



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
Richmond, Virginia 23219

(804) 786-1830
Fax: (804) 225-4700

Agenda Item # 3

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 18, 2014

MOTION

Made By: Mr. Connors Seconded By: Ms. DeTuncq

Action: Motion Carried, Unanimously

Title: Rail Industrial Access – HGAC, LLC

Location: King George County, Virginia

WHEREAS, pursuant to the 2013 Acts of Assembly, funding is provided by the General Assembly for Industrial, Airport, and Rail Access projects; and

WHEREAS, Section 33.1-221.1:1 of the *Code of Virginia* declares it to be in the public interest that access railroad tracks and facilities be constructed to certain industrial commercial sites; and

WHEREAS, HGAC, LLC has submitted an application for Rail Industrial Access grant funds in the amount of \$450,000 to construct 4,200 feet of track to serve a consolidated facility and a new site in King George County, which will position the company for future growth; and

WHEREAS, the Department of Rail and Public Transportation (DRPT) has evaluated the project in accordance with the Board's Rail Industrial Access policy, and because the project scores 64 points, has recommended approval of the project; and

WHEREAS, the Board of Supervisors of King George County has, by resolution dated April 15, 2014, shown support for the application of up to \$450,000 in Industrial Access Railroad Track funds for assistance in expanding track facilities to serve the proposed new HGAC, LLC facility in King George County; and

WHEREAS, CSX Transportation, Inc., by letter dated April 1, 2014, has indicated its support for the project and has agreed to serve the facility; and

WHEREAS, the funding request falls within the intent of Section 33.1-221.1:1, and because the project is in accordance with the provisions of the Commonwealth Transportation Board's policy on the use of Industrial Access Railroad Track funds, funding may be allocated to this project; and

WHEREAS, the Board believes that this project is for the common good of a region of the Commonwealth and serves a public purpose;

NOW THEREFORE, BE IT RESOLVED, that the Board hereby approves that \$450,000 of the Industrial, Airport, and Rail Access Fund with a \$150,000 requirement for local match, be provided to construct approximately 4,200 linear feet of track subject to the following requirements:

1. All necessary right of way and utility adjustments must be provided at no cost to the Commonwealth.
2. All costs above the \$450,000 allocated herein as an industrial rail access grant, must be borne by HGAC, LLC or sources other than those administered by the Virginia Department of Rail and Public Transportation.
3. Execution of an agreement acceptable to the Virginia Department of Rail and Public Transportation.

####