

PUBLIC MEETING

New River CSX Railroad Bascule Bridge  
Project Development and Environment (PD&E) Study

Financial Project ID No. 406919-1-22-01  
ETDM No. 9087  
Broward County, Florida

Tuesday, January 25, 2011  
6:35 p.m. - 7:20 p.m.

300 Gulf Stream Way  
Dania Beach, Florida

Lisa Michelle Sheib, Court Reporter



**ESQUIRE**  
an Alexander Gallo Company

Toll Free: 800.211.3376  
Facsimile: 954.331.4418

Suite 1300  
515 East Las Olas Boulevard  
Fort Lauderdale, FL 33301  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES:

KARL PETERSON, P.E.  
JACOBS ENGINEERING  
800 Fairway Drive, Suite 190  
Deerfield Beach, Florida 33441  
954.246.1232  
954.246.1235 Fax  
karl.peterson@jacobs.com

RAY HOLZWEISS, P.E.  
FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT FOUR  
3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309  
954.777.4425  
ray.holzweiss@dot.state.fl.us

RICHARD YOUNG, P.E.  
FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT FOUR  
3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309  
954.777.4425  
richard.young@dot.state.fl.us



1 MR. YOUNG: Welcome, ladies and gentlemen.  
2 Good evening, if you will take a seat we will begin  
3 our formal presentation for the public hearing. Thank  
4 you.

5 Good evening, ladies and gentlemen. My name is  
6 Richard Young. I am the District Project Development  
7 Engineer for the Fourth District of the State of  
8 Florida, Department of Transportation. This hearing  
9 is relative to the potential replacement of the New  
10 River CSX Railroad Bascule Bridge in the City of Fort  
11 Lauderdale, Broward County.

12 Here with me tonight are Mr. Ray Holzweiss,  
13 Project Manager with District 4, Mr. Karl Peterson,  
14 our Consultant Project Manager with Jacobs  
15 Engineering, and we have many other representatives of  
16 the FDOT and consultant project team.

17 At this time, we'd like to recognize any  
18 federal, state, county, or city officials who may be  
19 present tonight. And I know we do have Evelyn Smart  
20 of the US Coast Guard, our lead federal agency for  
21 this project.

22 Are there any other officials here tonight that  
23 would like to be recognized?

24 (No response from audience.)

25 MR. YOUNG: Okay. Seeing none, then if we can



1 dim the lights we'll begin our presentation.

2 (PowerPoint Presentation begins with unknown  
3 voice speaking.)

4 Welcome to the Public Hearing for the New River  
5 CSX Railroad Bascule Bridge Project Development and  
6 Environment, or PD&E, Study.

7 This Public Hearing is being held in accordance  
8 with Chapter 23 of the United States Code 128; Title  
9 40 of the Code of Federal Regulations parts 1500  
10 through 1508; Title 23 of the Federal Regulations part  
11 117; the Federal Aid Highway Act of 1968 as amended;  
12 and Florida Statute 339.155. Public participation is  
13 solicited without regard to race, color, national  
14 origin, age, sex, religion, disability, or family  
15 status.

16 The Florida Department of Transportation is  
17 required to comply with various non-discrimination  
18 laws and regulations, including Title 6 of the Civil  
19 Rights Act of 1964. Persons wishing to express their  
20 concerns about Title 6 may do so by contacting either  
21 of the persons indicated on this screen.

22 This project is located just west of Interstate  
23 95 between State Road 84 and Davie Boulevard in the  
24 City of Fort Lauderdale, Florida.

25 More specifically, the subject bridge is



1 located within the railroad corridor where it crosses  
2 the South Fork of the New River.

3 The purpose of this PD&E study is to identify  
4 all reasonable and feasible alternatives for  
5 rehabilitating or replacing the existing railroad  
6 bridge.

7 This study evaluates the engineering aspects  
8 associated with the rehabilitation and replacement  
9 alternatives as well as the social and cultural  
10 impacts and impacts to the natural and physical  
11 environment.

12 Because the railroad corridor is owned by the  
13 State of Florida and the subject bridge crosses a  
14 navigable waterway, this PD&E study is being conducted  
15 by the Florida Department of Transportation, or FDOT,  
16 in coordination with the United States Coast Guard.

17 The transportation analysis process frequently  
18 begins with a planning study that moves into a project  
19 development and environment phase. From there, the  
20 project goes into design, right-of-way acquisition,  
21 and then construction. Ultimately, the completed  
22 project enters the maintenance phase.

23 The project is currently in the Project  
24 Development and Environment, or PD&E, phase. There  
25 are three primary components of a PD&E study. These



1 are engineering, environmental, and public  
2 involvement.

