Preferred Alternative is 52.6 tons per year. EPA has designated Hillsborough County as a maintenance area for ozone; therefore, the General Conformity Rule is applicable to the portion of the FHSR project in Hillsborough County. Predicted increases in VOC or NOX for the design/build alternatives are less than the de minimis rates (100 ton per year rate of increase) documented in the General Conformity Rule; therefore, a conformity determination is not required for this project.*

<u>School Board of Orange County</u>

The School Board of Orange County submitted comments expressing strong opposition to the proposed Greeneway route and cited a number of reasons including: the route goes through residential neighborhoods and is adjacent to several Orange County public schools; the noise and vibrations of any technology being considered is likely to have a negative impact on the residential communities and schools and therefore on the quality of life of residents and quality of the learning environment for students; and unforeseen safety issues. Further, the School Board expressed concerns regarding route service to the OCCC and Disney World, considering the significant investments made by local taxpayers. The School Board also noted that a stop at both OCCC and Disney World would provide an opportunity for increased ridership and revenues because Disney and the International Drive businesses could market visitor packages that include rail transportation as an amenity. The School Board urged the High Speed Rail Authority to consider the Bee Line Expressway route as a viable option. The School Board stated the Bee Line Expressway route would be the most economically feasible and least intrusive route if Disney fully participates.

Response*: The FHSRA's Preferred Alternative is a combination of the I-4 alignment in Hillsborough and Polk counties and the Bee Line Expressway (S.R. 528) alignment in Orange County (gas turbine technology).*

Regarding noise and vibrations, the noise impacts of the gas turbine train, based on the comparative noise analysis of the gas turbine system and the electrified system, are similar if not less than the electric train. Noise impacts for all of the design/build alternatives that were considered are attributed to track proximity and height, as well as train speed. The noise and vibration analysis completed as part of the environmental documentation for FHSR included schools. The FHSRA has committed to mitigating noise impacts that exceed the FRA's criteria for severe impacts. Mitigation will be coordinated with local communities during the final design phases of the project.

The FHSRA shares the concern regarding public safety and considers this the highest priority as we proceed with this project. The design/build process will address specific system safety and security in accordance with FRA standards through development of a safety plan following approval of the environmental process.

Polk Group of Sierra Club, Florida Chapter

The Polk Group of Sierra Club, Florida Chapter submitted written comments to be included in the record for FHSR project public hearing.

The Polk Group of Sierra Club, Florida Chapter would like indicate to the FHSRA its preference for the Global Rail Consortium Electric (GRC) Train System alternative.

Response: *Comment noted and has been made known to the FHSRA. FHSRA has selected the technology based on project costs, systems operation, and environmental considerations; however, the selected design/build firm has been directed to identify costs for a potential future transition to electric technology.*

The Polk Group of Sierra Club, Florida Chapter strongly supports both rail alternatives including the wildlife corridors in their part of the I-4 alignment.

Response: *The FDOT has committed to providing wildlife crossings along I-4 during construction of the ultimate interstate improvements. Since the High Speed Rail is considered to be a viable portion of the ultimate I-4 corridor, the selected proposer will include wildlife crossings in its final design.*

The Polk Group of Sierra Club, Florida Chapter also supports the preferred route alternative through the I-4 corridor as proposed.

Response: *Comment noted.*

It should also be noted that the Draft EIS didn't appear to clearly describe the impact avoidance and cost differential by the trip rate reductions to the Interstate system against the cost and impacts providing for these trip rates through interstate expansion.

Response: *The ridership forecasts, completed for year 2010, indicated a reduction of over 750,000 vehicles annually traveling on I-4. This reduction is not sufficient to significantly*

improve the level of service on I-4 with many segments of the roadway remaining at over capacity. The ultimate I-4 improvements envisioned, with the addition of an alternative mode of transportation within the interstate corridor, will still be required for acceptable levels of service for interstate operations. Additional information on the ridership analysis is found in the Investment Grade Ridership Study.

League of Environmental Organizations

The League of Environmental Organizations (LEO) submitted written comments to be included in the record for the FHSR project public hearing.

1. The LEO supports the statements made on behalf of the Sierra Club, Polk Group.

Response: *Comment noted.*

2. It should be noted that the design criteria for the wildlife corridors are water-centered. While the primary function of these corridors is the safe movement of wildlife through the Interstate system that has been cut off since its construction, the secondary function is to make an effort to provide a more effective reconnection of the surface hydrology through these corridors.

   The environmental advantages are the reintroduction of water to the Peace River System east of S.R. 33 and I-4. The SWFWMD is proposing a recovery plan for the Peace River system and the reconnection of historic flows through the wildlife corridor will have a significant effect on its recovery.

