

ITEM NUMBER 5A

Legislative Issues

DISCUSSION:

An update will be provided on actions through the close of the Legislative session.

As directed at the April TPO meeting, staff prepared a comment letter on the proposed changes to the Growth Management legislation. The letters were hand delivered to Brevard Delegation members by Leigh Holt the Monday following the TPO meeting.

At the request of the US House of Representatives, four applications were submitted for potential federal funding for High Priority Projects (earmarks) as part of the upcoming reauthorization of the Surface Transportation Act. Copies of the required local support letters are attached.

REQUESTED ACTION:

As desired by the TPO and TAC/CAC

ATTACHMENTS:

- Mayor John Mazziotti to The Honorable Bill Posey, RE: Construction of a New Interchange on Interstate 95 at the Southern End of the Palm Bay Parkway, April 23, 2009.
- Mayor Harry Goode to The Honorable Bill Posey, RE: Construction of a New Interchange on Interstate 95 at the Northern End of the St. Johns Heritage Parkway and at the Access Road to the Melbourne International Airport, April 23, 2009.
- Robert Kamm to The Honorable Bill Posey, RE: St. Johns Heritage Parkway, Acquisition of Right of Way and Construction of New Roadway from US 192 to Emerson Drive, April 21, 2009.
- Robert Kamm to The Honorable Suzanne Kosmas, RE: Intelligent Transportation System for Entrance Road to the Kennedy Space Center, April 22, 2009.
- US House of Representatives Committee on Transportation and Infrastructure, High Priority Project Criteria and Application Form, April 2, 2009.
- Robert Kamm to the Brevard Legislative Delegation, Senate and House Council Members, RE: Suggested Modifications to Growth Management Legislation, April 9, 2009.



April 17, 2009

The Honorable Bill Posey
United States Representative
132 Cannon HOB
Washington, DC 20515

RE: South Parkway Interchange
Construction of a New Interchange and Connector Roadways at Interstate 95 and Palm Bay (St. Johns Heritage) Parkway between Grant Road and Micco Road.

Dear Representative Posey:

The City of Palm Bay has been working on the development of the Palm Bay (also known as the St. Johns Heritage) Parkway for over a decade. The proposed Parkway will provide numerous transportation and economic development benefits for the South Brevard County and North Indian River County areas. The cornerstone of the Parkway project is a new interchange located approximately between Grant Road and Micco Road. This is the project for which your support is requested.

The City of Palm Bay, with the assistance of and investment from our private sector partners, has recently received Federal Highway Administration approval of the Interchange Modification Report, which essentially approves the new interchange location. This is significant because of the following:

- The proposed interchange is located between two existing interchanges that are 17 miles apart, which will greatly improve emergency response relating to incidents on the interstate in this area.
- The proposed interchange is located away from publicly owned conservation areas, which would have been severely impacted by interchange development at the previously approved Micco Road location.
- The proposed interchange is in an undeveloped area that can be planned for land uses that will foster economic development. Palm Bay will be focusing on industrial and institutional land uses to create jobs.
- The creation of job opportunities in this area will reverse long-standing commuting patterns which will relieve traffic congestion in other areas of South Brevard County.
- The proposed interchange will relieve traffic congestion at adjacent interchanges and will provide regional traffic circulation benefits in South Brevard County and North Indian River County, especially when coupled with future extensions of the Parkway.

Legislative Department

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Because of the long-standing efforts to develop the Parkway, the public has had significant involvement in the project development process. However, as the Project Development and Environment (PDE) study progresses, the public will have additional opportunities to comment on the specific details of the interchange project. Note that the Parkway, including the proposed interchanges have been widely supported by various public bodies including the Space Coast Transportation Planning Organization (formerly Brevard MPO), the Indian River County MPO, the Brevard County Commission, the City of Melbourne and the City of Palm Bay. The project is also strongly supported by the Greater Palm Bay Area Chamber of Commerce.