3 The CSX Railroad Bascule Bridge was built in  
4 1926 as part of the Miami extension of the Seaboard  
5 Air Line Railroad system. The first train to come  
6 through Fort Lauderdale on the Seaboard Air Line  
7 Railroad was the Orange Blossom Special on January 8,  
8 1927.

9 In 1995, a program began to add a second track  
10 to improve Tri-Rail service. A new 55-foot high,  
11 fixed-span bridge over the South Fork of the New River  
12 was constructed in 2007 as part of this double  
13 tracking program. During the construction of this  
14 high-level bridge, additional structural supports were  
15 added to the original CSX bascule bridge to enhance  
16 its safety and stability.

17 This bridge study is being conducted because  
18 the existing bridge does not meet current design  
19 standards and it is showing signs of fatigue. In  
20 addition, it does not meet the United States Coast  
21 Guard's minimum horizontal navigation clearance  
22 requirement for this location. In summary, this  
23 bridge is more than 84 years old and is near the end  
24 of its serviceable life resulting in growing  
25 operational and navigational safety concerns. These



1 facts constitute the project's "purpose and need"; a  
2 key element of the PD&E process.

3 CSX typically operates seven to ten freight  
4 trains per day in this corridor. The adjacent  
5 high-level, fixed-span bridge used by Tri-Rail and  
6 Amtrak cannot be utilized by CSX freight trains  
7 because the approaches to this bridge are too steep  
8 for their freight trains in this area of the country.  
9 Therefore, the existing bascule bridge provides the  
10 only feasible route for CSX south of Fort Lauderdale.  
11 An agreement between FDOT and CSX requires that FDOT  
12 allow for continued freight train operations within  
13 this corridor during all maintenance and construction  
14 activities.

15 The level of environmental review for this PD&E  
16 study is an Environmental Assessment, or EA. The EA  
17 is being conducted in accordance with both the FDOT's  
18 PD&E Manual and the United States Coast Guard's "Tools  
19 for Decision Making: Environment Considerations," and  
20 in compliance with the National Environmental Policy  
21 Act of 1969.

22 Now, we will review the key engineering aspects  
23 considered during this PD&E study.

24 The National Environmental Policy Act of 1969,  
25 or NEPA, requires that a no-build, or no action,



1 alternative be considered along with all reasonable  
2 build alternatives. For this study, a rehabilitation  
3 alternative was also evaluated.

4 Under the No-Build Alternative, no improvements  
5 to the existing bridge or track configuration would be  
6 made. Only regular routine maintenance activities  
7 would be performed.

8 The advantages of the No-Build Alternative are  
9 that there would be no impacts to natural or physical  
10 resources in the project area as a result of  
11 construction and that the subject bridge, which is  
12 eligible for historic listing, would remain in its  
13 current location.

14 The disadvantages are that this alternative  
15 does not meet the project's Purpose and Need.  
16 Specifically, the No-Build Alternative would not  
17 improve the existing structural deficiencies and the  
18 existing bridge will continue to violate the  
19 horizontal navigation clearance requirement.  
20 Furthermore, as the bridge continues to age,  
21 operational concerns will likely increase along with  
22 the costs of maintenance.

23 Another alternative considered is the  
24 rehabilitation of the existing bridge. This  
25 alternative would require extended closures of the



1 existing bridge which would impact CSX train traffic.  
2 In order to maintain freight traffic in this corridor,  
3 this alternative would require a temporary movable  
4 bridge approximately 35 feet west of the existing  
5 bridge location.

6 The advantage of the Rehabilitation Alternative  
7 is that it would allow the existing bridge, which has  
8 been determined to be eligible for historic listing,  
9 to remain in its current location.

10 The disadvantages of this alternative are the  
11 costs, which are greater than several of the build  
12 alternatives due to the need for a temporary bridge,  
13 and the limited useful life of the rehabilitated  
14 bridge. In addition, the 70 foot horizontal  
15 navigation clearance required by the United States  
16 Coast Guard would not be met.

17 Several Build Alternatives were developed  
18 during the course of this study. These alternatives  
19 include: A high-level fixed span bridge; a tunnel; a  
20 swing-span bridge; a bascule bridge, a rolling lift  
21 bridge; and a vertical lift bridge.

22 The fixed span bridge, the tunnel and the  
23 swing-span bridge alternatives were quickly eliminated  
24 from further consideration. The fixed-span bridge and  
25 the tunnel alternatives were eliminated due to



1 excessive physical and environmental impacts as well  
2 as costs. The swing-span bridge was eliminated due to  
3 the physical limitations of the immediate area and the  
4 waterway.

5 As a result, the feasible build alternatives  
6 were determined to be the vertical lift bridge, the  
7 rolling lift bridge and the bascule bridge.