   While there are environmental advantages to the reconnection of surface hydrology through eastern Green Swamp wildlife corridors, one of the principal advantages to the Green Swamp water centered wildlife corridors is flood hazard mitigation. Currently there are flood impact stemming from the Lake Lowery area of Polk County and through the southern portions, and to a lesser degree, the median of, I-4. This area demonstrates a mixed basin surface hydrology and the flows will benefit the Withlacoochee River System as well as the Palatlakaha/Ocklawaha River system.

Response: *Comment noted.*

3. The LEO study was the basis of a (MOA) between the SWFWMD, the FDEP, and the Florida DOT. This provided a consolidated mitigation area for all I-4 ROW including the acquisition required for the "ultimate expansion." Nothing limits the FHSR system from participating in any additional mitigation required for the High Speed Rail Project. We recommend that the High Speed Rail Authority participate, as much as feasible, with the consolidated mitigation project.

Response: *It is the intent of the FHSR to provide wetland mitigation through Senate Bill 1986 (F.S. Chapter 373.4137 Mitigation Requirements) and provide funding to the SWFWMD for the construction of new wetlands of equal or better function and value.*

4. The LEO provided Florida DOT design criteria when constructing the wildlife corridors for the I-4 expansion. The LEO strongly recommends following these recommendation during its portion of construction in the I-4 ROW. A copy of these recommendations can be made available to the FHSRA by contacting John Ryan at the address or phone number listed above.

Response: *The FDOT has committed to providing wildlife crossings along I-4 during construction of the ultimate interstate improvements. Since the High Speed Rail is considered to be a viable portion of the Ultimate I-4 corridor, the successful proposer will include wildlife crossings in its final design.*

Sierra Club, Florida Chapter

The Florida Chapter of the Sierra Club urges the commission to choose the electric technology of the Global Rail consortium over the diesel technology of Bombardier. This technology would be faster, less polluting, more energy efficient, and quieter. The electric train would be faster than diesel (150 mph versus 125 mph) between Orlando and Tampa. Although the time variation between the two modes is slight, speed difference will be more pronounced as this system is expanded to cities such as Miami where electric trains could travel there in one hour in fifteen minutes versus two hours and a half by diesel. An Electric Train would provide a real speed incentive for people to take mass transit instead of their SUV's and automobiles.

Response: *Comment noted. The Sierra Club's preference for the electric technology was made aware to the FHSRA. FHSRA has selected the technology based on project costs, systems operation, and environmental considerations; however, the selected design/build firm has been directed to identify costs for a potential future transition to electric technology.*

Travel by high speed rail pollutes less than air or automobile transportation. When comparing the electric vs. diesel locomotion, electric emits fewer greenhouse gasses: Electric emits 30 percent of Nitrous oxides vs. diesel engine. Carbon Monoxide gasses are reduced by 20 percent by using electric. Finally, Volatile Organic Compounds are reduced by 9.1 tons per year by electric locomotive use.

Response: *Comparing train technologies, the amount of emissions from a gas turbine train is higher than the amount of emissions from an electric train. This is a result of the relatively strict controls and emission reduction measures employed by power plants, which would be the source of electricity for the electric train technology. Overall, the FHSRA identified the gas turbine proposal as the Preferred Alternative with consideration of the environmental impacts, project costs, ridership, input received at the public hearing, and potential revenue.*

Electric-Powered trains will reduce foreign oil dependency because electric is twice as efficient as diesel. The comparison of electric vs. diesel consumption in BTU's is 195,864 million BTU (electric) versus 373,029 million BTU (diesel) from Orlando to Tampa.

Response: *Energy requirements for fossil fuel consumption for the gas turbine engines are substantially higher than the fossil fuel required togenerate electricity for the electric trains. Highway energy consumption decreases for all alternatives due to diverted automobile ridership.*

The total change, however, is a negligible fraction of Florida's total energy consumption for surface transportation (which includes all non-military vehicle operation on highways, railroads, and fixed-guideway public transportation).

Electric technology integrates better in a community than diesel technology as it has thirty (30) percent less vibration impacts as diesel. Utilizing electric eliminates intrusive, overbearing mass transit systems. Businesses, residents, and mass transit will be come holistically integrated through 21st century community planning.

Response: *Comment noted.*

The Global Rail bid has more carrying capacity than the Bombardier bid. This is reflected within the artificially low Bombardier price. They have a lower price for their transit system because they use only a single track from Tampa to Disney compared to a dual track for the Global Rail bid. This makes the Global route safer and easier to increase head ways as demand increases.

