



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

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Agenda item # 9

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 9, 2015

MOTION

Made By: Mr. Malbon, Seconded By: Mr. Rosen

Action: Motion Carried, Unanimously

Title: Rail Industrial Access – Hampton Roads Integrated Bio-energy Complex #1 LLC

WHEREAS, funding is provided by the General Assembly for Industrial, Airport, and Rail Access projects; and

WHEREAS, Section 33.2-1600 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, Hampton Roads Integrated Bio-energy Complex #1, LLC (HRIBC#1) has submitted an application for Rail Industrial Access grant funds in the amount of \$450,000 toward construction of 3,600 feet of track to serve a facility in the City of Chesapeake; 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 62 points, has recommended approval of the project; and

WHEREAS, the Board of Supervisors of the City of Chesapeake has, by resolution dated October 27, 2015, 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 HRIBC#1 facility in the City of Chesapeake; and

WHEREAS, Norfolk and Portsmouth Belt Line Railroad Company, by letter dated August 25, 2015, has indicated its support for the project and has agreed to serve the facility; and

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WHEREAS, the funding request falls within the intent of Section 33.2-1600, and because the project is in accordance with the provisions of the 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 3,600 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 HRIBC#1 or sources other than those administered by the DRPT.
3. Execution of an agreement acceptable to the Director of DRPT.

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