8 Photographs and renderings of each feasible  
9 build alternative bridge-type are provided on display  
10 boards at tonight's Public Hearing. This is a  
11 graphical representation of a vertical lift bridge.

12 The existing bridge is a rolling-lift bridge.  
13 This is a graphical representation of this type of  
14 bridge.

15 And, this is a graphical representation of a  
16 bascule bridge.

17 To maintain freight rail traffic in the  
18 corridor, the existing bridge must remain in place  
19 while the new bridge is constructed. To allow for  
20 minimal interference, the new movable bridge and  
21 railroad tracks would be located approximately 35 feet  
22 to the west of the existing bridge.

23 The advantages of the Feasible Build  
24 Alternatives include addressing the structural  
25 deficiencies of the existing bridge and increasing the



1 horizontal navigation clearance to 70 feet as required  
2 by the United States Coast Guard. The disadvantages  
3 of the Feasible Build Alternatives are environmental  
4 impacts that will be discussed later in this  
5 presentation.

6 At this time, FDOT is recommending that the  
7 Feasible Build Alternatives (vertical lift, rolling  
8 lift, or bascule bridge) be selected as the Preferred  
9 Alternative. A final bridge-type would be determined  
10 during the design phase.

11 In addition to addressing the structural  
12 deficiencies of the existing bridge, the Preferred  
13 Alternative will improve the horizontal navigational  
14 clearances at this river crossing. The fender system  
15 will also be repositioned in order to take advantage  
16 of the natural river channel at this location and to  
17 enhance the flow of marine traffic in the area.

18 The existing bridge remains open most of the  
19 time. When this bridge is in the open position, the  
20 vertical clearance is unlimited. However, the  
21 vertical clearance of the adjacent Interstate 95 and  
22 Tri-Rail fixed span bridges is limited to 55 feet.  
23 When the existing bridge is in the closed position,  
24 the vertical clearance above the water is  
25 approximately 2 feet.



1           The Preferred Alternative would be similar to  
2           the existing bridge in that the future bridge will  
3           remain in the open position most of the time with  
4           unlimited vertical clearance. However, the vertical  
5           clearance of the Preferred Alternative will be 6 feet  
6           when the bridge is in the closed position; 4 feet more  
7           than the current condition.

8           Next, we will review the environmental analyses  
9           completed during this PD&E study.

10          Protection of our natural environment is always  
11          a priority for the FDOT; therefore environmental  
12          evaluations are a major part of the PD&E process.

13          The environmental analysis considers two  
14          principal areas: Impacts to the social and cultural  
15          environment and impacts to the natural and physical  
16          environment. Key components of each of these areas  
17          are shown here.

18          The environmental analysis for this PD&E study  
19          finds that the proposed action will not adversely  
20          affect any of the social or cultural resources with  
21          the exception of the existing bridge which has been  
22          determined to be a historic resource.

23          A Cultural Resource Assessment Survey was  
24          completed as part of this PD&E study. This document  
25          complies with the requirements of the National



1 Historic Preservation Act, Executive Order 11593, and  
2 the Department of Transportation Act.

3 The existing railroad bridge was determined to  
4 be eligible for listing in the National Register of  
5 Historic Places due to the unique bridge type which is  
6 not often found in Florida. The State Historic  
7 Preservation Officer, City of Fort Lauderdale, Broward  
8 County Historical Commission, and locally affected  
9 parties were consulted throughout the project.

10 Section 106 is part of the National Historic  
11 Preservation Act of 1966 that requires federal  
12 agencies to take into account the effects that their  
13 activities and programs have on significant historic  
14 properties. Since the subject bridge was determined  
15 to be eligible for listing in the National Register of  
16 Historic Places, it is considered a significant  
17 historic property.

18 The Section 106 process requires public  
19 consultation when significant historic properties are  
20 involved. To achieve this, a Cultural Resources  
21 Committee, or CRC, was established to review the  
22 potential effects and possible mitigation options for  
23 the existing bridge. Through the CRC, the possibility  
24 of relocating the existing bridge to an off-site  
25 location has been explored. FDOT will continue to



1 work with the CRC and the State Historic Preservation  
2 Officer on a preservation alternative for the existing  
3 bridge.

4 The environmental analysis for this PD&E study  
5 finds that the proposed action will have only minor  
6 impacts to some of the natural and physical  
7 environment components surrounding the project site.

8 This project is located in an Environmental  
9 Protection Agency, or EPA, air quality attainment area  
10 which is not in violation of any air quality  
11 standards. No long-term impacts were identified for  
12 the proposed project. Construction impacts will be  
13 mitigated in accordance with state and local  
14 regulations and the FDOT Standard Specifications for  
15 Road and Bridge Construction.