The funding requested is for the construction phase of the South Parkway Interchange and the roadways to connect the interchange with Babcock Street and Micco Road. The Interchange Modification Report has been approved by the Federal Highway Administration. The PDE phase is expected to commence after July 1, 2009 with existing earmark funds. The design phase is expected to immediately follow PDE with existing earmark funds. The private sector partners are expected to execute a right-of-way dedication agreement with the City of Palm Bay within the next few months. Consequently, funding is requested for the construction phase, with the intention of incorporating the interchange construction into the interstate widening project in this area currently programmed for 2014. Coordinating with the interstate widening project will be much more cost-effective than a stand-alone project.

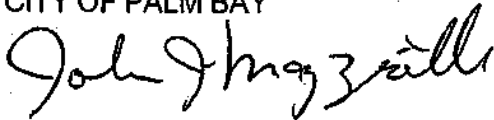
The cost of the interchange and connector roadways is estimated at \$60.66 million (2014 year dollars). The private sector (coupled with municipal impact fees) is expected to fund approximately \$12.13 million. The request for federal funding (\$48.53 million) is approximately 80% of the total cost.

In summary, the City of Palm Bay strongly supports the South Parkway Interchange project. We believe this is a unique opportunity where a modest federal investment will leverage significant private investment and provide a project that has substantial local and regional benefits.

Thank you for your consideration.

Sincerely,

CITY OF PALM BAY



John J. Mazziotti
Mayor

cc: Members of the City Council
Lee R. Feldman, City Manager
Susan Hann, P.E., Deputy City Manager
Stockton Whitten, Acting County Manager
Bob Kamm, Space Coast Transportation Planning Organization
Jack Schluckebier, City Manager, City of Melbourne

City of Melbourne



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April 23, 2009

The Honorable Bill Posey
Unites States Representative
132 Cannon HOB
Washington, DC 20515

Re: Construction of a New Interchange on Interstate 95 at the Northern End of the St. Johns Heritage Parkway and at the Access Road to the Melbourne International Airport

Dear Congressman Posey:

This is a request for your support of a new interchange on Interstate 95 that will provide access to the St Johns Heritage Parkway and access for an SIS designated access road to the Melbourne International Airport.

The City of Melbourne and the Melbourne Airport Authority have been working for 15 years on the new interchange on I-95 that will provide a direct route to the Melbourne International Airport and the high employment area around it. Brevard County and the Space Coast Transportation Planning Organization have been working on the Parkway project for 20 years

Federal Highway Administration representatives have confirmed that the Interchange Justification Report for the northern interchange is approvable. We are ready to proceed with the next step of this project and to implement it through the construction phase as expeditiously as possible.

The funding request is for the design, acquisition of right-of-way, and construction of the northern interchange of the St. Johns Heritage Parkway on Interstate 95 at Ellis Road. The PD&E phase is expected to commence after July 1, 2009 with approved earmark funds.

The City Councils of Melbourne and Palm Bay met in a joint public meeting on December 3, 2008 to discuss the funding needs of the St Johns Heritage Parkway. The City Councils agreed to the priorities for which federal funding should be sought. The first priority was the two interchanges on I-95 that are the northern and southern ends of the Parkway. The actual roadway segments of the Parkway follow in priority. The northern interchange can provide great benefit to the area even when constructed well ahead of the Parkway because it will add a much improved route from I-95 to the industrial employment center in Melbourne at the Airport. Further, it will relieve congestion at the U.S. 192 and Eau Gallie interchanges and on state and local routes in the area.

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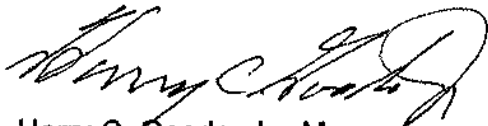
Internet: www.melbourneflorida.org • E-Mail: personnel@melbourneflorida.org

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The cost of the interchange is estimated to be \$25,000,000. The request for \$20,000,000 in federal funding is 80 percent of the estimated cost of the project.

The City of Melbourne and the Melbourne Airport Authority strongly support construction of the northern interchange of the St. Johns Heritage Parkway on Interstate 95 that will also serve as connector for an SIS route to the Melbourne International Airport.

