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Senator Thad Altman
The Capitol
Tallahassee, FL 32399-1100

Ted R. Brown
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Re: *SunRail--The start of Florida's transportation future*

Dear Senator Altman:

I am corresponding with you today to urge you in the strongest way possible to support the SunRail project and urge you to vote for it when it surfaces before the full Senate. I do this both as a private citizen and as a representative of the Association of Florida Community Developers ("AFCD").

As you know, AFCD is an association made up of the major community developers and their supporting consultants from around the state of Florida. As an organization, AFCD is committed to working to meet the challenges of growth, and to seize opportunities for economic development. Today we see an important parallel between our business and the development of commuter rail.

Florida can no longer allow itself to squander this opportunity to get its fair share of Federal money to assist in and ensure the development of this backbone infrastructure.

Let me suggest a new way of looking at the issue. The debate, as I have followed it, continues to examine the issue in the context of yesterday's energy paradigm and assumes as an outcome that the cost of energy, particularly as it relates to the transportation sector, will remain relatively constant and not disproportionately increase over the next five to 10 to 15 years. On April 17, 2009, the U.S. EPA released a finding consistent with the Supreme Court decision in Massachusetts vs. EPA, that greenhouse gas emissions cause or contribute to air pollution that endangers public health and welfare. This "endangerment finding" mandates that either the Congress of the U.S. through legislation or the EPA through rulemaking develop new regulations controlling greenhouse gases. The most favored approach seems to be "Cap and Trade," but no matter which approach is taken, and many are on the table, the bottom line is that the cost of driving an automobile is going to be incrementally increased in the near term irrespective of the supply of the commodity.

The Governor has highlighted the continuing importance of "green development," for "a lessened carbon footprint," and "for improved transportation and diversity of transportation opportunities" within the state of Florida. The legislature has mandated these outcomes in recasting the requirements for comprehensive planning by local government and now has an opportunity to provide a key tool to "walk the walk." The ball has been passed to the legislature.

SunRail will ensure that as we come out of this recessionary economy, Florida has positioned itself to begin the process of diversification of its transportation infrastructure and that we can meet the forthcoming regulation of greenhouse gases and the attendant cost associated with that.

To those who would argue that it is a parochial undertaking designed to serve only a limited constituency within the state of Florida, we would suggest that no matter where commuter rail begins, it will always be parochial to those first served by it. However, we must start somewhere if we are to move Florida forward and the advent of high speed rail by the Federal government recently announced suggests this feeder system is even more important to our long-term future.

To those who would argue that it is disproportionately expensive for the benefits received, I would point out again that view is only supportable if one assumes a relatively constant cost of transportation going forward. More to the point, however, I know of no other right-of-way that could be obtained for less dollars through this corridor of central Florida to be served by **SunRail**. One can argue that CSX is getting a "windfall" but our system of private property suggests that if government has a need for the resource, it must pay for the resource. One can always argue that the state should have paid less, but the alternative would be condemnation, and we can all agree that would cost a great deal more.

And importantly, for those who say the bill continues to need a "lot of work." I would urge after some 42 years of practicing law in the state of Florida, that no bill has ever gone through the legislature where there was not a substantial number of persons both within and outside the legislative process who did not think there were portions of the bill that "needed additional work."

Importantly, this project is ready to go and represents a significant economic stimulus that in many respects will be more immediate and more dramatic than those presently proposed by the Federal government for infrastructure development. That is why this project, at this time, has even more importance than it might have had in another time. It puts on the map immediate opportunities for collateral development around transit-oriented design along the 61 miles of track and offers the opportunity for a significant measure of private capital to be invested along that track as the train begins operation and people begin to understand its benefits.

SunRail is a unique and important stimulus package for the State of Florida, and for managing and controlling growth appropriately into the future.

I ask for your support of **SunRail** now.

Very truly yours,



Ted R. Brown

c: Bill Hunter, AFCD
Jacob Stuart
Jeffrey Jonasen, Esq.