



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

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Agenda Item # 2

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 18, 2014

MOTION

Made By: Mr. Whitworth Seconded By: Ms. Valentine

Action: Motion Carried

Title: Rail Industrial Access – Carmeuse Lime & Stone, Inc.

Location: Frederick County, Virginia

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 where rail freight service is or may be need by new or substantially expanded industry; and

WHEREAS, Carmeuse Lime & Stone, Inc. has submitted an application for Rail Industrial Access grant funds in the amount of \$1,050,000 for the construction of 22,400 feet of track to serve their Clear Brook Facility in Frederick County, Virginia; and

WHEREAS, the project will include a loop track, will improve access to the Winchester and Western Railroad, which currently provides service, and will establish a new connection with CSX Transportation, Inc.; and

WHEREAS, the Clear Brook facility is expanding to serve customers throughout the mid-Atlantic with lime and aggregate; and

WHEREAS, the project will allow longer haul unit trains and will result in the diversion of regional aggregate truck traffic to rail; and

WHEREAS, the Frederick County Board of Supervisors has, by resolution dated March 12, 2014, shown support for the application of up to \$1,050,000 in Industrial Access Railroad Track funds for assistance in expanding Carmeuse Lime & Stone, Inc.'s track facilities to allow for unit train traffic to export aggregate and lime to other states; and

WHEREAS, CSX Transportation, Inc., by letter dated April 11, 2014, supports the project and has agreed to serve the facility in its expanded capacity; and

WHEREAS, Carmeuse Lime & Stone, Inc.’s proposed track and new facilities will be located in Frederick County, Virginia on the Winchester & Western Railroad; and

WHEREAS, this request falls within the intent of Section 33.1-221.1:1 and is in accordance with the provisions of the Commonwealth Transportation Board’s policy on the use of Industrial Access Railroad Track funds; and

WHEREAS, in accordance with the funding formula established by said policy, because the project scores 69 points, funding may be allocated to this project; and

WHEREAS, pursuant to the 2013 Acts of Assembly, funding is provided by the General Assembly for Industrial, Airport, and Rail Access projects; 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 \$1,050,000 of the Industrial, Airport, and Rail Access Fund with a \$750,000 requirement for local match, be provided to construct approximately 22,400 feet of track including a loop track, to improve the existing connection with the Winchester & Western Railroad, and establish a new connection with CSX Transportation, Inc., subject to the following conditions:

1. All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
2. All costs above the \$1,050,000 allocated herein as an industrial rail access grant, being borne by the Carmeuse Lime & Stone, Inc. 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.

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