



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda Item # 8

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 5, 2012

MOTION

Made By: Mr. Garczynski Seconded By: Mr. Layne
Action: Motion Carried

Title: Rail Industrial Access – Eco-Energy Distribution Services, LLC

Location: Prince William 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; and

WHEREAS, the Prince William County Board of Supervisors has, by resolution dated November 20, 2012, shown support for the application of up to \$450,000 in Industrial Access Railroad Track funds for assistance in construction the Eco-Energy Distribution, LLC staging tracks connecting to the Nustar Dumfries fuels blending terminal in Dumfries, Virginia; and

WHEREAS, CSX Transportation, Inc. has, by letter dated October 31, 2012, shown support for the project and the application for rail access funds; and

WHEREAS, Eco-Energy Distribution Services, LLC's proposed staging track and pipeline is located in the area known as Possum Point in Dumfries, Virginia in Prince William County; 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, funding may be allocated to this project; and

WHEREAS, pursuant to the 2012 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 \$450,000 of the Industrial, Airport, and Rail Access Fund with a \$150,000 requirement for local match, be provided to construct 8,400 feet of track to serve the proposed transload facility at Possum Point for Eco-Energy Distribution Services, LLC in the Possum Point area of Dumfries, Virginia in Prince William County contingent upon the following:

1. All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
2. All costs above the \$450,000 allocated herein as an industrial rail access grant, being borne by Eco-Energy Distribution Services, 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.

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