16 A noise and vibration impact assessment was  
17 conducted for this project, consistent with the Noise  
18 Control Act of 1972 and Federal Transit Administration  
19 and the Federal Railroad Administration guidelines.  
20 Long-term noise and vibration resulting from this  
21 project are projected to be below the established  
22 impact criteria. In order to minimize short-term  
23 noise impacts associated with construction activities,  
24 the contractor will follow FDOT Standard  
25 Specifications for Road and Bridge Construction.



1           An analysis of impacts to floodplains was  
2           conducted consistent with Executive Order 11988. This  
3           analysis revealed that this project will not encroach  
4           on existing floodplains. Impacts to wetlands were  
5           considered in accordance with Executive Order 11990.  
6           This analysis indicates that this project will have  
7           minor impacts to surrounding wetlands; however, these  
8           impacts will not require mitigation.

9           An analysis of Essential Fish Habitat was  
10          completed and no impacts were identified. Further,  
11          the project is not located within any Critical Habitat  
12          or Habitat Areas of Particular Concern. A seagrass  
13          survey was conducted during this study and no  
14          protected seagrass species were identified.  
15          Additional seagrass surveys will be conducted during  
16          the design phase prior to permitting to ensure the  
17          protected seagrass are not present. Prior to the  
18          start of construction, the staging of construction  
19          barges will be supervised to ensure that seagrasses  
20          that may be present in the area are not impacted.

21          An Endangered Species Biological Assessment was  
22          prepared. This report found that the proposed project  
23          may affect, but is not likely to adversely affect, the  
24          West-Indian Manatee and the Wood stork. To ensure  
25          adequate protection of manatees, the Florida Fish and



1 Wildlife Conservation Commission's Standard Manatee  
2 Conditions for In-Water Work will be implemented  
3 during construction. A re-evaluation of potential  
4 impacts to the Wood stork will be conducted during the  
5 design phase and prior to permitting to identify  
6 appropriate mitigation, if necessary.

7 A Contamination Screening Evaluation Report was  
8 prepared for the study area. This report identifies  
9 sites along the project corridor which contain, or  
10 have the potential to contain, hazardous or regulated  
11 substances; and which may require further  
12 investigation. Additional field screening will be  
13 performed prior to construction.

14 Consistent with the requirements of the United  
15 States Coast Guard, an analysis of impacts to  
16 navigable waterways was completed. No adverse impacts  
17 to navigable waterways were identified. In fact, the  
18 preferred alternative will improve the horizontal  
19 navigation clearance and improve the vertical  
20 clearance when the bridge is in the closed position.

21 During construction, the contractor will be  
22 required to coordinate with the United States Coast  
23 Guard on any bridge and waterway closures, any  
24 activities that could reduce navigational clearances,  
25 and barge placement. As part of the new bridge



1 construction, navigational lighting, clearance gauges,  
2 and fenders will be installed.

3 Next, we will review the Public Involvement  
4 activities performed during this PD&E study.

5 To date, public involvement for this project  
6 included the project kick-off meeting in July 2009;  
7 the alternatives public workshop in November 2009; and  
8 meetings with various stakeholder groups throughout  
9 the project. This evening's Public Hearing is being  
10 conducted to afford persons the opportunity to express  
11 their views concerning the location, conceptual  
12 design, and potential impacts associated with the  
13 proposed improvements.

14 For this project, the FDOT anticipates no need  
15 for additional right-of-way and no residential or  
16 business relocations. If this changes at some time in  
17 the future, and if you are required to make any type  
18 of move as a result of a FDOT project, you can expect  
19 to be treated in a fair and helpful manner, in  
20 compliance with the Uniform Relocation Assistance Act  
21 of 1970, and in accordance with Florida Statute  
22 330.09.

23 This PD&E Study is scheduled to be completed in  
24 Spring 2011. The Design phase is scheduled to be  
25 completed in the Spring of 2012. Final environmental



1 and permit approval are anticipated in Summer 2012.  
2 Construction is anticipated to begin in Summer 2013.

3 No final decision has been made regarding the  
4 preferred alternative, and no decision will be made  
5 until after all public comments have been received and  
6 analyzed. At this time, the FDOT has tentatively  
7 selected the Feasible Build Alternatives (vertical  
8 lift, rolling lift, or bascule bridge) as the  
9 'Preferred Alternative' with a final bridge type  
10 selection to be made during the design phase.

11 You can make comments on this project in  
12 several ways. You may complete a speaker card and  
13 voice your comments during this evening's public  
14 response session. You may provide your comments to  
15 the court reporter present at this evening's hearing.  
16 And, you may complete a comment form that can be  
17 obtained at the sign-in table at this evening's  
18 hearing. These comment forms may be placed in the  
19 comment box or mailed within 10 days to Mr. Ray  
20 Holzweiss, P.E., Project Manager, Florida Department  
21 of Transportation, District 4, 3400 West Commercial  
22 Boulevard, Fort Lauderdale, Florida 33309.  
23 Alternatively, you can e-mail your comments to Mr.  
24 Holzweiss at ray.holzweiss@dot.state.fl.us.

