

INDIAN RIVER COUNTY, FLORIDA

M E M O R A N D U M

TO: Michael Zito
Interim County Administrator

THROUGH: Phillip J. Matson, AICP
Community Development Director

Brian Freeman, AICP
MPO Staff Director

FROM: Jim Mann, MPA
MPO Senior Planner

DATE: March 17, 2023

SUBJECT: Right-of-Way Consent Agreement for Construction of the Trans-Florida Railroad Trail through FP&L Easement

It is requested that the information presented herein be given formal consideration by the Board of County Commissioners at its regular meeting of March 28, 2023.

DESCRIPTION, CONDITIONS, AND ANALYSIS

The Community Development Department, along with Florida Power and Light Company (FP&L) is requesting a Right-of-Way Consent Agreement for the extension of the Trans-Florida Railroad Trail (trail) through the St. Sebastian River Buffer Preserve (Preserve). This extension is a 1.4-mile section that is due west of the recently completed pedestrian overpass, that spans Interstate 95. The trail will consist of a 12-foot-wide asphalt shared-use path that seconds as a natural fire line suitable for heavy safety equipment, three culvert installations that will provide hydrologic connections between surrounding wetlands severed by the construction of the original railroad berm, and installation of collapsible bollards at each end of the Preserve.

The trail will be built within abandoned Trans-Florida Central Railroad Right-of-Way as part of the Rails to Trails Program awarded by the Florida Department of Transportation to Indian River County. FP&L currently maintains a 170-foot wide easement which intersects this trail corridor west of I-95.

On October 18, 2022, the Board of County Commissioners (Board) approved an amendment to easement for construction of the proposed trail extension with the State through the Board of Trustees of the Internal Improvement Trust. Also, on December 20, 2022, the Board approved an agreement with the St. Johns River Water Management District for an easement needed for

expansion of the trail. Approval of the Right-of-Way Consent Agreement is needed to construct the trail through the FP&L easement located within the trail corridor.

FUNDING

The trail will be built within abandoned Trans-Florida Central Railroad Right-of-Way as part of the Rails to Trails Program awarded by the Florida Department of Transportation to Indian River County. Indian River County will enter into a Local Agency Program (LAP) agreement for \$1,095,159.00 in construction funding of this project under Optional Sales Tax/Trans Florida Greenway PH II/ Account Number: 31521441-066510-21035, with FDOT funding \$920,180.00 and the County funding \$174,979.00.

RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the Right-of-Way Consent Agreement and direct staff to submit to FP&L for final execution.

ATTACHMENTS

1. Right of Way Consent Agreement.