Martin County Board of County Commissioners voted to settle with Brightline negotiations significant safety and financial benefits to the county and its citizens

Today, following the conclusion of a private attorney-client session, county staff presented an overview of a proposed settlement agreement to a multi-party case filed in federal court against Brightline Train, LLC (Brightline). The Martin County Board of County Commissioners agreed to the proposed settlement, which provides the county with significant safety benefits, maritime navigability enhancements, cost savings and other benefits in connection with the high-speed rail project on the Treasure Coast.

"Staff has worked diligently to negotiate a favorable outcome for Martin County residents," said County Attorney Sarah Woods. "With this settlement, we've achieved our ultimate goal of increasing safety measures along the rail corridor while limiting future financial obligations," she continued. Highlights include the following items:

**Safety**

*Vehicle presence detection (VPD) and/or exit gates*

Brightline has agreed to install vehicle presence detection (VPD) and/or exit gates - at Brightline's expense - at 17 Martin County crossings, 2 City of Stuart crossings and 2 state crossings.

*Sidewalks*

Brightline has agreed to install - at Brightline's expense - sidewalks at six Martin County grade crossings and two City of Stuart grade crossings. For any additional sidewalks or areas where the county desires to add sidewalks outside of FECR right-of-way, Brightline will coordinate with the county to ensure county sidewalks and new sidewalks are properly connected.

**Fencing**

Brightline has agreed to pay up to $1 million toward fencing costs in the county, in addition to installation of any fencing required by the Federal Railroad Administration (FRA).

**Pedestrian Bridge**

Brightline has agreed to cost share, on an equal basis, for the construction of an aerial pedestrian bridge in the City of Stuart, which would allow pedestrians a safe way to cross the tracks.

**Accident Reports**

Brightline has agreed to promptly notify first responders of any accidents, provide the county with police and/or medical examiner reports and meet with the county at least annually to evaluate if additional safety measures are warranted to prevent similar accidents.
Costs
Currently, Martin County reimburses the Florida East Coast Railway (FECR) for maintenance costs for the 19 county road crossings, pursuant to certain crossing agreements entered between the county and FECR. Brightline has agreed to pay for all maintenance costs above the average annual cap for a 14-year period, when Brightline begins passenger rail operations between West Palm Beach and Orlando. Savings to the county are conservatively estimated to be at least $10 million. Municipalities within Martin County may avail themselves to the 14-year maintenance cap.

St. Lucie River Bridge and Loxahatchee River Bridge

- Brightline has agreed to elevate a section of the St. Lucie River Bridge - at its own expense - to allow passage of more marine traffic at bridge closure times, if the elevation will allow at least 35% more boat traffic to pass under the closed bridge.
- Brightline has agreed to ensure consistent bridge openings for 15 consecutive minutes every hour between 6 a.m. and 10 p.m. - subject to the concurrence of the FECR and the U.S. Coast Guard.
- A bridge monitor for the St. Lucie River Bridge will be provided at no cost to the county - subject to the concurrence of the FECR and the U.S. Coast Guard.
- Brightline has agreed to seek a U.S Coast Guard operating rule that requires the Loxahatchee River Bridge be open to rail and marine traffic on an as needed basis, with openings at least once per hour and each closure no more than 30 minutes, and to use best practices to develop a consistent time of opening each hour.

Brightline Station on the Treasure Coast
Brightline has agreed to build at least one train station on the Treasure Coast within 5 years of the commencement of passenger train operations between West Palm Beach and Orlando, and pay at least 50% of the costs of any Treasure Coast stations.

Brightline will also receive benefits from the proposed settlement including dismissal of the pending federal litigation and concessions for future challenges, additional permits or work approvals during a designated period.

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