25 All submittals must be postmarked by February



1 4, 2011 in order to be included in the Official Public  
2 Hearing Record.

3 If you would like more information about this  
4 study, please speak to one of the project  
5 representatives this evening. You may also visit the  
6 project website at [www.RailRoadBridgeOverNewRiver.com](http://www.RailRoadBridgeOverNewRiver.com).

7 On behalf of the Florida Department of  
8 Transportation, we want to thank you for attending  
9 tonight's Public Hearing. Your comments are an  
10 important part of the PD&E Study process. We hope you  
11 find tonight's hearing helpful and informative, and we  
12 look forward to receiving your comments.

13 MR. YOUNG: At this time anyone desiring to  
14 make a statement or present written views and/or  
15 exhibits relative to the location, conceptual design,  
16 socioeconomic effects or impact on the environment as  
17 a result of this project will now have the opportunity  
18 to do so. This is an opportunity for you to formally  
19 present your comments, opinions, and ideas about the  
20 project for the permanent record. We ask that you  
21 limit your comments to three minutes and if you have  
22 additional comments, you may continue after everyone  
23 else has had the opportunity to comment. We will have  
24 staff available after the comment period to address  
25 any questions one-on-one.



1           If you're holding speaker cards, please pass  
2           your cards to the aisle and our staff will collect  
3           them. And if you have not received a card and wish to  
4           speak, please raise your hand and our staff will  
5           provide you with one.

6           Are there any elected public officials here who  
7           would like to speak?

8           (No response from audience.)

9           MR. YOUNG: And are there any officials  
10          representing state, local or federal government  
11          agencies who would like to make a comment at this  
12          time?

13          (No response from audience.)

14          MR. YOUNG: Okay. At this time we'll call on  
15          those who have turned in cards. And when you come  
16          forward, please state your name and address. And if  
17          you represent an organization, municipality, or other  
18          public entity, we would appreciate that information as  
19          well.

20          Please use the microphone over here so our  
21          reporter will be sure to get a complete record of your  
22          comments. Just speak naturally. The volume will be  
23          adjusted so that the rest of us can hear you.

24          The first card that I have here is Kit Denison.

25          MR. DENISON: Good evening. Can you hear me



1 all right?

2 MR. YOUNG: Yes.

3 MR. DENISON: My name is Kit Denison. I've  
4 been here in Fort Lauderdale, as many of you probably  
5 know, since the late '40s when our family moved here  
6 and built a boatyard just to the east of this, which  
7 is now part of Lauderdale Marine Center. I've grown  
8 up in this industry and have a lot of respect for what  
9 you are doing. And of course my main concern is  
10 two-fold; the marine industry in general and the  
11 impact that this might have on that. Also, I have an  
12 interest in the property just south of the New River  
13 along the corridor that they're speaking of here, and  
14 we have been in conversations with Ray Holzweiss and  
15 his team. It is our desire to continue those  
16 discussions in a way that is positive.

17 Our concern is very simply that one of the  
18 proposed ways, it seems to be after seeing this, the  
19 preferred way is to build a second railway 35 feet to  
20 the west of the existing railway. And while that's in  
21 their corridor, that would severely impact the marina  
22 now known as Marina Mile Yachting Center. And that's  
23 of course a great concern to us because that marina  
24 property was bought in the middle of '07 right before  
25 the economy started to go down, and of course all of



1 us in the marine industry know how fragile the marine  
2 industry is with respect to the general economic  
3 considerations.

4 I would like to see and make the comment that  
5 more thought and consideration be given to building  
6 that one alternative -- I think it was the first  
7 alternative back there on the board, which is to build  
8 a bridge in place. I think while that cost may be  
9 several million dollars, the impact to our property  
10 would exceed that, at least that's our position. It  
11 would also be able to provide an alternative that  
12 might have less environmental impact. Those studies I  
13 think are not completed yet, and I'm not an  
14 environmentalist, so I can't comment on that, but  
15 there are some issues there, I think.

16 We think that the bridge as it stands -- I read  
17 somewhere where it was a hazard to navigation -- and  
18 I'll be happy to speak with a Coast Guard  
19 representative after this, I don't want to talk about  
20 it now -- but I'm not sure what the distance in the  
21 width of the Andrews Avenue bridge is, I don't think  
22 that's 60 or 70 feet, I may be incorrect in that --  
23 but at least to say that one of the things to consider  
24 is to prop up the bulkhead supporting the bridge, do  
25 some maintenance that can be done. I realize it's an



1 old structure, I don't know -- certainly we don't want  
2 any unsafe structures in railroad bridges, but it  
3 should be able to be fixed, I think, without too much  
4 additional work.