Response: *As stated previously, the FHSRA identified the gas turbine technology as the Preferred Alternative. At the subsequent December 2003 FHSRA Board meeting, the Authority directed the preferred proposer to include further options to the Preferred Alternative. These options include:*

- *Double track for the entire alignment*
- *Provisions for future electrification.*

The FHSRA considered the ridership and revenue projections of each proposal in identifying the preferred proposer.

While the Sierra Club is concerned about the technology chosen for the above reasons, we are also concerned that the route serves the maximum number of people. The people of Florida passed the High Speed Rail Constitutional Amendments for the purpose connecting the major urban centers in the state with each other. The alignments going along the Bee Line Expressway to the OCCC would serve the citizens of Tampa and Orlando very well. However, the Greenway alignments straight to Disney effectively bypasses most of the people living in central and west Orange counties and major tourist destinations such as Sea World, Universal Studios and the OCCC. The Bee Line Expressway route would easily serve Disney and Osceola County as well as Sea World, Universal Studios and the OCCC. The Sierra Club questions why the citizens of Florida should fund or pay for a system that serves one customer?

***Response**: The FHSRA's Preferred Alternative is a combination of the I-4 alignment in Hillsborough and Polk counties and the Bee Line Expressway (S.R. 528) alignment in Orange County (gas turbine technology).*

The Sierra Club supports the building of a high speed rail system in Florida. However, if the public is expected to support the building of this system, it is critical that it be built in a manner that best serves the residents of Florida. This can only be done by selecting the Global Rail Consortium bid.

***Response:** Comment noted. FHSRA took into consideration environmental impacts, financial aspects of the proposal, strength of the Design/Build team and the proposed design/build costs. The FHSRA has recommended the Fluor-Bombardier Team as the First Preferred Proposer utilizing the gas turbine technology.*

East Polk Committee of 100

The East Polk Committee of 100 submitted written comments regarding the FHSR project.

I attended the High Speed Rail Meeting on October 8, 2003 in Lakeland, Florida and in my remarks stated that it was unreasonable for the High Speed Rail Authority to throw out the possibility of a stop at the Polk Parkway and NE I-4 interchange. Our organization has gone on record in the past in this regard and want to again support a stop at the Polk Parkway and Northeast I-4 interchange. We strongly feel that this stop would benefit the entire county for the following reasons:

- Better than 53 percent of the entire population of Polk County lives on the east side of the parkway.
- The Polk Parkway provides easy access to both businesses and residents of both sides of the county. The other proposed locations would limit access from the entire eastern and southern sides of the county. The further removed from the Polk Parkway and East I-4 interchange, the less the High Speed Rail will be used.
- Increased travel on the Polk Parkway would significantly increase tolls helping to fund the expansion to full four-lanes on the NE leg.
- This proposed stop would still be considered a Lakeland address due to recent annexation.
- There is a great deal of open land in this area, which would provide well for parking lots, retail space, restaurants and car rental facilities.
- It just makes sense that a revolutionary High Speed Rail System would be connected to a High Speed Roadway such as the Polk Parkway rather than obscure two-lane roads.
- The University of South Florida has now picked the Northeast area of the parkway for their new campus.
- The Williams' Companies are in the process of getting ready to apply for an interchange, which would put a second interchange at the station.

We urge you to consider the stop, which ultimately would be the best thing for all of Polk County and the High Speed Rail system.

Response: *The ridership analysis included detailed origin-destination questionnaires throughout the corridor. The proposed station locations identified in the Draft EIS included both the Kathleen Road interchange and the West Polk Parkway interchange as potential sites for the Polk County station. The Kathleen Road interchange area will require that the mainline of the High Speed Rail alignment leave the median of I-4 unless the interstate is reconstructed to allow additional median width. Under either scenario this is additional cost versus locating the station in the median, as the area at the West Polk Parkway site would allow. The West Polk Parkway site provides a strong indication of attracting riders from the Lakeland/Polk County area currently utilizing Polk Parkway into Tampa/Hillsborough County. The West Polk Parkway station utilizes this ridership attraction as a park and ride facility. The Kathleen Road interchange area provides an existing population center and proximity to local transit that will provide a ridership base for a potential station. With consideration of these factors, the Final EIS includes the environmental impacts of both sites as a potential station, allowing for more than one site results in additional coordination by the cities of Lakeland, Auburndale, Polk City and Polk County with the Design, Build, Operate, Maintain and Finance (DBOM&F) Team for concurrence on a final station site during the design phase.*

6.5 REFERENCES

1. Investment Grade Ridership Study; AECOM and Wilbur Smith Associates; November 20, 2002.

2. Florida High Speed Rail Corridor Screening Report, PBS&J; October 2002.