Sincerely,



Harry C. Goode, Jr., Mayor
Chairman, Melbourne Airport Authority

cc: Melbourne City Council
Melbourne Airport Authority Members
Jack M. Schluckebier, Ph.D., Melbourne City Manager
Richard A. Ennis, Melbourne International Airport Executive Director
Lee R. Feldman, Palm Bay City Manager
Bob Kamm, Space Coast Transportation Planning Organization
Stockton Whitten, Brevard County Acting County Manager
Jim Davenport, Alcalde & Fay



April 21, 2009

The Honorable Bill Posey
United State Representative Florida District 15
132 Cannon House Office Building
Washington, DC 20515

Subject: St Johns Heritage Parkway: Acquire Right of Way and Construct New Road between US 192 and Emerson Drive

Dear Representative Posey:

The Brevard County Board of County Commissioners wishes to express its long and continued support for the implementation of the St Johns Heritage Parkway (formerly the Palm Bay Parkway). The segment on which the Commission has devoted the most time and resources lies largely in the unincorporated area between US 192 and the western terminus of Emerson Drive. On behalf of the Board and the residents of southern Brevard County, we are respectfully requesting federal funding assistance as part of the upcoming reauthorization of the Surface Transportation Act to bring this important roadway to reality.

The Parkway was conceived in the early 1990s to address regional mobility needs in southern Brevard and northern Indian River Counties, to alleviate congestion on major parallel roads including I-95, to improve access to Melbourne International Airport and the major employers near the Airport and to enhance public safety by providing additional evacuation capability for a significant population with limited evacuation options. The Parkway has been included in the Brevard MPO's Long Range Transportation Plan since 1995.

Implementing such a large and ambitious project requires the cooperative, sustained efforts of not only the County but also the Cities of Palm Bay, Melbourne and West Melbourne, Melbourne International Airport and various private sector partners. Coordination among these entities has been on-going and all parties clearly and firmly agree on the need for project. Each entity is managing a specific portion of the overall project while ensuring their actions are consistent with those of others.

The feasibility of constructing a roadway between US 192 and Malabar Road was first evaluated by the Commission in 1994. A major planning study with extensive public involvement was conducted in 1998 to evaluate mobility needs in the south county area. The Parkway was again endorsed as an appropriate facility to address those growing needs. In particular, the segment from Emerson Drive to US 192 was given a high priority because of the additional evacuation capability provided to the 30,000 residents of northwest Palm Bay.

With the support of the Board of County Commissioners and the Brevard MPO, the Florida Department of Transportation conducted an Environmental Assessment (EA) on the portion of the Parkway between Malabar Road and Ellis Road. The EA is a public process intended to minimize the

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impact of a roadway on the natural and built environment. Numerous public workshops were held during the course of the EA. A preferred alignment was selected and approved by the Federal Highway Administration in 2003. The US 192 to Emerson segment for which funding assistance is requested is a subsection of the approved corridor and is, therefore, eligible to receive federal transportation funding.

The Parkway has been discussed in numerous public forums, newspaper articles and at Commission, City Council and MPO meetings for fifteen years. The general public, elected officials and affected land owners are very much aware of the Parkway and actions being taken to implement the project. The alignment crosses undeveloped, agricultural land and will have no impact on existing residential or commercial development. The potential to create new construction, commercial and service jobs and residential neighborhoods on the land traversed by the Parkway is substantial.

In 2007 the Board issued a transportation revenue bond. \$21 million, over 40 percent of the bond proceeds, were allocated to the Parkway particularly for right of way acquisition between the city limits of Palm Bay and the proposed north interchange at Ellis Road. The Board's objective is to preserve the alignment so the road can be built when funds become available. Numerous discussions with property owners have occurred and some land purchased. Possible right of way donations are under consideration but definite commitments have not yet been made.

The estimated cost to acquire 3.8 miles of 140 feet of right of way between US 192 and Emerson Drive is \$4 million. Construction of a two-lane road is estimated to cost \$16.5 million. **The total project cost is estimated to be \$20.5 million (current dollars). Brevard County will provide \$8 million. The federal funding request is \$8.5 million. Together, 80% of the project cost will be available.**

In summary, as indicated by numerous actions over the years, **the Brevard County Board of County Commissioners supports the acquisition of right of way and the construction of a new road between US 192 and Emerson Drive.** We would appreciate your assistance in completing this important and beneficial project.

Sincerely,



Robert Kamm
Director
Brevard County Office of Transportation Planning