5 Again, we're looking forward to working with  
6 DOT and seeing if there's a way that we can come to an  
7 agreement to maybe mitigate some of the concerns that  
8 we have.

9 Thank you.

10 MR. YOUNG: We thank you for your comments,  
11 sir. We'll continue to have these discussions with  
12 you.

13 MR. DENISON: Thank you.

14 MR. YOUNG: The second card I have is David  
15 Hole.

16 MR. HOLE: Good evening. My name is David  
17 Hole. I also am with the Marina Mile Yachting Center,  
18 currently operating the property as its general  
19 manager.

20 What I wanted to talk to you about tonight or  
21 how I wanted to start was, is this project really  
22 needed and who is paying for it? And the reason I ask  
23 "Is this project really needed," is currently I see  
24 that we're looking at seven to ten freight trains  
25 coming through on this one track every day, and one of



1 the proposals that was eliminated was that there could  
2 be a fixed air drawbridge that's there. There's  
3 currently two tracks that's already in existence, and  
4 we certainly don't see train traffic coming through  
5 there like Highway 95 right now.

6 So my question probably would be to the  
7 representative of the railroad is why aren't those two  
8 current tracks being shared by Amtrak, CSX, and  
9 whoever else uses those?

10 Obviously, a project like that just affects the  
11 whole community. It can be very positive in a way, it  
12 can put a lot of people to work, and I think it could  
13 be a very beneficial thing, but I don't think the  
14 community fully understands how much that a project  
15 like that can impact everybody in the surrounding  
16 probably mile and beyond for anybody who's utilizing  
17 the New River, especially west of 95 there as a  
18 primary means of their business.

19 I have experienced firsthand and spent two  
20 years down in Miami while the 12th Avenue bridge was  
21 under construction. Now, the 5th Avenue bridge is  
22 under construction, it may be finished right now. And  
23 on a weekly basis, sometimes on a daily basis, our  
24 business was affected very much so by noise. And I  
25 understand that maybe it doesn't meet -- maybe it



1 falls under current noise restrictions or whatever  
2 they might be, but the pounding of pilings, it goes  
3 right throughout the neighborhood. And I know that  
4 various neighborhoods, various marinas, local  
5 businesses are very much going to be impacted by that  
6 noise, so I think that's a big consideration.

7 The other thing that, in my opinion, I'm not a  
8 scientist, but I do know just from being around that  
9 bridge and seeing that construction that there was an  
10 increase in manatee traffic. I brought this up at  
11 public meetings before. They're still studying the  
12 manatee all the time, and whether they seem to move  
13 around with warmer waters or what that might be, but I  
14 would ask that there'd be a study put towards the  
15 manatee and what effect they have in being drawn  
16 towards noise.

17 Other than that, I think that that's all I want  
18 to say. I think that this could be a positive thing  
19 for the community, but I do think that the whole  
20 community needs to take a serious look at how this  
21 will impact them. And I would urge that if this  
22 construction project is to go ahead, that the FDOT or  
23 CSX or the construction company very much involves the  
24 community as a whole and how that will affect them and  
25 have them very much a part of what you're doing on



1 this project.

2 Thank you.

3 MR. YOUNG: Thank you for your comments, sir.

4 Gypsy Miller.

5 MR. MILLER: Thank you.

6 I don't know -- everybody else got up here, I  
7 could barely hear them, so I hope you can hear me. I  
8 have a little bit of a cold.

9 MR. YOUNG: Could you please state your name,  
10 sir.

11 MR. MILLER: I've been chewing up and spitting  
12 out democrats all day long.

13 I've attended a few of these presentations.

14 THE COURT REPORTER: Could you state your name,  
15 please.

16 MR. YOUNG: Could you state your name, please.

17 MR. MILLER: I'm a longtime resident of  
18 Flamingo Park, second generation there. I've watched  
19 FDOT and railroad projects always have room for their  
20 nice tax-dollar-paid project, but no room to protect  
21 the neighborhoods from sound. I've watched them widen  
22 95. I've watched them take away estuaries, making it  
23 possible for insurance companies to come in and make  
24 you get flood insurance since 1972 because of -- "oh,  
25 we skirted around" -- "FDOT skirted around the EPA"



1 things.

2 I wonder how that bridge that exists now got  
3 repaired with these extrusions into the waterway. I  
4 have a great concern that the Florida Department of  
5 Transportation does not have the best interests of  
6 anyone. What they have an interest in is spending tax  
7 dollars. I've watched that railroad bridge go up over  
8 there. "Oh, we got to have it here." I was back  
9 fighting when Rodstrom was a city commissioner and  
10 made this deal. So I've seen it all come down to a  
11 very basic thing.

12 I got a long speech I wrote out here, I don't  
13 need it because I can say it in very few words. FDOT  
14 has not been a friend to Flamingo Park Civic  
15 Association, the NewRiverRepublic.com, or anybody that  
16 lives south of Davie Boulevard. And I thank you.

17 MR. YOUNG: Thank you, sir.

18 Ed Ruff.

19 MR. RUFF: Good evening, gentlemen.

20 We bought Jackson Marine Center five years  
21 ago -- six years ago, in '05. And we now have all the  
22 permits to complete redevelopment it, but because of  
23 the economic downturn that's put on hold for a while,  
24 but those permits are there and were very costly and  
25 we want to develop the property in the future. So any



1 improvement of the bridge is a good thing for us. I  
2 mean, if that bridge looks better in the future, that  
3 will be very nice.

4 Are you going to answer what we talk about here  
5 and discuss it tonight or are you just taking notes  
6 and then a report will come later?

7 MR. YOUNG: Yeah, this is a formal comment  
8 period for you to express your opinions about the  
9 project and any questions we can answer one on one  
10 afterwards.

11 MR. RUFF: Oh, afterwards. So you're not going  
12 to really discuss these things in an open forum?

13 MR. YOUNG: No, that's not the intent of this  
14 testimony period.

15 MR. RUFF: Okay. Well, we discussed back there  
16 about the entrance road and the fact that each time  
17 there's a project along there with the rail system,  
18 that that road suffers further deterioration from the  
19 construction vehicles and from the effort, you know,  
20 21st Avenue runs all the way down to our property on  
21 the north side of the river. Skip is just across the  
22 water from us on the south side.

23 So anything that you can do to tell us what you  
24 can do about that road during this construction since  
25 your easement goes to the west side of that road, it



1           seems possibly there's some responsibility there or  
2           some effort you can make on your part while you're in  
3           there to fix up that road.

4           The second thing that immediately concerned  
5           me -- there's a lot of things that concern me until I  
6           really get it in my understanding -- I've been  
7           developing this for a long time, but, you know, this  
8           is really quite a complex project you're doing here.  
9           It's that the amount of time that the waterway will be  
10          closed, it's very important to us -- we're on the west  
11          side, as Skip is -- you know, huge businesses going  
12          west and literally a couple thousand boats, probably  
13          upwards of 200 feet -- it's very important about how  
14          much time that that is going to be closed down and the  
15          number of months that it takes or years to build it.

16          So anything that you can do during your  
17          planning process to mitigate and reduce that amount of  
18          time -- now, on that bridge there's nobody that lives  
19          on either side of it, so maybe you can do some things,  
20          you know, when there's less boat traffic. You know,  
21          there are periods of time during the day where there's  
22          less boat traffic and periods of time where there's  
23          more boat traffic. So if you're going to shut it  
24          down, you know, consider those different times as you  
25          do it.



1 I mean those are two main things; any  
2 encroachment on our property, I don't think there is,  
3 so I'm not concerned about that. One or two of those  
4 bridge designs would put it right down the middle of  
5 our property, so that'd be kind of expensive for you  
6 guys.

7 So at any rate, we'll keep watching it. I  
8 appreciate you coming here and making your  
9 presentation and we'll look for your answers. Okay?  
10 You are going to answer these things, right?

11 MR. YOUNG: Yes, sir.

12 MR. RUFF: Officially.

13 MR. YOUNG: Many of these details will be  
14 worked out in the design phase and we'll continue our  
15 public involvement.

16 MR. RUFF: Thanks very much. Thank you.

17 MR. YOUNG: The last card I have is Ed Murphy.

18 MR. MURPHY: My name is Ed Murphy. I'm the  
19 president of Flamingo Park Civic Association.

20 Basically just a few comments that I just want  
21 to make that -- we have put together in other  
22 questionnaires from periods of other meetings, but I  
23 just want to make sure that our concerns are met.

24 One of them I saw on your screen about the  
25 general contractor has to comply with noise



1 restrictions and requirements. How is the DOT going  
2 to monitor that? Is there a way that DOT is going to  
3 monitor the noise coming from the work and  
4 construction work? I want to, you know, see a way how  
5 DOT plans to do that.

6 The other thing is Flamingo Park, we have a  
7 nice green area at the end of our neighborhood and we  
8 want to make sure that that stays that way. I don't  
9 want it to be used as a staging area for the  
10 construction. I don't want it used for a lunch area  
11 for the workers. We'd like, as we asked before, to  
12 see a construction fence, just a six-foot chain link  
13 fence with even a dust screen on it, silt screen, to  
14 keep the dust out of the park. We want to keep that a  
15 green area for our neighborhood.

16 Another thing, a comment, is that one of the  
17 options looked like the bridge would be built adjacent  
18 to the existing bridge; and if that is the case, the  
19 existing bridge -- it appears for that, that's where  
20 the restriction is on the waterway. If they're going  
21 to keep the existing bridge there, the restriction  
22 will stay.

23 So I just want -- you know, how is that going  
24 to comply with the Coast Guard if we build adjacent to  
25 it and keep the existing bridge there?



1           And lastly, I'd like to see after construction  
2 starts; six weeks, four weeks, an arbitrary date that  
3 we have another public meeting to make sure that the  
4 construction is going to according to what our wishes  
5 are, what the plans are, and there's nothing that's  
6 going to be, you know, grossly, you know, negligent  
7 that the public can come back in and state something  
8 about.

9           Thank you.

10          MR. YOUNG: Thank you, sir.

11          The intent would be, we replace the bridge  
12 adjacent and the existing bridge would be removed.

13          Those are all the cards that I have.

14          If there's anybody else that wishes to speak,  
15 please raise your hand and you'll have the  
16 opportunity.

17          (Mr. Miller raised his hand.)

18          MR. YOUNG: Yes, sir. Please come to the  
19 microphone and state your name.

20          MR. MILLER: Again, my name is Gypsy Miller. I  
21 know I sounded like a hothead a little bit ago, but  
22 there's plenty reason for it.

23          I would like to address some of the comments  
24 that I made earlier. And one of them was in 1972 when  
25 my parents bought the house, you didn't have to have



1 flood insurance. When they widened 95 or brought 95  
2 in, they covered up an estuary, the water had nowhere  
3 to go except come into the neighborhoods. No  
4 provision was made for that, no storm water, nothing  
5 like that was provided for the neighborhood. So what  
6 happened, the neighborhoods fronted the cost, besides  
7 the tax dollar, fronted the cost of 95.

8 The same thing happened when it came to the  
9 noise, you had plenty of room to widen the road, but  
10 no room for a sound wall. You had plenty of room to  
11 build a 595 ramp, but no room for a sound wall. You  
12 had plenty of room to build a railroad bridge up over  
13 the water, no room for a sound wall.

14 Well, are you guys getting the message yet? I  
15 think that a lot of the neighborhood is not going to  
16 put up with any more nonsensical projects. I feel  
17 sorry about that bridge. I am not against the  
18 railroad, replacing that bridge, but I am for  
19 protecting the neighborhood. And I'll tell you right  
20 now, the way that you guys are going about it does not  
21 protect the neighborhood. That railroad track should  
22 be fenced off at minimum and there should not be any  
23 at all goings on like what the city did, abandon that  
24 road when they did the sewer project. The city kind  
25 of left 21st Avenue on its own, cut through the park.



1           You know, the government is all good for making  
2           projects, and then shorten the people on it.

3           Thank you.

4           MR. YOUNG: Thank you.

5           Does anyone else wish to make a comment at this  
6           time?

7           (No response from the audience.)

8           MR. YOUNG: If no one else desires to speak, I  
9           wish to remind you that written statements, and/or  
10          exhibits, may be presented in lieu of (or as support  
11          to) oral statements made here tonight.

12          Written statements may be sent to the attention  
13          of Mr. Ray Holzweiss, P.E., at the Florida Department  
14          of Transportation, District Four Office at 3400 West  
15          Commercial Boulevard, Fort Lauderdale, Florida  
16          33309-3421. If written statements are received within  
17          10 days after the day of this hearing, they will be  
18          included as part of this hearing.

19          The verbatim transcript of tonight's oral  
20          proceedings, together with all the material displayed  
21          at this hearing, will be made a part of the public  
22          record and the project decision-making process and  
23          will be available for public review at the District's  
24          office in Fort Lauderdale.

25          Thank you for attending this public hearing and



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

for providing your input into this project.

At 7:13 this hearing is officially concluded.

Thank you very much for attending.

(Public hearing concluded at 7:13 p.m.)



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

I, LISA MICHELLE SHEIB, Shorthand Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that the foregoing transcript, Pages 1 to and including 35, is a true and correct transcription of my stenographic notes of the Public Hearing at 300 Gulf Stream Way, Dania Beach, Florida, on the 25th day of January, 2011 commencing at 6:35 p.m.

I further certify that I am neither attorney or counsel for, nor related to or employed by, any of the parties to the action in which this statement is taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially interested in the action.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal this 25th day of January, 2011.

\_\_\_\_\_  
LISA MICHELLE SHEIB  
Shorthand Reporter and Notary Public  
State of Florida at Large  
My Commission Number: DD880125  
My Commission expires: June 13, 2013.

